

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

The Assembly met in the Assembly Chamber, Shillong, at 11 a. m. on Tuesday, the 10th September, 1946.

P r e s e n t

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

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral answers were given).

(Starred question No.18 was not put and answered as the Questioner Maulavi Makabbir Ali Mozumdar was absent at the time.)

Srijut Kanaklal Choudhury, a teacher of Soneswar Middle English School

Srijut LAKSHMIDHAR BORAH asked :

*19. (a) Is it a fact that Srijut Kanaklal Choudhury, a teacher of Soneswar Middle English School, was discharged in 1942 as a result of C. I. D. report ?

(b) Do Government propose to take necessary steps to see that said Srijut Kanaklal Choudhury is re-instated in his former appointment ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

19. (a)—Yes, in January 1944.

(b)—Government considered and had already issued orders for his re-instatement.

Gauhati Electric Supply Company

Srijut LAKSHMIDHAR BORAH asked :

*20. (a) Are Government aware that the Gauhati Electric Supply Company have not yet resumed lighting the roads of Gauhati as in the pre-war days ?

(b) Are Government aware that the street lamps do not give sufficient light ?

(c) Do Government propose to have the lights examined as also the electric machine of the Gauhati Electric Supply Company by the Government Inspector of Electricity ?

(d) Do Government propose to take steps for cancellation of their license ?

The Hon'ble Srijut RAMNATH DAS replied :

20. (a) and (b)—The street lights, all of which were lately restored, are functioning as efficiently as they were in the pre-war days.

(c)—The Gauhati Supply has been, and is, constantly under examination by the Inspectorate.

(d)—The system is suffering from deficiencies in plant which, during the period of general shortage in supply of imported and manufactured machinery, it has not been within the power of the Company to remedy in their entirety. Government have not contemplated cancellation of the license, therefore, for failure to supply so far.

Srijut GAURI KANTA TALUKDAR: As regards question No.20, Sir, are Government aware that the electric bulbs used in the street lighting of the town do not give sufficient light?

The Hon'ble Srijut RAMNATH DAS: Government is not aware of that but the street lights have been restored and these are functioning as efficiently as they were in the pre-war days.

(Starred question No.21 was not put and answered as the Questioner Raja Ajit Narayan Deb of Sidli was absent. Starred questions Nos.22 and 23 were also not put and answered as the Questioner Moulana Md. Mufazzal Hussain was absent at the time).

Re: the "Assam Industries", Shillong

Mr. HARENDRA NATH SARMA asked:

*24. Will Government be pleased to state:—

- (a) Who is the proprietor of the Bungalow now used for the "Assam Industries" in Shillong?
- (b) Has the "Assam Industries" been opened by Government?
- (c) If so, with what purpose?
- (d) If not, is Government in any way connected with it financially or otherwise?
- (e) Is there a tea-stall attached to it?
- (f) If so, for whom and why?
- (g) What was the income of the "Assam Industries" in the years 1944-45 and 1945-46 from (i) sale of goods and (ii) sale of tea?
- (h) What rent is paid for the Bungalow?
- (i) Is the "Assam Industries" open to the public?
- (j) If not, why not?
- (k) What Assam products this institution had in its stock during the last three months?

*25. (a) Will Government be pleased to lay on the table a statement showing the income and expenditure of the "Assam Industries" for the last five years?

(b) Are Government aware of the dearth of accommodation for Members of the Legislature in Shillong during Sessions?

(c) Is it a fact that Government in the Revenue Department was asked to make the "Assam Industries" Bungalow available for the Members of the Legislature during the ensuing Session?

(d) If so, why Government refused to do so?

(e) Was the Hon'ble Minister-in-charge consulted before such refusal?

(f) Do Government propose to shift the "Assam Industries" and the tea-stall attached to it to some other locality of the town and make the Bungalow available for accommodation of the Members of the Legislature until the proposed hostel building is constructed?

(g) If not, why not?

(h) What benefit is the Province of Assam and the people of Assam deriving out of the "Assam Industries" in proportion to the cost of its establishment and maintenance charges?

The Hon'ble Srijut BISHNU RAM MEDHI replied :

24. (a)—Messrs. Gholam Hyder and Sons, Shillong.

(b)—No.

(c)—Does not arise.

(d)—No.

(e)—Yes.

(f)—As an amenity for the benefit of the general public who visit the Association and as a source of income to the Association to be used for the furtherance of its main objects.

(g) (i)—Rs. 9,926-5-8½ p. in 1944 and Rs. 10,255-14-4 p. in 1945.

(ii)—Rs. 11,688-0-3 p. in 1944 and Rs. 2,734-9-3 p. in 1945.

(h)—Rs. 140 per mensem.

(i)—Yes.

(j)—Does not arise.

(k)—Goods manufactured at the **Khasi Weaving School**, Shillong and other miscellaneous locally-made articles and other co-operative goods from **Karimganj, Lushai Hills and Manipur**.

25. (a)—As stated below :—

Year	Income			Expenditure						
	Rs.	a.	p.	Rs.	a.	p.				
1941	39,427	10	6	...	...	41,689	12	9
1942	62,085	2	0	...	...	51,929	3	5
1943	135,234	3	9	...	...	110,376	6	4½
1944	147,344	4	3	...	...	125,729	14	3½
1945	139,391	10	0	...	...	126,401	2	5

(b)—Yes.

(c)—Yes, there was a proposal for hiring the house.

(d)—Revenue Department are not concerned with hiring of a house, this was left to the Department concerned *i.e.*, Legislative Department.

(e)—Yes.

(f) & (g)—Revenue and Finance Departments in consultation with the Legislative Department provided accommodation for the Members in Rani Abhoyeswari and Dhalia Cottages of the Earle Sanatorium and in Gauri Kutir at Mawkhar which had been under requisition. Government did not consider it necessary to disturb the Association.

(h)—This Association has been built up by voluntary efforts and money from absolutely nothing. It exists for the purpose of encouraging cottage industries by sale of produce of such cottage industries of the Province and its purpose is therefore beneficial to the public.

Besides, the profit derived is not divided amongst the shareholders as dividends. The entire profit is utilised for the specific purpose of improving the Industries, as will appear from the Articles of the Association, printed copies of which have been supplied to us.

Maulavi ABDUL BARI CHAUDHURY: May I know, Sir, from the Hon'ble Minister-in-charge what has become of the project for construction of additional hostels for the Members of the Legislature ?

The Hon'ble the SPEAKER: I think, it will be fair if I make a statement on the subject because primarily I am dealing with it. A House Committee meeting has been called for this purpose. Probably I will have to make a statement towards the close of the Session after this Committee has sat.

Babu PURNENDU KISHORE SEN GUPTA: Do Government consider reserving seats for the Members of the Assembly in the Sanatorium—depriving the visitors who come for a change in Shillong and which is originally meant for accommodating these changers ?

The Hon'ble Srijut BISHNU RAM MEDHI: How does that question arise, I cannot understand !

Maulavi ABDUL HAMID: The question arises in this way, Sir. The donors of the Sanatorium wanted the houses to be utilised by the visitors. They did not build it for the Members of the Assembly.

The Hon'ble Srijut BISHNU RAM MEDHI: Not all the houses.

The Hon'ble the SPEAKER: Perhaps it will be recollected by the hon. Members that on a previous occasion in connection with a Motion, hon. Mr. Mahendramohan Choudhury made a certain statement pertaining to these quarters on the floor of this House. Some of the quarters in the Sanatorium premises were indicated to be requisitioned temporarily. These were in occupation by certain people for the last 2 to 4 years. It is not known who authorised them to occupy these quarters for so long a time and we do not know whether they got into them legally or otherwise. But certain people did occupy the quarters. A certain Government Officer was there for over 3 years. Another private party alleged to be Burma evacuees were there for nearly 4½ years. Such was not the purpose of the original donor. Those quarters only have been requisitioned temporarily for the Members of the Legislature and directly the Session is over they will be released.

Babu PURNENDU KISHORE SEN GUPTA: Hon. Members are also sojourners. (*Laughter*).

Staff of the Agriculture Department

Srijut SARAT CHANDRA SINHA asked :

*26. Will Government be pleased to state :—

- (a) The strength of the staff of the Department of Agriculture in the different cadres in the general line from Kamdar to the Director of Agriculture (the Irrigation Branch of the Department not to be included) ?
- (b) The average annual expenditure incurred by Government for maintaining the staff only ?
- (c) (i) Whether owing to the existence of the Department with this staff the cultivation of the people has been improved, agricultural resources and prosperity have been developed or any other works, good for the people, have been done ?
(ii) If any, whether the work is proportionate to the expenditure incurred ?
- (d) The purpose for which the Department has been maintained ?
- (e) Whether the cultivators actually feel the existence of the Department and the benefit they derive from it ?
- (f) How the present state would differ from the state of non-existence of the Department ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

26. (a)—The strength of the Department of Agriculture in the different cadres in the general line (*i.e.*, excluding the Irrigation Branch) is given in the statement furnished below:—

Statement showing the strength of the staff of the Agriculture Department

GENERAL BRANCH			
Director of Agriculture	...	...	1
<i>Class I Officers</i>			
Deputy Directors of Agriculture	...	...	4
Economic Botanist	...	...	1
Special Officer	...	...	1 (Temporary).
Physiological Chemist	...	...	1 (Ditto).
Agricultural Officer for North-East Frontier Agency	...	...	1 (Ditto).
			(Paid by Government of India).
			—
			8
<i>Class II. Officers</i>			
Agricultural Chemist	...	...	1
Assistant Deputy Director of Agriculture, Live-stock	...	...	1
Assistant Economic Botanist	...	...	1
Senior Marketing Officer	...	...	1 (Temporary).
Assistant Deputy Director of Agriculture, Hills.	...	...	1
			—
			5
<i>Subordinate Agriculture Service, Class I</i>			
Agricultural Inspectors	...	...	22
Inspector of Government Gardens	...	...	1
Fruit Inspector	...	...	1
Farm Managers	...	...	7
Entomological Assistants	...	...	2
Botanical Assistants	...	...	4
Mycological „	...	...	2
Chemical „	...	...	2 (1 Temporary).
Agricultural Inspectors, Live-stock	...	...	5
Horticultural Assistant	...	...	1 (Temporary).
Inspectors, Training Classes at Jorhat and Sylhet	...	...	2 (Temporary).
Power Pump Irrigation Inspector, Sylhet	...	...	1 (Ditto).
Assistant Marketing Officers	...	...	3 (Ditto).
Marketing Inspectors	...	...	3 (Ditto).
Assistant Chemists under Physiological Chemist	...	...	2 (Ditto).
			—
			58
<i>Subordinate Agriculture Service, Class II</i>			
Assistant Farm Managers	...	...	7 (1 Temporary).
Botanical Field Assistants	...	...	3
Horticultural Field Assistant	...	...	2 (Temporary).
Chemical Field Assistant	...	...	1
Agricultural Instructors	...	...	4
			—
			17

Subordinate Agriculture Service, Class III

Fieldmen	...	...	...	16
Poultrymen	...	...	...	5
Agricultural Demonstrators	119
Rural Uplift Organisers	50

(4 Temporary).

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N. B.—The posts under Marketing scheme have since been treated as outside the general cadre.

TEMPORARY STAFF UNDER "GROW-MORE-FOOD CAMPAIGN"

Assam Agriculture Service, Class I

Poultry Development Officer	...	...	1
Dairy ditto	...	...	1

 2
Assam Agriculture Service, Class II

Assistant to the Director of Agriculture	...	...	1
District Agricultural Officers	...	...	9
Horticultural Development Officer	...	...	1
Dairy Surveyor	...	...	2

 13
Subordinate Agriculture Service, Class I

Agricultural Inspectors	...	...	10
Mycological Assistant	...	...	1
Entomological "	...	...	1
Poultry Inspectors	...	...	3
Poultry Managers	...	...	3
Dairy Assistant	...	...	1
Farm Managers	2
Fruit Inspectors	3
Power Pump Inspector	1
Foreman Mechanic	1

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Subordinate Agriculture Service, Class II

Assistant Agricultural Inspectors	4
Milk Tester	...	...	1
Investigators	...	...	12
Assistant Milk Testers	...	...	3
Equipment Carriers	...	...	3
Poultry Fieldmen	...	...	3
Poultry Demonstrators	...	...	3
Fruit Demonstrators	...	...	9

 38
Subordinate Agriculture Service, Class III

Kamdars	...	...	145
Fieldmen	4
Milk Recorders	4
Botanical Field Assistant...	1
Botanical Fieldman	1

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(b)—The average annual expenditure incurred by Government for maintaining the Staff is Rs. 4,65,710. This figure includes an expenditure of Rs. 1,52,524 incurred for maintaining the temporary Staff under "Grow-More-Food Campaign".

(c)—(i) Yes.

(ii) Yes.

(d)—(i) The main objectives of the Department are to carry out researches in agricultural problems.

(ii) To acquaint cultivators with the results of researches and experiments and help them in adopting these. (To achieve this end, one of the measures adopted in demonstration in the cultivator's fields. This was more or less held in abeyance during recent years on account of the "Grow-More-Food Campaign" but will be resumed now).

(iii) To help and advise cultivators in the matter of fighting insect pests and crop diseases.

(iv) To improve the quality of the cattle and other live-stock of the Province.

(v) To execute irrigation projects and provide water control. Only small projects are dealt with by this Department.

(vi) To help in flood relief work, when floods occur.

(vii) For the last few years the Department has been operating special schemes to increase the production of food in the Province in connection with the "Grow-More-Food Campaign".

(e)—Yes.

(f)—Non-existence of the Department would mean that the work now being done by the Department would no longer be done, and much of the improvement in agriculture that has been achieved will gradually be lost.

Maulavi MUHAMMAD ABUL KASHEM: Sir, the manner in which the Hon'ble Minister replied the question was very confusing, and he read answers so hurriedly that we could not quite follow him.

The Hon'ble the SPEAKER: This is an inherent difficulty which we all feel in respect of Starred Questions. If the answers are not printed and are given on the floor of the House verbally, particularly in a foreign language, we all feel great difficulty to follow and to immediately frame supplementary questions. But this is the rule, I do not know how to obviate it.

Maulavi Dewan ABDUL BASITH: In the question it is like this—(a), (b), (c), (d), etc. The Hon'ble Minister replied like 1, 2, 3, 4. If he replies like (a), (b), (c), (d), he may be in a position to reply the relevant portions of the questions. Moreover he read the answers very hurriedly and inaudibly.

The Hon'ble the SPEAKER: Perhaps the hon. Member missed the answer. Is it the desire of the House that the answers should be repeated?

Mr. W. R. FAULL: We also could not hear the Hon'ble Minister, Sir?

The Hon'ble the SPEAKER: As a matter of fact I also could not hear, (Laughter). The construction of the Hall is faulty. This has been always complained of, and recently there was an idea of some alteration of the structure, but since there may be some constitutional changes probably the House may be required to be bigger. Therefore, it was considered that rather than wasting money on structural changes which may prove quite useless in a short time

because it may so happen that the whole structure might have to be so extended that rebuilding will be necessary, we had better wait. In consideration of all these factors the matter was put off.

The Hon'ble Mr. BAIDYANATH MOOKERJEE: In this connection may I make a suggestion, Sir? Hon'ble Minister is not responsible for these (a), (b), (c), (d), etc. If the the hon. Questioner who wants that question '(a)' should be answered first and then the hon. Member will be allowed to put supplementary questions, in that case I would request the hon. Member who will put questions in future not to give (a), (b), (c), (d), but to give different numbers.

The Hon'ble the SPEAKER: The Hon'ble Minister's suggestion is very useful, but it has a practical working difficulty because certain questions are inter-linked. If portions or different sub-clauses of one inter-linked or connected whole question come off on different days, the questions become meaningless. But my Department is trying to obviate this difficulty.

The Hon'ble Mr. BAIDYANATH MOOKERJEE: The other alternative is not to put Starred Questions but to put Unstarred Questions. Why should we be blamed for no fault of ours? We are not doing anything new. We are following the old procedure.

The Hon'ble the SPEAKER: There is no question of blaming or no blaming. But when answers to Starred Questions are given it is expected that the Hon'ble Ministers will be good enough to read the answers slowly, and distinctly, so that one can follow them.

†**The Hon'ble Mr. BASANTA KUMAR DAS:** May I point out one thing, Sir? There is a rule, I think, which says that when statistical information is required then an Unstarred Question would be proper.

†**Maulavi ABDUL HAMID:** All the complaints that we are making are that when answering a Question it should be done distinctly and a bit loudly.

†**The Hon'ble Mr. BAIDYANATH MOOKERJEE:** The allegation was —“We could not understand”.
(Voices: No, no, we could not follow).

The Hon'ble the SPEAKER: I can drop a hint to hon. Members. I hope it will not be abused. They can just name '26(a)' and then the Hon'ble Minister will reply, but I hope that advantage will not be taken by prolonging the supplementaries too much.

[The Hon'ble Maulavi Abdul Matlib Mazumdar here repeated the replies to question No.26, a) to 26(f).]

†**Maulavi MAYEENUD-DIN AHMED CHOWDRY:** As regards reply to (d), the Hon'ble Minister has given a long list regarding the purpose for which this Department exists. Will the Hon'ble Minister please state whether this long list is being actually carried out by this Department?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: Yes, Sir.

†**Maulavi ABDUL BARI CHAUDHURY:** May I know, Sir, for how long this research work has been started—I mean for how many years?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: I cannot exactly say for how long, but I know that it has been carried on.

†**Maulavi ABDUL BARI CHAUDHURY:** May I know from the Hon'ble Minister in-charge whether any practical result has been obtained?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: Yes. In Titabar Farm new kinds of paddy samples have been evolved. One of them is Andrew Sali, which yields far more produce than any available here. I have seen with my own eyes that practical research is being carried out and desired results are being achieved.

†**Maulavi MAYEENUD-DIN AHMED CHOWDRY:** Are the Kamdars actually helping the cultivators?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: Yes, Sir.

†**Maulavi MAYEENUD-DIN AHMED CHOWDRY:** In which way?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: By instructing them to fertilise their land and by instructing them to grow particular crop on particular land. These are the ways in which the Kamdars are helping the cultivators. If specific questions are put, I will give more details as to what has been done to instruct the cultivators by the Kamdars, but off-hand I cannot answer them.

†**Maulavi MAYEENUD-DIN AHMED CHOWDRY:** Do the Kamdars receive any training after they are appointed?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: That I cannot answer off-hand. These Kamdars are in existence for many years and it may be that they have got training.

†**Maulavi MAYEENUD-DIN AHMED CHOWDRY:** Will the Hon'ble Minister take it from me that the Kamdars never visit localities and instruct cultivators in the way in which the Hon'ble Minister has stated?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: If they are not as much useful now, steps will be taken to see that they will be useful in future. Nothing more can be done.

†**Maulavi ABDUL HAMID:** Will the Hon'ble Minister be able to state what result has been achieved from the "Grow More Food Campaign"?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: The yields of the Province have been increased to a great extent. Statistics of the Agriculture Department show that we have got more paddy than in years before the "Grow More Food Campaign" started.

†**Maulavi MAYEENUD-DIN AHMED CHOWDRY:** May I know what purpose has been obtained by the "Grow More Food Campaign"?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: I would not answer that question again.

†**Maulavi ABDUL BARI CHAUDHURY** : As regards reply to (e) may I inform the Hon'ble Minister in-charge that except the Hon'ble Minister himself and his Department, no cultivator ever feels that there has been any improvement in the Department ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : That is a matter of opinion, Sir.

†**The Hon'ble Mr. BASANTA KUMAR DAS** : That is the danger of admitting questions asking for an expression of opinion.

Maulavi MAYEENUD-DIN AHMED CHOWDRY : What part has this Department of "Grow More Food Campaign" played ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : That is a new question, Sir.

†**Maulavi ABDUL HAMID** : One question is very extensive. I will draw attention to question (f). "How the present state would differ from the state of non-existence of the Department" ?

The Hon'ble the SPEAKER : There is the answer : "Non existence of the Department would mean that the work now being done by the Department will no longer be done, and much of the improvement in agriculture that has been achieved will gradually be lost".

Number of Students of Aided Schools and Government Schools

Srijut SARAT CHANDRA SINHA asked :

*27. (a) Will Government be pleased to state the number of students of (i) Aided Schools and (ii) Government Schools in the Province as it stood on the rolls on the 31st March 1946 ?

(b) Will Government be pleased to state whether they are aware :—

(i) that the Government Schools would serve the useful purpose more in rural areas than in the urban ?

(ii) that the people in the towns are well-to-do and can easily afford to pay for the proper education of their children whereas the village people cannot ?

(iii) that in some cases, aids received by the Aided Schools are very meagre ?

(iv) that the Aided Schools are going without efficient staff for want of funds, causing a general deterioration of the education of the children of Assam ?

(v) that not a single Government School is in the rural area ?

(c) Do Government propose to give more aid to the Aided Schools ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

27. (a) —The number of pupils in Government and Aided Schools in the

Province as stood on 31st March 1946 is not available just at present. The number of pupils in Government and Aided Schools as stood on 31st March 1945 is as follows :—

Government Schools for boys		Aided Schools for boys	
1. High Schools	10,475		28,661
2. Middle English Schools ...	645		18,107
3. Middle Vernacular Schools	2,070		1,349
4. Primary Schools	19,264		16,045
	32,454		64,162
Government Girls' Schools		Aided Girls' Schools	
1. Government High Schools ...	786		5,116
2. Middle English Schools ...	710		2,888
3. Middle Vernacular Schools	—		278
4. Primary Schools	73		3,245
	1,569		11,527

(b) (i)—It is a matter of opinion.

(ii)—Not necessarily. This is again a matter of opinion, there are poor people in towns also. Moreover, there are instances where the case is quite reverse.

(iii), (iv) and (c)—Yes, but endeavours are being made to provide more money almost every year for the purposes within the limitation of funds. It should however be remembered, Government was not responsible for bringing these Schools into existence.

(v)—There are of course no Government High Schools in rural areas, but there are Government Primary, Middle Vernacular and Middle English Schools in such areas.

Maulavi ABDUL HAMID : With regard to reply to (b) (iv), do Government realise that though Government was not responsible for bringing into existence of the Aided High Schools, they are doing very good work in the matter of spreading Secondary Education ?

The Hon'ble Srijut GOPINATH BARDOLOI : That may be a fact, Sir.

Maulavi MAYEENUD-DIN AHMED CHOWDRY : Do Government propose to help such institutions, Sir ?

The Hon'ble Srijut GOPINATH BARDOLOI : Government are doing their best, Sir.

The Assam Junior Civil Service

Maulavi NASIR-UD-DIN AHMED asked :

*28. (a) Is it a fact that in all other services officers are allowed to officiate in case of occurrence of vacancies to the next higher posts and are also allowed

the benefit of increment in such officiating services but the Sub-Deputy Collectors are denied of any such favour ?

(b) Is it a fact that the Sub-Deputy Collectors were deprived of any newly created higher post carrying higher status and salaries on the plea that the revenue work will suffer thereby ?

(c) Are Government aware that under the existing system of distribution of work, Sub-Deputy Collectors are relegated to do minor revenue work ?

(d) Are Government aware that under the existing system of promotion Sub-Deputy Collectors cannot expect a promotion till the fag end of their service ?

(e) Is it a fact that some of the retired Extra Assistant Commissioners have still been allowed to continue in their present posts of re-employment ?

(f) Are Government aware of the present volume of discontent on the above mentioned grounds among the members of the Assam Junior Civil Service ?

(g) Whether Government have lately received any representation on this from them.

(h) Are Government aware of the present lack of impetus among the members of the Assam Junior Civil Service in so far as their work is concerned ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

28. (a)—The facts are generally as stated. But these two services are generally organized for different purposes, and each carries its own leave and deputation reserves. Two Sub-Deputy Collectors were appointed to temporary posts in the senior service.

(b)—It is a fact that it has rarely been possible to spare a Sub-Deputy Collector for work outside the sphere of the service.

(c)—Yes.

(d)—Yes. The question has been exercising the close attention of Government in search of a solution.

(e)—Yes, four.

(f)—Yes.

(g)—Yes.

(h)—Yes.

Srijut GAURI KANTA TALUKDAR : With regard to reply to (g), Sir, have Government given due consideration to the representation submitted by them ?

The Hon'ble Srijut GOPINATH BARDOLOI : Yes, Sir, the matter is receiving very serious consideration of Government and the results are expected to be available for public, I suppose, in about 3 months' time.

Experimental Fruit Garden at Barpathar

Srijut RAJENDRA NATH BARUA asked :

*29. Will Government be pleased to state—

(a) Whether representations from the Fruit Growers Association and the local Members of Legislative Assembly, of Barpathar, dated 15th March 1946 and 15th May 1946, respectively were received by the Government stating the need of an Experimental Fruit Garden at Barpathar ?

- (b) Whether it is a fact that the then Deputy Director of Agriculture in 1939-40 suggested to open an experimental farm there with an area of about 5 acres of land and that the project could not proceed owing to war intervening ?
- (c) What action is being taken to open an experimental farm in pineapples and other fruits of citrus variety in this area ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

29.(a)—Yes.

(b)—Yes. But the proposal after further consideration had to be dropped partly due to apathy of the local farmers and mainly to unfavourable soil and climatic conditions.

(c)—There is no contemplation to start any experimental fruit garden in this area in view of the fact that the fruit nursery already started at Jorhat under the Horticultural Development Scheme will be able to meet the needs of the local fruit growers for plant, manures, etc.

Srijut RAJENDRA NATH BARUA : Sir, are Government aware that pineapple from that area got the first prize in the Lucknow Exhibition, and, as such, do not Government consider that experimental pineapple fruit gardens will benefit the Province ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : Sir, Government have no such information ; but if the case is like that and if Government are moved to consider the matter, I think, steps will be taken to see the possibilities.

Control over Kerosene Oil

Srijut LAKSHMIDHAR BORAH asked :

- *30.(a) Is it a fact that control over kerosene oil is going to be lifted ?
- (b) If so, do Government propose to reconsider the question and instead of lifting the control over the commodity increase the quota to the consumers ?
- (c) Will Government be pleased to sanction special quota of kerosene to the students ?

The Hon'ble Mr. BAIDYANATH MOOKERJEE replied :

30.(a)—No.

(b)—Does not arise.

(c)—Government are considering the question.

Srijut LAKSHMIDHAR BORAH : Sir, am I to understand that the position of kerosene has not improved at all ?

The Hon'ble Mr. BAIDYANATH MOOKERJEE : How can that question arise, Sir ?

The Hon'ble the SPEAKER : The answer to the question is 'No'.

The Hon'ble Mr. BAIDYANATH MOOKERJEE : The question, Sir, is whether Government is contemplating to lift the ban or not. The reply is 'No'. How can this supplementary question arise, Sir? The answer is that it is not going to be lifted.

Srijut LAKSHMIDHAR BORAH : Then am I to understand, Sir, that the position of kerosene has not improved?

The Hon'ble Mr. BAIDYANATH MOOKERJEE : Sir, the position has improved but not to the extent that the control should be raised.

Srijut DANDESWAR HAZARIKA : Is it a fact, Sir, that about 50 per cent. of the quota of kerosene has been increased from the last month?

The Hon'ble Mr. BAIDYANATH MOOKERJEE : Not about 50 per cent. Sir, but what was our quota during 1941 has practically been revived, that is 97½ per cent. of 1941 off-take.

Maulavi ABDUL HAMID : Sir, has the Hon'ble Minister got any accurate information about the quantity of kerosene necessary for normal consumption of the Province? When the Hon'ble Minister said that the supply has not increased necessarily he must have compared the present supply with that of normal time.

The Hon'ble Mr. BAIDYANATH MOOKERJEE : I have never said, Sir, that the supply has not increased. I have said that it has not increased to the extent that the control should be raised; that is, we have not yet come to the normal.

Maulavi ABDUL HAMID : Sir, unless the Hon'ble Minister has compared with the quantity required normally how can he say that the supply has not come up to the normal.

The Hon'ble Mr. BAIDYANATH MOOKERJEE : If the supply would have come to normal, Sir, in that case the control would have been lifted and the people would be able to purchase according to their sweet will. In one case, Sir, we have found that as a result of lifting of ban on corrugated iron sheets the article is going to the black market. So it is evident that even when the supply will come to the normal, if we want to act wisely, we must observe the situation for at least 2 or 3 months before we lift the control; otherwise we may be put into difficulty. But it is a certainty, and I think everybody will admit that so far as villages are concerned, the quantity has been increased and the people are not feeling the same difficulty as they were feeling before.

As regards (c), Sir, Government are considering the question, but just to give some idea about Government's action I may say that I received representations from some places and I have already passed orders in particular cases that the students should get something extra. And we are considering the question of the students as a whole.

Srijut LAKSHMIDHAR BORAH : When will Government arrive at a decision, Sir?

The Hon'ble Mr. BAIDYANATH MOOKERJEE : I cannot give any definite time, but it is the desire of the Government to arrive at a decision as early as possible.

(Starred Questions Nos. 18, 22 and 23, which could not be put at the proper time owing to absence of the questioners, were allowed by the Hon'ble Speaker to be put at this stage when the questioners were present.)

The Hon'ble the SPEAKER: While I allow these Questions to be put, I would like to make it clear that such privilege would not be allowed in future.

Re: Requisition cases

Maulavi MAKABBIR ALI MAZUMDAR asked:

*18. Will Government be pleased to state the total number of requisition cases in each Subdivision pending at the beginning of 1946 and the number of cases disposed of every month (figures to be shown separately for each Subdivision of the Province) ?

The Hon'ble Srijut BISHNURAM MEDHI replied:

18.—The question is not sufficiently explicit and the time is short and the information in detail is not likely to be available before the end of the Session. A requisition case may deal with any number of persons from one to two thousand, and may be pending for any one of the following reasons—

- (a) Assessment or payment of initial compensation.
- (b) Assessment or payment of recurring compensation.
- (c) Assessment or payment of terminal compensation.
- (d) Execution of original or terminal agreement.
- (e) Reference to arbitration.

Government are doing their best to expedite all these processes and have appointed a Special Officer to tour constantly, and keep local officers up to the mark.

Babu PURNENDU KISHORE SEN GUPTA: Are Government aware that payments are being withheld for a long time ?

The Hon'ble Srijut BISHNURAM MEDHI: No, whenever any specific instances are brought to the notice of the Government, Government immediately send *tagid* and see that the money is paid as soon as possible.

Maulavi ABDUL BARI CHAUDHURY: May I know, Sir, whether it is a fact that final orders for payment for such compensation was passed by Hon'ble Mr. Mookerjee, as Revenue Minister, before he vacated office in February 1946?

The Hon'ble Srijut BISHNURAM MEDHI: I want notice of this particular question.

Babu PURNENDU KISHORE SEN GUPTA: Are Government aware that five lakhs of rupees were demanded by local officers from the Central Government for payment of the Kulaura project and that no money was sent there for a long time ?

The Hon'ble Srijut BISHNURAM MEDHI: I do not exactly remember that. My hon. Friend was speaking about terminal compensation probably. In case of terminal compensation the Provincial Government is not the sole authority to pass orders. They have to obtain the sanction of the Central Government before any money is paid. We have tried to expedite the orders of the Central Government.

The Hon'ble the SPEAKER: How is that ? People in certain localities, e.g., Neemati, Rahraiya in Jorhat Subdivision were evicted, some with 48 hours' notice and some with 24 hours' notice and they had to vacate leaving their catile even, in some cases. And these people are not getting payment even after three or four years ?

The Hon'ble Srijut BISHNURAM MEDHI: In all cases, in all probability first instalment of payment from 60 to 80% has been made.

The Hon'ble the SPEAKER: Not in all cases.

The Hon'ble Srijut BISHNURAM MEDHI: This is our information, Sir, but if any specific cases are brought to my notice I shall enquire of them.

The Hon'ble the SPEAKER: It is almost general in those areas ; so many people have been rendered homeless and made to run from pillar to post, but as yet they have got no relief.

Babu KAMINI KUMAR SEN: Sir, part payments have been made in most cases but no final payment has yet been made though the requisition was made as early as in 1942.

The Hon'ble the SPEAKER: The practice in two valleys might differ.

The Hon'ble Srijut BISHNURAM MEDHI: It is the same, Sir; I agree that no final payment has been made. At the time of acquisition or requisition this Government was authorised to make payments up to 60 to 80% of the amount. But no such authorisation has been made as regards de-requisition, and so no final payment could be made. So long, the Central Government was irresponsible, but, I think, with the establishment of the Interim Government the matter will be speedily disposed of.

Maulavi ABDUL HAMID: Will the Hon'ble Minister take notice from the statement made by the Chair that in some cases preliminary payment has not been made ?

The Hon'ble Srijut BISHNURAM MEDHI: That information is not correct. Recently I had been to Jorhat side and no complaint was made to me.

Babu RABINDRA NATH ADITYA: Have Government finally disposed of the Akhalia matter ?

The Hon'ble Srijut BISHNURAM MEDHI: I require notice of this question as it is difficult to remember all cases in detail.

Srijut RAJENDRA NATH BARUA: May I know why it should be necessary in all cases that the matter should be referred to the Hon'ble Minister concerned and not to the Requisitioning Officer on the spot ?

The Hon'ble Srijut BISHNURAM MEDHI: In cases of non-payment by the Requisitioning Officer, or if the Officer does not pay attention to the matter, this should be brought to my notice for enquiry into the local officers' actions.

Babu KAMINI KUMAR SEN: In view of the fact that no final payment has been made entailing a delay for more than three years, will the Hon'ble Minister in-charge see that no further delay is made ?

The Hon'ble Srijut BISHNURAM MEDHI: The difficulty is that in some cases rents were paid, in some initial compensation was only paid, and the Central Government have not finally decided about de-requisition ; they are also thinking whether they will acquire some land. These things stand in the way of final payment. But we are sending *tagid* after *tagid* to the Central Government to expedite the matter.

Srijut LAKSHESVAR BOROOAH: The people of the Rahraiya area have not got final payment.

(A voice: No one has.)

Maulavi MAKABBIR ALI MAZUMDAR : May I know, Sir, whether any such cases were brought to the notice of the Hon'ble Minister-in-charge by some people of Silchar when he was on tour there ?

The Hon'ble Srijut BISHNURAM MEDHI : It is very difficult to remember but if anything is brought to my notice I immediately pass order.

Babu RABINDRA NATH ADITYA : Is there any notification from the Central Government to the effect that acquisition is not permissible under the Defence of India Rules ? -

The Hon'ble Srijut BISHNURAM MEDHI : Acquisition can be done under the ordinary law, if required, for the purpose of keeping some military projects.

Newspapers publishing Government announcements and advertisements

Moulana MD. MUFAZZAL HUSSAIN asked :

*22. Will Government be pleased to state—

- (a) The names of the newspapers in which Government publish their announcements and advertisements ?
- (b) How many of these papers are Muslim managed ?
- (c) Whether Government invited petitions from these papers ?
- (d) Whether it is a fact that the purpose of such publications is to give wide publicity of the important Government announcements and advertisements ?
- (e) If so, why these announcements and advertisements are not made in the widely circulated daily papers such as "The Dawn", "The Morning News", "The Azad", and "The Star of India" ?

The Hon'ble Mr. BASANTA KUMAR DAS replied :

22. (a)—The list is ordinarily as follows :—

Newspapers of the Province receiving Assam Government advertisements

ASSAM VALLEY			
1. The Times of Assam	...	...	Dibrugarh.
2. The Assam Tribune	..	...	Gauhati.
3. The Assamiya	...	...	Ditto.

SURMA VALLEY			
1. The Jugabheri	...	...	Sylhet.
2. The Assam Herald	...	...	Ditto.
3. The Janasakti	...	...	Ditto.
4. The Sylhet Chronicle	...	...	Ditto.
5. The Young Assam	Ditto.
6. The Abhijan	Ditto.

HILLS

1. The Shillong Times	Shillong.
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Newspapers published outside the Province but receiving advertisements from Assa Government occasionally.

1. The Statesman	Calcutta.
2. The Amrita Bazar Patrika	Ditto.
3. The Hindustan Standard	Ditto.
4. The Pioneer	Allahabad.
5. The Awaza-i-Khalk	Benares.
6. The Indian Engineering	Calcutta.

But advertising officers have some discretion to utilize a particular journal if it is suitable for the purpose in hand, *e.g.*, for appointment from candidates within a district where it circulates.

(b)—Two.

(c)—The practice of Government is to ascertain the circulation when the inclusion of a particular journal is proposed. Petitions are not invited.

(d)—Yes ; but as already indicated, the nature of publicity required will depend on the subject matter.

(e)—The range of advertisements which need be published outside the Province is comparatively narrow, but if any of these journals apply for entry in the list and state their audited figures of circulation they will be considered.

Maulavi ABDUL BARI CHAUDHURY: May I know, Sir, from the Hon'ble Minister whether "The Statesman", "The Amrita Bazar Patrika", "The Hindustan Standard" and "The Pioneer" applied for entry in the list ?

The Hon'ble Mr. BASANTA KUMAR DAS: I cannot answer this question off-hand, Sir. Because these newspapers were entered into the list by the previous Government long ago.

Maulavi MAYEENUD-DIN AHMED CHOWDRY: Sir, in reply to Question No. 22(c) Government say that petitions are not invited, and again in reply to Question No. 22(e) the Government say that 'if any of these journals apply for entry in the list' ; where is the consistency between these two answers, may I know, Sir ?

The Hon'ble Mr. BASANTA KUMAR DAS: No applications are invited, Sir, but the newspapers are quite at liberty to apply.

Maulavi ABDUL HAI: May I know, Sir, whether the Government will consider the case if any newspaper apply for entry in the list ?

The Hon'ble Mr. BASANTA KUMAR DAS: Sir, Government can't give any assurance on such a hypothetical question. However, Sir, the figures of circulation of a paper are essentially necessary for including a newspaper in the list.

Maulavi ABUAL MAJID ZIAOSH-SHAMS: Is it not a fact, Sir, that the Muslims generally read the newspapers as stated in Question No. 22(e) ?

The Hon'ble Mr. BASANTA KUMAR DAS: No, Sir, this is not correct.

Maulavi ABUAL MAJID ZIAOSH-SHAMS: May I know, Sir, whether the advertisements issued by Government are meant for the Hindus alone ?

The Hon'ble Mr. BASANTA KUMAR DAS: I do not know, why the hon. Member draws this inference. This is quite unwarranted, Sir.

Maulavi ABUAL MAJID ZIAOSH-SHAMS: Is it not a fact that it is within the knowledge of the Hon'ble Minister that "The Dawn", "The Morning News", "The Azad" and "The Star of India" are generally read by the Mussalmans.

The Hon'ble Mr. BASANTA KUMAR DAS: That may be so, Sir. But from this inference cannot be drawn that the Government has got any intention to exclude the Muslim newspapers.

Babu RABINDRA NATH ADITYA: Is it not a fact, Sir, that these papers were in circulation when the last Ministry was in office?

The Hon'ble Mr. BASANTA KUMAR DAS: Yes, it is a fact, Sir.

Babu RABINDRA NATH ADITYA: Did the last Ministry care to include these newspapers in the list?

The Hon'ble Mr. BASANTA KUMAR DAS: I cannot say that; they might have considered it.

Housing accommodation to Ministerial Officers at Shillong

Moulana MD MUFAZZAL HUSSAIN asked:

*23. (a) Are Government aware of the untold sufferings of the Ministerial officers of different Government offices in Shillong who are in dire need of the housing accommodation?

(b) Is it a fact that Government have lately received some representations from the Assam Ministerial Officers Association in this regard?

(c) If so, will Government be pleased to state what immediate steps have been taken by them to ameliorate their grievances?

(d) Is it a fact that Government have undertaken the construction of some quarters for the accommodation of the Ministerial officers of Shillong?

(e) If so, will Government be pleased to state the number of such quarters and the probable date when they will be ready for distribution to the Ministerial officers?

(f) How many of these quarters are proposed to be given to the Muslims?

(g) Will Government be pleased to state whether these quarters will completely solve the acute housing problem prevailing among the Ministerial officers of Shillong?

(h) Whether these quarters will be given on rental basis?

(i) If so, how Government propose to realise rent for these quarters?

(j) Do Government propose to increase the number of such quarters in near future to provide sufficient housing accommodation to the Ministerial officers?

(k) Are Government aware that the population of the town of Shillong is on the increase and that there is scarcity of vacant space for constructing new buildings?

(l) Whether Government have any contemplation to extend the Municipal Area of the town of Shillong to provide facilities for the construction of the houses by the citizens?

(m) If not, will Government be pleased to state the alternative they have in view in this regard?

The Hon'ble Srijut BISHNURAM MEDHI replied :

23. (a) and (b)—Yes.

(c) to (e)—Government have undertaken to construct 17 quarters in Kench's Trace area at an estimated cost of Rs.1,35,021 to provide accommodation to the Ministerial officers. The quarters now under construction are expected to be ready for allotment early in next winter.

(f)—It is not proposed to allot the quarters on a communal basis, but the recommendations of the various Ministerial Service Associations as well as recommendations of the Heads of Departments will be taken into consideration in allotting the quarters.

(g)—No.

(h)—Yes.

(i)—By deduction from the pay bills of the officers concerned at a rate not exceeding 10 per cent. of their salary. But to provide accommodation to Lower grade Ministerial Officers it may be necessary to fix a minimum rent which may be a little more than 10 per cent.

Maulavi ABDUL BARI CHAUDHURY : May I know from the Hon'ble Minister whether the Assistants of the Assembly Department are recognised as Ministerial Officers.

The Hon'ble Srijut BISHNURAM MEDHI : I think they are included in the categories of Ministerial Officers.

Maulavi MAYEENU'D-DIN AHMED CHOWDRY : Questions Nos. (j) to (m) have not been replied to, Sir.

The Hon'ble Srijut BISHNURAM MEDHI replied :

(j)—Yes.

(k)—Yes.

(l) & (m)—The construction of houses by private individuals on vacant land does not depend on the extension of the Municipal Area: the latter step ordinarily follows not precedes such construction. Government would welcome an increase in private building around Shillong.

Maulavi MAYEENU'D-DIN AHMED CHOWDRY : Am I to take it, Sir, that Government do not propose to take any step towards extending the boundaries of the Shillong Municipality ?

The Hon'ble Srijut BISHNURAM MEDHI : If any proposal comes from any of the Municipalities, the matter will be taken into consideration by the Local-Self Government Department. Sir, there are some difficulties and I hope the hon. Member is aware of them. Some of these lands in Shillong belong to Khasi States and unless the people of the localities concerned move in the matter it becomes somewhat difficult for Government to do anything. That is why we expect that people in the localities desiring to be included in the municipal areas should approach the Municipality first and then the Government.

Maulavi ABDUL HAI : Do Government propose to remove those difficulties, Sir ?

The Hon'ble Srijut BISHNURAM MEDHI : Gradually all these difficulties will be removed, Sir.

The Hon'ble the SPEAKER : Now, we come to the next item.

Adjournment Motion re : the serious situation created by the Sweepers' Strike in the Sunamganj Town

Maulavi ABDUL KHALEQUE AHMED : Mr. Speaker, Sir, I have got an Adjournment Motion in my name. The Motion runs as follows:—

“ That this House do now adjourn to discuss a definite matter of urgent public importance and of recent occurrence to wit : the serious situation created by the Sweepers' Strike in the Sunamganj Town affecting the health and safety of the general public. ”

Sir, I was at the Sunamganj town on the 5th instant when the sweepers went on a strike. I was there up to the 7th and there was a proposal for compromise on the 8th but unfortunately, I think, no compromise was arrived at. I received a telegram yesterday at about 2 P.M., reading as “ Abdul Khaleque, M. L. A. Sunamganj sweepers on strike from fifth instant no settlement by authority nor by Congress Committee. Situation alarming—apprehending zoolum. Move Government. Sweepers starving—Gayadin Jamader.”

I think the two other hon. Members of Sunamganj Subdivision have also received telegram in this matter yesterday. Now, Sir, it is very important.....

The Hon'ble the SPEAKER : Might I know what is the object of the hon. Member in moving this Motion ?

Maulavi ABDUL KHALEQUE AHMED : My intention to move this Motion is that Government should take immediate steps to intervene in the matter so that the strike is stopped and to give some relief to the sweepers.

The Hon'ble the SPEAKER : Is that all ?

Maulavi ABDUL KHALEQUE AHMED : Yes, Sir. It is very urgent to give some relief to the sweepers.

The Hon'ble the SPEAKER : I am afraid, the business of the House cannot be allowed to be interfered in this way and Government cannot be approached in this manner. The hon. Member will please take his seat.

Maulavi ABDUL KHALEQUE AHMED : But it will help all the hon. Members.

The Hon'ble the SPEAKER : Order, order. If it is the object of the hon. Mover to give succour to the sweepers, the business of the House cannot be allowed to be interfered in this way. I hope, I am clear.

Maulavi ABDUL KHALEQUE AHMED : Sir, this affects the health of 6,000 people living in the Town if the strike is allowed to go on.

The Hon'ble the SPEAKER : I quite sympathise with this, but the object of an Adjournment Motion should surely be to censure the Government for their failure to do their duty. It is not the object of an Adjournment Motion to draw the attention of Government. Have the Government failed to discharge their duty ?

Maulavi ABDUL KHALEQUE AHMED : I think, Sir, the Government have already been informed of the strike and they have failed to do their duty to the people of Sunamganj to stop the strike and they deserved censure.

The Hon'ble the SPEAKER : Only yesterday on the floor of this House I made a request to the hon. Members to consult their Leaders of their parties or other experienced Members before tabling an Adjournment Motion and if that request were heeded to, a lot of valuable time of the House would have been saved to-day. The hon. Member should know that to-day is a Private Members' day. The hon. Member should note that this strike is primarily the business of the Municipal Board and I do not understand how Government have failed to do their duty.

Maulavi ABDUL KHALEQUE AHMED: Sir, the matter has already been reported to Government and it is, I think, the duty of the Government to see that the Municipal Board function properly to the satisfaction of Government as well as the public. And it is also the duty of Government to see that the health of the people of Sunamganj is not affected.

* **Sri SATINDRA MOHAN DEV:** On a point of information, Sir. How many sweepers are there in Sunamganj Town? Most probably nature is sweeping the town in these rains. (*Laughter*).

The Hon'ble the SPEAKER: May I know from the hon. Mover when he got the information of the strike locally?

Maulavi ABDUL KHALEQUE AHMED: On the 5th instant, when I was there, Sir.

* **Maulavi ABDUL BARI CHAUDHURY:** The hon. Member says that he knew of the strike and that there was a proposal of compromise by the Congress Committee of Sunamganj but unfortunately the compromise could not be made. So, the situation has become more worse and therefore, the Jamadar has sent the telegram to him. I also, Sir, have received a telegram, but the real intention of the hon. Mover is to draw attention of the Government to intervene in the matter.

The Hon'ble the SPEAKER: If the hon. Member Maulavi Abdul Bari Chaudhury knew about the object of the Adjournment Motion, has not the House got the right to expect from him to give the correct advice to the hon. Member who is tabling this Motion. Is not the Chair entitled to look up to the hon. Member—Maulavi Abdul Bari Chaudhury to advise the new Member to the effect that the Adjournment Motion is not a proper one and not in order (*Laughter*).

* **Babu KAMINI KUMAR SEN:** The real purpose of the Adjournment Motion is to get an encouraging answer from the Hon'ble Minister-in-charge.

* **The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** I have received a telegram from the local Congress Committee but no confirmation of it has yet been received. The Chairman of the Municipality has not yet informed Government anything about it. A negotiation was carried on by the Congress Committee but no compromise could be made. Sir, the hon. Member knows that it is the primary duty of the Municipal Board who are responsible in this matter. Of course, if they approached the Government for finance or for other help, it would have been the duty of the Government to see how the Municipal Board could be helped. But up till now there is no information from the Municipal Board. So, there is no reason why the important business of the House should be postponed by such an Adjournment Motion. I do not understand how the matter could be so urgent as to adjourn the business of the House.

The Hon'ble the SPEAKER: The sweepers are on strike in Sunamganj. Does it not affect the health of the people? Is that not an urgent matter?

* **The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** It may be urgent, Sir, but it is to be seen who is to be moved in the matter. Government have no responsibility as they have not received any information up till now.

(*A Voice:— How, how ?*)
Because only yesterday a telegram was received from the Congress Committee by me. The Chairman of the Municipal Board has not yet given any information and the telegram has not yet been confirmed.

* Speech not corrected.

* **Maulavi Dewan ABDUL BASITH**: It is now confirmed by us

* **The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR**: That is no confirmation. Of course, if any suggestion is put forward by the hon. Member, Government should be very willing to go to the help of the Municipality.

The Hon'ble the SPEAKER: Will the Hon'ble Minister please read out the telegram?

* **The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR**: The telegram reads as follows:—"Sunamganj Municipality sweepers on strike since 5th Subdivisional Congress met 5th passed resolutions forming Committee of three to effect amicable settlement. Chairman Municipality President Dhangor Union were requested to send two representatives each in the Sub-Committee meeting Chairman refused sending representatives as according to board Dhangor union not legally constituted. Compromise attempt failed. Subdivisional Congress met 9th expressed opinion. Situation alarming public health sanitation seriously affected outbreak of epidemic apprehended immediate interference solicited resolutions posted. Secretary Congress."

The Hon'ble the SPEAKER: Who has sent the telegram ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: It has been sent by the Secretary, Congress Committee and not by the Chairman.

The Hon'ble the SPEAKER: Does the Hon'ble Minister propose to make an enquiry into the matter ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: Yes, Sir. I am now awaiting the report of the Subdivisional Officer.

Babu KAMINI KUMAR SEN: I think the best course will be that the Government should ask the Subdivisional Officer to intervene in the matter and try to effect a settlement.

The Hon'ble the SPEAKER: The Adjournment Motion really relates to a matter with which the Municipal Committee, Sunamganj, is concerned. Information in this connection has reached the hon. Member and he is now seeking leave of the House to move this Motion. When a compromise could not be effected another message was sent to the Hon'ble Minister-in-charge of Local Self-Government. The hon. Member who is seeking leave of the House to move this Motion has really failed to show how the Government have failed in their duty in this connection, and the point of urgency has not also been established. The hon. Member himself says that he knew of it on the 5th through other source, but it is stated that the telegram has been received by him yesterday only indicating that an attempt at a compromise failed. However, since the main object of the hon. Member has been achieved, namely, pointed attention of Government was sought to be drawn and it has been drawn through this Motion, and as it has not been established how any blame can be laid on the Government in this matter, this Motion is held to be out of order.

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: Mr. Speaker, Sir, I can assure the hon. Member moving this Motion that due steps will be taken by Government as early as possible.

The Sylhet Non-Agricultural Urban Areas Tenancy Bill, 1946

Maulavi NASIR-UD-DIN AHMED: Sir, before we pass on to the next item of business I would like to make a request to the Chair. Yesterday was fixed for referring the Sylhet Non-Agricultural Urban Areas Tenancy Bill, 1946, to a Select Committee, but for want of time this business could not be finished. Now we want that at least half an hour may be set apart so that we may finish this business. In this respect I may inform the House that after a discussion, hon. Members Maulavi Abual Majid Ziaosh-Shams, Maulavi Abdul Bari Chaudhury and Srijut Lakshesvar Borooah have all agreed that a chance should be given to-day so that this business, a very important one, can be finished before other business of the day is taken up.

The Hon'ble Srijut GOPINATH BARDOLOI: Mr. Speaker, Sir, on behalf of Government I welcome the suggestion made by the hon. Member. This Bill was of some urgency for Government and they wanted to introduce it and to bring it up at least to a stage of sending it to a Select Committee. During the last session, I mean the last July session, a certain ground was advanced by the Leader of the Opposition and with our agreement, this Bill could not be taken up. It will be seen from the agenda that is before the House that sufficient time has actually been given to the Opposition for private business—at least 4 full days' time has been allotted.....

The Hon'ble the SPEAKER: Only one hour on a half day and 3 full days.

The Hon'ble Srijut GOPINATH BARDOLOI: Any way Government has provided sufficient time for private business. Now what I am submitting to you, Sir, is that I welcome the suggestion made by the hon. Member in the Opposition for giving Government the opportunity of carrying on with the Government business.

The Hon'ble the SPEAKER: This affects rule 17 of the Assembly Rules and I shall be only pleased to be guided by the sense of the House. Since many hon. Members in the Assembly have agreed and the Hon'ble Premier has also agreed to the suggestion and there is no dissentient voice in this matter in the House, the Bill may now be taken up as proposed.

Srijut LAKSHESVAR BOROOAH: Mr. Speaker, Sir, I want to make my position clear. As this Bill concerns a great part of the Province and also concerns many Members of the Congress Party as well as the Members of the Opposition, some of them approached me if I could allow the Bill to come before mine which is also equally important as it concerns the whole womenhood of Assam. I agreed, if not more than half an hour is taken to get the Bill through, to waive the precedence that I have in the order paper.

The Hon'ble the SPEAKER: I will allot half an hour or little more, if required, for this purpose.

The Hon'ble Srijut BISHNURAM MEDHI: From this side of the House, Sir, I thank my hon. Friend opposite for giving me a chance for moving this Bill even by curtailing their rights of utilising the time allotted for Private Members' business. I was all along anxious to introduce this Bill and to get it passed in this Session of the Assembly so that we can push through it in the next session of the Council. In moving this Motion I beg to introduce the Sylhet Non-

Agricultural Urban Areas Tenancy Bill, 1946, and to move that the Bill be referred to a Select Committee consisting of the following Members :—

1. The Hon'ble Revenue, Minister
2. Babu Kamini Kumar Sen, M.L.A.
3. Babu Gopesh Chandra Pal, M.L.A.
4. Babu Purnendu Kishore Sen Gupta, M.L.A.
5. Babu Rabindra Nath Aditya, M.L.A.
6. Maulavi Abdul Bari Choudhury, M.L.A.
7. Maulavi Dewan Abdur Rob Chaudhury, M.L.A.
8. Mr. C. W. Morley, M.L.A.
9. Maulavi Maycenud-Din Ahmed Chowdry, M.L.A.
10. Babu Suresh Chandra Biswas, M.L.A.

Four will form a quorum.

The Hon'ble the SPEAKER : What about number 7 ?

The Hon'ble Srijut BISHNU RAM MEDHI : Number 7 is substituted. As requested by the Muslim League Party I have substituted the name of Maulavi Dewan Abdur Rob Chaudhry. On the last occasion the European Group did not like to participate in the Select Committee, but at the beginning of this Session the European Party wanted to be represented, and so I have put in the name of Mr. C.W. Morley, as one of the Members of the Select Committee and we have also increased one member.

The Hon'ble the SPEAKER : By which date the Select Committee's Report is to be submitted ?

The Hon'ble Srijut BISHNU RAM MEDHI : Fourteenth of this month. We will try to sit to-morrow if hon. Members have no objection, and discuss the matter, and it will be better if we get a few days more for the submission of the Report.

The Hon'ble the SPEAKER : If the Select Committee makes certain alterations or amendments that will have to be printed and circulated. I do not object, but I am drawing attention to the processes.

The Hon'ble Srijut BISHNU RAM MEDHI : Then let it be by about 14th of this month. We will try to sit to-morrow and finish the work.

The Hon'ble the SPEAKER : Is it the intention of the Hon'ble Ministers and the hon. Members that this Bill should be passed during this Session ? Is that possible ?

The Hon'ble Srijut BISHNU RAM MEDHI : It is possible, Sir, because I have deleted the objectionable portions and subsequent amendments may be brought in according to the wishes of the hon. Members.

Maulavi MAYEENUD-DIN AHMED CHOWDRY: I want to point out one thing, Sir. The time limit for the Committee's Report is very short. In the Select Committee many things will have to be discussed and some sort of modifications will have to be made in the Select Committee which might take time. To-morrow only we have got an off day and we have got only 3 days in between to-day and the 14th, and it will not, I think, be possible for us to finish the business by then.

The Hon'ble Srijut BISHNU RAM MEDHI: If we cannot finish we will ask for time; that will be better, I think.

Sir, since 1937, attempts have been made to regulate the relation between landlords and tenants regarding the non-agricultural lands within the municipalities and small towns in the Sylhet district and since then the question of tenancy legislation has been agitating the public mind and several non-official members initiated several Bills, the last of these Bills being one by Maulavi Abdul Aziz and that was also referred to a Select Committee. A Bill was also introduced by the last Government in 1945, in pursuance of an assurance given on the representation by several Members of the Assembly and was circulated for eliciting public opinion, but before it could come before the Legislative Assembly, the Legislative Assembly was dissolved. After our assumption of office, I personally went to Sylhet and discussed the matter with the representatives of the landlords and the tenants and considered their views and this Bill has been modified according to that light and has been drafted accordingly. In this Bill the tenants have been given a permanent, heritable and transferable right on 12 years' occupation of the lands with protections against arbitration, enhancement of rent and ejections. The interests of the landlords also have not been overlooked. With these few remarks I beg to commend my motion to the acceptance of the House.

The Hon'ble the SPEAKER: Motion moved:

"That the Sylhet Non-Agricultural Urban Areas Tenancy Bill, 1946 be referred to a Select Committee consisting of the following Members:—

1. The Hon'ble Revenue Minister.
2. Babu Kamini Kumar Sen, M.L.A.
3. Babu Gopesh Chandra Pal, M.L.A.
4. Babu Purnendu Kishore Sen Gupta, M.L.A.
5. Babu Rabindra Nath Aditya, M.L.A.
6. Maulavi Abdul Bari Chadhury, M.L.A.
7. Maulavi Dewan Abdur Rob Chaudhry, M.L.A.
8. Mr. C. W. Morley, M.L.A.
9. Maulavi Mayeenud-Din Ahmed Chowdry, M.L.A.
10. Babu Suresh Chandra Biswas, M.L.A.

The report shall have to be submitted by the 14th of this month and 4 Members will form the quorum."

Maulavi SAYIDUR RAHMAN: May I point out that this

Select Committee, as constituted, is confined to the Members of the Surma Valley only. Am I to take it that it is the policy of this Government, it is the procedure in this House, that in a legislation of this nature which affects only the people of a certain part of the Province, only Members of that part should take interest in the matter ?

The Hon'ble Srijut BISHNU RAM MEDHI: I asked names from different parties and they submitted the names. Most probably in view of the fact that in a tenancy legislation affecting the Surma Valley the people of that valley feel more interested and that is why their names have been given by the parties concerned.

Babu KAMINI KUMAR SEN: That has been the practice in the past. Everywhere Members of the districts concerned are taken in the Select Committee.

***Maulavi SAYIDUR RAHMAN:** But in every legislation, the whole House is interested.

***Babu KAMINI KUMAR SEN:** After the Report of the Select Committee is received the whole House will have to consider the Report.

The Hon'ble the SPEAKER: Here No. 1—the Hon'ble Minister—really belongs to the Assam Valley. Mr. Morley does not belong to Sylhet. Is there any contemplation to add to the names ?

Srijut GAURI KANTA TALUKDAR: Sir, have not the names been given by the Parties after consultation among themselves ?

***Maulavi SAYIDUR RAHMAN:** I would ask for inclusion of some Members of the Assam Valley in the Committee.

***Maulavi NASIR-UD-DIN AHMED:** I would suggest the name of Maulavi Sayidur Rahman.

***Maulavi SAYIDUR RAHMAN:** That was not my object.

***Maulavi Dewan ABDUL BASITH:** One Assam Valley Muslim and one Assam Valley non-Muslim may be added to the Committee.

***The Hon'ble Srijut BISHNU RAM MEDHI:** Please suggest names.

***Babu PURNENDU KISHORE SEN GUPTA:** I suggest, Sir, the names of Srijut Lakshesvar Borooah and Maulavi Sayidur Rahman.

The Hon'ble the SPEAKER: The Select Committee will then consist of the following hon. Members :—

- (1) The Hon'ble the Revenue Minister.
- (2) Babu Kamini Kumar Sen.
- (3) Babu Gopesh Chandra Pal.
- (4) Babu Purnendu Kishore Sen Gupta.
- (5) Babu Rabindra Nath Aditya.

- (6) Maulavi Abdur Bari Chaudhury.
- (7) Maulavi Dewan Abdur Rob Chaudhry.
- (8) Maulavi Mayeenud-Din Ahmed Chowdry.
- (9) Babu Suresh Chandra Biswas.
- (10) Mr. C. W. Morley.
- (11) Srijut Lakshesvar Borooh.
- (12) Maulavi Sayidur Rahman.

Four Members will form a quorum.

Maulavi Dewan TAIMUR RAZA CHAUDHURY: Mr. Speaker, Sir, I rise to speak a few words by way of criticism of the Sylhet Non-Agricultural Urban Areas Tenancy Bill.

In clause 4, it has been provided that anybody holding land as tenant continuously for a period of 12 years will acquire occupancy right. In my opinion, the period of acquiring occupancy right should be 10 years, and not 12 years.

In clause 9, landlord's transfer fee has been fixed to be 15 per cent. I suggest that there should be no landlord's transfer fee, but that there should be a registration fee of Re. 1 per *kabala*.

Sir, I find in clause 9 (vii), it has also been provided that the landlord will be entitled to pre-empt the transferred holding by depositing the consideration money. In my opinion there should be no right of pre-emption for the landlord. If any right of pre-emption is to be given this right should be given to the co-sharer tenants.

This Bill being referred to the Select Committee, I hope that the hon. Members of the Select Committee will kindly remove these ugly features of this Bill and thus save the interests of the town tenants.

With these few words, I resume my seat.

Maulavi NASIR-UD-DIN AHMED: Mr. Speaker, Sir, I also want to put in my criticisms regarding some ugly features in the Bill.

First of all, I want to submit, Sir, that in clause 1(ii), the provision should be "after getting the assent of His Excellency, the Bill should come into force at once."

Secondly, the period for acquisition of occupancy right has been fixed to be 12 years. But I have learnt on enquiry that if the period is left as 12 years, then 80 to 90 per cent. of the lease holders, whom this Bill proposes to protect, will go outside the purview of the Bill. So, in the interests of the tenants this period for acquiring occupancy right should be 10 years.

Then again in clause 9, there is a provision of 15 per cent. transfer fee for the landlord upon the whole consideration money. We have seen in the Bengal Tenancy Act and even in the Sylhet Tenancy Act which was passed by this House, that this landlord's fee has been abolished. Probably, the Members of this Legislature did not find any ethics to maintain this *salamee* or landlord's transfer fee. If this Legislature has found it impossible to maintain landlord's transfer fee in the case of Agricultural Tenancy, I find no reason why this landlord's transfer fee should be introduced again in the Town tenancy just to safeguard the interests of a few land-holder aristocrats at the cost of tenants. Therefore, Sir, as a matter of principle, this transfer fee should be given a go-by in this Act. Another objectionable feature is in clause 9, sub-clause (ii) of this Bill wherein it has been provided that landlord's transfer fee should be on the total consideration money. There may be case in which the value of the holding, or the land of a landlord may be one thousand but in that there may be a structure worth 10, 15 or 20 thousand. I find no reason why the landlord should be given transfer fee or *salamee* on the value of the building. The landlord has absolutely no right to have any transfer fee on the value of the

building. If the landlord is to be given any *salamee* it should be on the price of the land.

Then again, Sir, as regards pre-emption the provision in the Bill is that, the landlord when pre-empting the holding will have to deposit the value of the holding and not of the structure. It is creating a very cumbrous situation. If the landlord pre-empt his holding without paying for the structure the transferee will be in a very helpless position. So if any right of pre-emption is to be given the landlord must pre-empt by depositing the whole amount of the consideration money.....

***Babu KAMINI KUMAR SEN:** I think, that is the intention of the Bill but the wordings are not clear.

***Maulavi ABDUL BARI CHAUDHURY:** But we are to go by the wordings and not by what the Hon'ble Minister has in his mind.

Maulavi NASIR-UD-DIN AHMED: Then again, Sir, in clause 9(iv) there is some provision, that is, there may be some circumstances in which one transferee may not fulfil the provision of giving notice to the landlord and tender the amount within one month. If any such thing happens, even if the transferee has purchased the holding with a large amount of money according to the provision which is very sweeping, the landlord will be able to evict the tenant without depositing the money. That is very sweeping and penalising, Sir. In the Sylhet Tenancy Act, Sir, in such a contingency, it has been provided that the landlord may get his fee with some compensation. This provision in the Bill is rather very stringent, Sir, and I hope the Select Committee should try to improve this provision.

Then another provision has been added, I think, in clause 10 regarding the enhancement of rent. There, for residential holdings the enhancement, as provided, shall not be made by more than three annas in the rupee, except in the case of land used for business purpose for which class of land the rent may be enhanced up to eight annas in the rupee, that is 50 per cent. Sir, my contention is that there should be a uniform rate of enhancement upto three annas per rupee and there should not be any discrimination. I hope the Members of the Select Committee will see to this.

Then in clause 8, the provision is like this:—"In any suit brought by a landlord for the recovery of arrears of rent from his tenant, the Court may award to the plaintiff, in addition to the amount decreed for rent and costs, such damages as it thinks fit, if it appears to the Court that the defendant has, without reasonable or probable cause, neglected or refused to pay such rent."

Here also there is no limitation. The Court may give any amount of damage. I think, as in the case of Sylhet Tenancy Act, there should be some limit. It may be, say, 12½ per cent. or at best upto 25 per cent. of the annual rent as maximum.

So, I think, as regards the landlord's transfer fee and pre-emption, these are matters of principle. There should not be any landlord's transfer fee but if there should at all be any, that should be nominal as my Friend said; for the purpose of registration fee the landlord may be given, say 2 per cent. or at best 5 per cent. of fees. In the matter of pre-emption, preference should be given to the co-sharer tenants and then to the landlord. As regards the acquisition of occupancy right the period should be 10 years and not 12 years. If it is kept at 12 years, in that case 80 to 90 per cent. of the lease holders will be outside the purview of this provision. So this must be 10 years. With these few words, Sir, I hope the Select Committee will improve the provisions and remedy the defects in the Bill.

The Hon'ble Srijut BISHNU RAM MEDHI: Sir, I have nothing to add except that all these points that have been raised by my hon. Friends will be taken into consideration by the Select Committee. But the Select Committee will have to consider one fact that if the Bill is drastically modified then it may not be passed in the Upper House. This fact will also have to be taken into consideration. We will try to modify as far as possible in the light of these discussions consistent with the principle of safeguarding the interests of both the tenants and the zeminders.

Maulavi ABDUL BARI CHAUDHURY: You have safeguarded the interests of the zeminders only.

The Hon'ble Srijut BISHNU RAM MEDHI: Sir, it will be better if the copies of the speeches delivered just now by my hon. Friends are handed over to us before we sit on the Select Committee by the Assembly Department.

***Maulavi ABDUL HAMID:** Only one fact, Sir. The Bill is to be changed by conceding to both sides—that should be the consideration. The further consideration whether the Bill will go through the Upper House successfully or not should not stand in the way of improving on it.

The Hon'ble Srijut BISHNU RAM MEDHI: I am speaking from the point of view of expediency.

The Hon'ble the SPEAKER: I am putting the question.

The question is:

“That the Sylhet Non-Agricultural Urban Areas Tenancy Bill, 1946, be referred to a Select Committee consisting of the following Members:—

1. The Hon'ble Revenue Minister,
2. Babu Kamini Kumar Sen,
3. Babu Gopesh Chandra Pal,
4. Babu Purnendu Kishore Sen Gupta,
5. Babu Rabindra Nath Aditya,
6. Maulavi Abdul Bari Chaudhury,
7. Maulavi Dewan Abdur Rob Choudhry,
8. Maulavi Mayeenud-Din Ahmed Chowdry,
9. Babu Suresh Chandra Biswas,
10. Mr. C. W. Morley,
11. Srijut Lakshesvar Borooah,
12. Maulavi Sayidur Rahman.

Four Members are to form the quorum and the Report is to be submitted by the 14th of September 1946”.

The question was adopted.

The Hon'ble the SPEAKER: Now we come on to to-day's business—item No.2 of to-day's agenda. Hon. Khan Bahadur Maulavi Abual Majid Ziaosh Shams may introduce his Assam Pure Food (Amendment) Bill, 1946.

Maulavi Dewan ABDUL BASITH: Sir, he has renounced his title, and is no longer a Khan Bahadur.

The Hon'ble the SPEAKER: But the Assembly Secretary has received no information to that effect.

Maulavi Dewan ABDUL BASITH: On the floor of the House we have stated this and this may be noted by the Secretary.

The Hon'ble the SPEAKER: There is a rule that whenever an hon. Member's address, etc., are changed, the hon. Member himself has to intimate the same to the Secretary otherwise, how can the Secretary take the responsibility of altering an hon. Member's full name without being intimated by him. Anyway Maulavi Abual Majid Ziaosh Shams may proceed.

The Assam Pure Food (Amendment) Bill, 1946

Maulavi ABUAL MAJID ZIAOSH SHAMS: Mr. Speaker, Sir, I beg leave of the House to introduce the Assam Pure Food (Amendment) Bill, 1946.

The Hon'ble the SPEAKER: The question is:
"That leave be granted to Maulavi Abual Majid Ziaosh Shams to introduce the Assam Pure Food (Amendment) Bill, 1946".
The question was adopted.

The Hon'ble the SPEAKER: I authorise the Secretary to read out the title of the Bill under Rule 55 (2) of the Assembly Rules.
(The Secretary of the Assembly then read out the title of the Bill.)

Maulavi ABUAL MAJID ZIAOSH SHAMS: Mr. Speaker, Sir, the next matter which I have been constrained to move is that the Bill be circulated for eliciting public opinion thereon by the 31st December, 1946.
Sir, I submit that I have been constrained into this position by an apprehension of the tyranny of majority rule in this very House. I addressed several letters to the Hon'ble Ministers—one letter to each of them—praying that they would kindly study the Bill and if they find that there is nothing bad, they should not have any hesitation in lending support to the Bill because for the time being they are in a majority in the House and without their support such a Bill cannot be enacted into law. But, unfortunately, Sir, I have not received the courtesy of a reply from any of the Hon'ble Ministers. I spoke to some of them personally, and I was told that Government proposed to bring in a Bill themselves. As a matter of fact, I was informed that a Special Officer had been appointed to study the situation. I do not know when the labour of that Special Officer will take a concrete shape. Nevertheless, Sir, if this Bill of mine is studied a bit closely into consultation, a person who had special experience in the subject, and with his suggestion in some matters I drafted the Bill. I may inform the House, if some hon. Members have not studied the Bill, that I have made modest, and at the same time diligent efforts to bring in certain matters which are substantially in advance of the principal Act. In the first place, I may submit that this Bill is more comprehensive than the principal Act in various matters. Firstly, the term "food" as defined in my Bill is more comprehensive and it also includes things which are potential food, *e. g.*, cocoanut oil and other things. Cocoanut oil adulteration is not punishable but I have made it punishable as cocoanut oil is an article of food elsewhere in India and is a potential food in Assam as well. I have also included such an essential thing as *atta* which is adulterated sometimes with stone powder. I have also included some other articles under "food". Then, Sir, the definition of "person" has been amply modified, and the definition of the term "person" in the Indian Penal Code has been added here. Hon. Members perhaps know of a certain case in which a certain corporation was prosecuted. The present law is defective as it does not include a corporation. Some of the hon. Members might know that the East India Railway was once prosecuted for adulteration of food. (Babu Rabindra Nath Aditya: How can a corporation be imprisoned?). The principal officer and some other officers who are responsible may be prosecuted.
Then, Sir, the term "public analyst" has undergone some changes. There

might be frustration after prosecution is launched due to some loophole in the principal Act and that has been met. As regards storing, etc., I have tried to make some improvement. Some of the very basic materials which now-a-days form ingredients for adulteration of ghee, mustard oil, cocoanut oil, etc., have been sought to be encompassed, so that attempt at adulteration may be frustrated at the root. These ingredients are well-known to the House, *viz.*, vegetable ghee, white oil, groundnut oil and so forth. In the former Act, there was no stringent duty, practically speaking, on the local bodies to make it compulsory for them to send samples of food. Now, if the local bodies are negligent in their duty, provision is there for their supersession. As a matter of fact they are criminally negligent. (Babu Kamini Kumar Sen: Habitually negligent.) Yes, I thank my hon. Friend, but I have used a stronger term. I may go so far as to say that sometimes some officers and even responsible authorities of the Local Boards and Municipalities are in the pay of some food adulterator. Then, I have tried to check corruption, even on the part of the Public Analyst, by a procedure which the House will examine at a later stage. I have also made punishment clauses stricter and severer than before.

Adjournment

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

After lunch

The Hon'ble the SPEAKER: Hon. Maulavi Abual Majid Ziaosh Shams may continue.

Maulavi ABUAL MAJID ZIAOSH SHAMS: Sir, I was just stating that in my attempt on this humble piece of legislation I have made the Bill stricter and severer as regards punishment clauses. In fact, for every second offence there has been an invariable clause provided in the Bill for imprisonment. Sir, it is my view point and I think it is the view point of every one here and outside that some provisions should be made for inflicting exemplary punishment on those culprits who adulterate food-stuffs, who are more dangerous than thieves and robbers. I hope, Sir, every one will agree with me when I say that this food adulteration has seriously affected many articles of our daily dietary with the result that this almost all-pervading evil has been sapping the very vitality of the people. In this view of the matter, Sir, I think this piece of legislation is overdue. I may inform this hon. House that the present Pure Food Act, which is now working in the Province of Assam, was, as a matter of fact, adopted in pursuance of a Resolution of mine in the year 1931 in the old Council when the late lamented Rai Bahadur Kanak Lal Barua was in-charge of Local Self-Government Department. As a result of that Resolution of mine the present Act was brought in the form of a Bill in 1931 after holding a Conference in which the Directors of Public Health of almost all the provinces of India were present and consulted and I was present there. Now, Sir, this legislation has been brought before this House not by one who merely thinks over it but by one who really feels for it and who is in actual touch with the working of this problem, sometimes as a defence lawyer and sometimes as a prosecution lawyer.

Sir, I know of a case in which I was engaged for the prosecution and a big party was the culprit. But the case was withdrawn. Well, Sir, these sorts of things are happening throughout the Province and I know how the powers, that have been given to the local bodies, are being misused. Sir, my Hon'ble Friend Mr. Medhi, who is not here in the House at the moment, while he went on tour to Dhubri some three weeks back, asked me to bring forward a motion for circulation of the Bill for eliciting public opinion and I have brought this Motion now. I hope, Sir, my Motion for circulation will get sympathy from all sections of the House and with these words I commend my Motion to the acceptance of the House.

The Hon'ble the SPEAKER: Motion moved:

"That the Assam Pure Food (Amendment) Bill, 1946 be circulated for eliciting public opinion thereon, by the 31st December 1946.

Mr. C. W. MORLEY: Mr. Speaker, Sir, I think at this stage the attitude of my Party should be indicated in respect of the Motion before the House. The principles of this Bill have always had our support, and, in fact, on many occasions, Members from this side of the House have brought to the notice of the House cases of adulterated mustard oil and various other things, and it has been admitted on many occasions that the Assam Pure Food Act of 1932—to which my hon. Friend has already referred—has been a dead letter for all practical purposes. Dr. Terrell himself on many occasions criticised this Act and secured a promise from the Government then in power that they would bring forward a Bill, a comprehensive Bill, repealing the 1932 Act. But, Sir, that promise has not been fulfilled. Sir, the main effect of this Act of 1932 is that it depends on the efficiency of local boards and municipalities. Everyone knows that these local boards and municipalities have neither the staff nor facilities to administer the Act strictly and properly. The present Amendment Bill brought forward by the hon. Member will not achieve its object. In the Statement of Objects and Reasons of the Bill, the hon. Mover was eloquent about the evil doers who profiteer from adulterated food, he proposes increasing the number of offences and the amount of admissible punishment. The Bill, however, does not go to the root of the matter. An Act of this kind can only be administered by provincialisation of (1) the staff responsible for detecting offences and (2) the Analysts on whose examination and reports conviction depends. In that view of the matter, we feel, Sir, that we should like to see a Bill brought forward by Government on the lines suggested by me. For, there is no doubt that adulteration of food in this Province is assuming very serious proportions.

Babu NIRENDRA NATH DEV: The hon. Mover of the Bill appeals to the hon. Members of the Government Bench to move for reference of it to the Select Committee. I am sorry that though I agree with the principle underlying the Bill we the Members of this Bench cannot support the idea of circulation of it or reference of it to the Select Committee. Personally I am opposed to the circulation of the Bill because, Sir, the present Bill is not sufficient for the particular purpose for which it has been moved. So far as my information goes, Government is going soon to bring in a more comprehensive Bill for this purpose and a Special Officer has already been appointed in this connection. He is studying the subject and the Bill is almost complete. I expect the Hon'ble Minister-in-charge of Medical and Public Health to announce to-day that they are bringing in a more comprehensive Bill, as Mr. Morley has also expressed his wishes. I hope the hon. Mover will withdraw his present Bill, and let the Government bring in a more comprehensive Bill. As for the present Bill, the provisions are not at all sufficient. With regard to checking of vegetable ghee, about two months back, Mahatma Gandhi wrote a learned article in his *Harijan* and that article was able to draw the attention of the Government of India. To my information, the Government of India asked the provinces to give their considered opinion on the matter and submit their proposals with regard to preventing adulteration of ghee with vegetable oil and other products. Mahatma Gandhi has contended that introduction of vegetable ghee is going to destroy the lucrative industry of ghee and it must be stopped at all costs. He has suggested some elaborate measures and I had the privilege of reading that article. From what I remember of that article it appears to me that the provisions of the present Bill are extremely inadequate and I think more elaborate methods should be adopted for checking adulteration of ghee, as Mr. Morley was telling the hon. Members of this House. The old Members of this hon. House may remember that Dr. Terrell very often referred to this House about the inadequacy of the present Act to check

adulteration of mustard oil. We know it very well that adulterated mustard oil is causing great injury to the health of the public. The hon. Mover of the Bill is saying that he has made provision for drastic punishment for such offences of adulteration. I am constrained to say, Sir, that the main thing ought to have been to vest more power particularly in the hands of the Public Health Officers. At present the power is vested in the Local Boards and the hon. Mover himself was saying that some times it was found that somehow or other the Local Board authorities were influenced by the offenders and cases were withdrawn at a very late stage. This is the main defect of the present Act, and so far as I have been able to understand the present Bill, there is no provision for giving power to the Public Health Officers to prosecute the offenders without having to wait for the approval of the Local Bodies. We have found, Sir, that the Local Boards and the Municipal Boards have bungled in this matter. I am sorry, Sir, I do not understand why the hon. Mover of the Bill is so unkind on the Public Analyst ; there is a proviso which says: "any Public Analyst visiting or allowing intentionally any 'person' mentioned in sections 4, 5, 6 and 7 of the principal Act to call on him shall not only be liable for departmental action being taken against him as may be prescribed and considered necessary". I think it is too drastic for an officer of the rank of Public Analyst. This is rather going too far. We should not disbelieve our own superior officers in that way. Well, Sir, the Magistrate has got the power to try criminal cases and if the accused person sees the Magistrate, the State does not fall upon the Magistrate to show cause why he should not be punished. So, if any Public Analyst sees an offender, there is no reason why he should be punished in that way. For these reasons, Sir, I think there is an immediate necessity for a comprehensive Bill, and we all agree that a very comprehensive Bill should be passed immediately. I expect that the Hon'ble Minister-in-charge will announce to-day that Government is going to introduce such a Bill immediately. I hope, Sir, on this assurance from the Hon'ble Minister the hon. Mover will withdraw his Bill.

Maulavi ABDUL HAMID: Mr. Speaker, Sir, the evil of adulteration is wide spread and the desire of everybody in this House is that the problem should be effectively tackled. But I have great doubt that any measure taken by any Provincial Government can ever effectively stop adulteration unless the problem is attacked on an all-India basis. When adulteration is done outside the Province, the provinces in which such industries are located can alone effectively stop it. But I think, Sir, no great harm will be done if the present Bill is circulated for eliciting public opinion. It will at least serve the purpose of quickening public opinion against the evil of adulteration, and when the public opinion will be in the hand of the Government, they will be in a better position in drafting their own Bill. In this view of the matter, Sir, I do not see that there can be any serious objection to the circulation of the Bill. I agree with my hon. Friend who spoke just now that there are defects in the present Bill ; these defects can be remedied in the light of the opinions that will be received from the public when the Bill will go to the Select Committee, or when a fresh Bill is drafted by the Government. So, as I have already said, I personally do not see that any great harm will be done in allowing the circulation of the Bill for public opinion. Sir, I support the Motion for circulation.

Srijut GAURI KANTA TALUKDAR: Mr. Speaker, Sir, when it is known that the Government are going to introduce a comprehensive Bill, I do not see the utility of circulating the present Bill for eliciting public opinion. I do not understand what useful purpose will be served by sending this Bill for circulation. We should rather request the Government on behalf of the hon. Mover of the Bill to take note of all the provisions of the Bill while preparing their own Bill. It may also be necessary to send the Government Bill for circulation to elicit public opinion. So, what is the use of sending this incomprehensive Bill for eliciting public opinion ?

If we have been able to wait so long why can we not wait a few months more to allow Government to introduce a comprehensive Bill before this House and to give us the opportunity of discussing it thoroughly in the interest of the people of the Province? So, I would request the hon. Member to withdraw the Motion and to allow the Government to introduce a more comprehensive Bill.

Maulavi ABDUL BARI CHAUDHURY: Mr. Speaker, Sir, we expected support from some of the Members of the majority Group to the Motion for referring the Bill to a Select Committee. But now it appears that the Government Bench are going to oppose even a modest form of circulating the Bill for eliciting public opinion. The hon. Mover admitted that it was on good grounds that he sought to amend the existing Act. He also made no secret of the fact that in consultation with the Hon'ble Minister-in-charge he agreed to change his original Motion and move for circulation of his Bill. So, Sir, in all fairness we expected that the Members of the Government Bench would support the Motion. We all realise that this is not an omnibus piece of legislation. This Bill has been drafted and framed by one who knows the subject. The Mover has himself informed the hon. Members of the House that the original Bill, the Bill introduced in 1932, was based on the Resolution mooted by him in the then Assam Legislative Council (Maulavi Abual Majid Ziaosh Shams: I helped the Member only who brought the Resolution for legislation). I stand corrected, Sir. In the past we raised discussions on this subject and almost in every session we got assurances from the Government that they would bring in a comprehensive Bill for amending the Assam Pure Food Act. But nothing happened till now. So, as it is quite uncertain to rely on Government assurances, we cannot advise the hon. Mover to withdraw his Motion.

Sir, to my mind it appears that the minor defects that have been pointed out can very well be removed if the Bill be referred to a Select Committee. In the circumstances, I beg to move that the Bill be referred to a Select Committee consisting of 12 Members with the hon. Mover, the Hon'ble Revenue Minister, 5 Members to be nominated by the Leader of the Congress Party, 4 Members to be nominated by the Leader of the Muslim League Party and one Member to be nominated by the European Group; 4 Members to form a quorum.

With these words, Sir, I commend my Amendment to the acceptance of the House.

Maulavi MAHAMMAD ROUFIQUE: Mr. Speaker, Sir, I rise to support the Amendment moved by my hon. Friend Maulavi Abdul Bari Chaudhury for referring the Bill to a Select Committee. We on this side really express our surprise at the hostile attitude adopted by the Members of the Treasury Bench towards this Bill. It may be in the recollection of the hon. Members that during the last session pointed attention was drawn to the urgency of amending the existing Pure Food Act. At that time there was much criticism from all quarters of the House about this Act and about the state of affairs so far as foodstuffs were concerned. At that time Government gave pompous assurance that they would bring forward an amending Bill in the next session and that they had already appointed a special officer to investigate into this matter. Now it is six months and the Government has not brought any amending Bill before the House in this session. But Government having failed, the hon. Mover has brought his amending Bill to which Government is showing an attitude which is hostile.

There is no denying the fact that every article of food that a man eats is now adulterated. There is no pure food in the market. People are eating adulterated food which is in turn eating into the vitality and health of the people. When such a state of affairs exists I do not see any reason why the Government should not take advantage of this Amendment and agree to refer the Bill to a

Select Committee. My hon. Friend who was speaking from the Treasury Bench has agreed to the principle of the Bill. If it is realised that there is a strong urgency for amending the present Act how can there be any objection to the Bill being referred to a Select Committee? Government is neither going to accept the Motion for Select Committee nor to circulate the Bill for eliciting public opinion, but to make another promise that they are going to introduce a Government Bill in the next session. In the past many assurances were given but they all have gone unfulfilled. Now what is the guarantee that they would ever bring in such a Bill before the House? Having failed in their past promises, they ought to be grateful to the hon. Mover for bringing this Bill and they ought to take steps to pass it into law.

The Hon'ble the SPEAKER: Does the hon. Mover of the Amendment want that this Bill be referred to a Select Committee?

Maulavi ABDUL BARI CHAUDHURY: Yes, Sir. I think there is a rule.

The Hon'ble the SPEAKER: Under what rule? Can the hon. Member refer to the rule?

Maulavi ABUAL MAJID ZIAOSH SHAMS: I refer the Hon'ble Speaker to rule 58(2), sub-clause (a).

The Hon'ble the SPEAKER: Will the hon. Member please read out the rule?

Maulavi ABUAL MAJID ZIAOSH SHAMS: The Rule reads thus—"At this stage no amendments to the Bill may be moved, but if the member-in-charge moves that the Bill—

(a) be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee or be circulated for the purpose of eliciting opinion thereon before a date to be mentioned in the motion".

So this moving for circulation for eliciting public opinion may be said to be a motion for consideration. So in that view, amendments may be moved.

Maulavi ABDUL HAMID: I think, Sir, the Motion of my hon. Friend, Maulavi Abdul Bari, is not in order (*laughter*). It is only the member-in-charge of the Bill who can move a Motion that it be circulated for the purpose of eliciting public opinion, or it be referred to a Select Committee. I do not think any other member has got any right to move any amendment when Motion for consideration is moved. According to Rule 56, the member-in-charge may make one of the following motions—that it be taken into consideration, that it be referred to a Select Committee, that it may be circulated for the purpose of eliciting public opinion. These Motions can be made only by the member-in-charge and no other member has got any right to move a Motion at this stage. If the mover moved for reference to a Select Committee only then members could move for circulation.

Babu KAMINI KUMAR SEN: But if there is already a Motion for circulation there is no Motion for reference to a Select Committee.

The Hon'ble the SPEAKER: The position is clear under the rule. If the hon. Mover moves for consideration, any other Member can move for referring to a Select Committee or for eliciting public opinion, and if the hon. mover moves for referring to a Select Committee, an amendment can be moved for circulation; that means a backward, but not a forward, amendment can be moved. The law is very clear. Therefore, the Motion cannot be moved.

Maulavi ABDUL BARI CHAUDHURY: Under sub-rule (2) there ought to have been provisions.

The Hon'ble the SPEAKER: There ought to have been many more things but unfortunately there are not.

Babu RABINDRA NATH ADITYA: Mr. Speaker, Sir, I entirely sympathise with the aspirations of our Friend Khan Bahadur, (*voices from the Opposition:* No, no, not Khan Bahadur; he has renounced the title.) I am sorry, I do not know, as he has not officially informed about it. (*voices:* It has been out in the papers.) I cannot take notice of the papers.

The Hon'ble the SPEAKER: But the debate is not on the 'title'.

Babu RABINDRA NATH ADITYA: The question is if he wants some cheap fame I will not grudge him, but if he means business I would remind him that just at this moment we are on the throes of vast changes. From the speech of the Hon'ble Deputy Leader of the Opposition I notice that he also desires that food should be made a Central subject, to feed deficit provinces like Assam.

Maulavi ABDUL HAMID: Stopping adulteration should be on all-India basis, Sir.

Babu RABINDRA NATH ADITYA: If he thinks that this question should be tackled on all-India basis whether by this he cancels his argument for Pakistan.

The Hon'ble the SPEAKER: Perhaps I would request the hon. Member not to raise knotty questions.

Babu RABINDRA NATH ADITYA: Sir, the difficulty in our Province is that most of the food that we consume is being supplied from outside the Province. So, as the Deputy Leader of the Opposition pointed out, if adulteration is not checked at the source it is not possible or it would not be proper to penalise only the importers of those adulterated commodities, for instance we must and we inevitably depend on supply of mustard oil from Bihar, United Provinces and the Punjab also. The importers are not expected to test samples for each and every consignment, and even if some samples are tested and found to be quite genuine there is no knowing whether the other bulk of supplies will conform to the standard of the samples. The dealers some times adulterate after these are imported and sometimes adulteration takes place before export. Therefore, it will not be quite enough simply to penalise the importers of these commodities. The importers in that case will stop import.

The Hon'ble the SPEAKER: Let us discuss the principles of the Bill.

Babu RABINDRA NATH ADITYA: There is a thin line of demarcation, Sir, and nobody knows when one crosses the border and gets into the other domain. Anyway, as I said that we are on the threshold of vast changes. We can no longer allow the essential commodities of our diet to be handled by traders in the way they like. If the supply of food, for instance, *atta*, flour or even mustard oil becomes, say, a State controlled business, in that case there would have to be necessary changes in the laws and an independent body will have to be set up to examine and certify the genuineness of the articles.

These are the questions which will automatically come up after we have gone into the question whether articles of food will be dealt with by the State or by private traders in the way it is done now.

Now, the hon. Mover of this Bill has catalogued certain defects in the present Assam Pure Food Act. There can be no two opinions that this Act is faulty or has outlived its utility at the present stage of our development. For instance, when this Pure Food Act was sponsored, perhaps, the sponsors of that Bill did not contemplate that there would be a thing like hydrogenated oil, or vegetable ghee. Now, the question of vegetable ghee has cropped up. Whatever might be the public opinion about the propriety of its use, it has come to stay and it is serving useful purpose. It may be noticed from the Notification that the Government of India has already dotted out some places all over India where this industry will be allowed to be developed. Therefore, if this hydrogenated oil will have its place in the scheme of our food, how can we tackle that question of its use as an item of food? This question should also be seriously gone into. In this Bill, Sir, we find that even with the best of his intention the Mover has not been able to eliminate many of the defects of the present Act. For instance, as has been pointed out by some speakers on this Bill that it has not given power to the officers of the Public Health Department to launch prosecution directly for the violation of the provisions of this Act. It is essentially necessary that instead of going through the elaborate channel of Local Bodies, Municipalities or Local Boards, the detecting officers should be invested with powers of direct prosecution themselves. Unless that power is given much of the potency of the Pure Food Act is lost.

Then the hon. Mover wants that punishment by way of imprisonment should also be provided for. A person in the definition clause includes a company or association or body of persons whether incorporated or not. In that case, who will be the person to whom the punishment of imprisonment in case of a company being entangled in an offence should be inflicted—must be clearly stated.

Then proposed sub-section 3A in clause 3 says—“No court shall receive as evidence from any party any report of a Public Analyst other than from one in the Province in which the offence is tried.” It seems the hon. Mover has got such misgivings about the correctness of the report of the Public Analyst of any other Province. He wants to keep away an outsider or caller on the Public Analyst. In that view, I do not know why he wants to restrict evidence only to the report of the Public Analyst of the Province. Then would it not be better that some latitude should be given to the party to get, if the party so desires, a report of examination by a Public Analyst of a distant Province. In that case the possibility of influencing the examiner by a visit or a call will be very much eliminated. For instance, if in Assam, we want an independent analysis to be made of a certain article of food, and send the samples to the Public Analyst of Madras or Bombay, we eliminate to a great extent the chance of corruption. So whether there is any necessity of retaining this clause, it is for the hon. Mover to say.

Again there are certain defects in clause 6. He says in the latter part—“The latter certificate shall be evidence, provided that some tangible circumstances are placed before the Court for creating a suspicion that the ‘visiting’ or ‘calling upon’ has taken place so as to admit the subsequent certificate as evidence.” This is a very vague description of how a subsequent certificate can be taken as evidence. In legal phraseology there is no room for a phrase like ‘suspicion’ in the mind of the Court. There must be reasonable circumstance by which a Court can judge the relevancy or otherwise of a particular piece of evidence.

As the hon. Mover has been told that Government have foreseen defects in the Pure Food Act and are shortly coming up with a new Bill which will be more elaborate and which will try to dwell upon the various aspects of this problem of food adulteration, I think, it is up to the hon. Mover to see whether it is not better that the Government Bill should be allowed to be discussed in preference to Private Member's Bill. We all know that it is very difficult to get a Private Member's Bill passed through as quickly as a Government Bill. Even if this Bill is passed, we shall have to bring in another amending Bill very shortly to remove the defects which are not covered by this Bill. I think, it is sheer waste of time to pursue this Bill any longer. In that view of the position stated above, I think, the hon. Mover can give a chance to Government to bring forward their Bill and then see whether that Bill covers all the grounds that he wants to traverse.

Mr. Roufique said, where was the guarantee that Government would bring forward a Bill. I do not know what sort of guarantee he wants. If he is not satisfied with the assurance given by the Hon'ble Minister, I do not know what other guarantee can be given.

* **Maulavi MAHAMMAD ROUFIQUE**: Guarantee was given on the last occasion, but it has not been fulfilled.

Babu RABINDRA NATH ADITYA: Perhaps you will get it from the reply of the Hon'ble Minister that the Government Bill is almost ready. So there can be no misapprehension that there is no intention on the part of Government to bring in such a good measure of public utility. Therefore, I appeal with all earnestness to our *ex-Khan Bahadur* to see his way to withdraw his Bill and give a chance to Government to bring in a more comprehensive Bill.

* **Maulavi ABDUL HAI**: Mr. Speaker, Sir, the hon. Member said that the Government is coming forward with a more comprehensive Bill. Was there any bar, Sir, to bring this Bill in this session?

The Hon'ble the SPEAKER: There was an information sought but not supplied yet.

* **The Hon'ble Srijut RAMNATH DAS**: Sir, the Bill has not reached the stage of introduction and so it could not be brought during this session.

* **Maulavi ABDUL HAI**: So I take it that it is not yet complete.

* **The Hon'ble Srijut RAMNATH DAS**: The drafting is complete but it has not yet gone to the Legal Remembrancer.

Srijut DANDESWAR HAZARIKA: Sir, I thank the hon. Member who took so much pain in drafting this Bill. It is needless to say that it is high time to amend the Assam Pure Food Act and we are just putting the cart before the horse because we have not heard anything from the Hon'ble Minister as to how far the Government has proceeded with the Bill, what steps have been taken and when they are going to introduce this Bill. So we do not know when the Government is going to introduce this Bill. Seeing the necessity and need of amending the Assam Pure Food Act, if the Hon'ble Minister can give an assurance to the House that he will introduce the Bill, as early as possible, and if the hon. Mover and the House is satisfied, I think, in goodwill and co-operation the hon. Mover will withdraw his Bill for the time being and at the same time I should like to point out that the amendments which have been put forth by the hon. Member will be a piece of valuable document which I think Government will take into

consideration while coming forward with their own Bill. With these words, Sir, I request the hon. Mover to withdraw his Bill for the time being.

Maulavi NASIR-UD-DIN AHMED: Mr. Speaker, Sir, we have the pleasure of hearing the hon. Members of the Government side. They have all requested the hon. Mover to withdraw the Bill at this stage and not to press this motion. But Sir, I must frankly admit that the hon. Members in the Government benches have not been able to make out a case in which we may also join our voice to request the hon. Mover to withdraw this present Motion. Of course our hon. Friend, Mr. Aditya has said that there are some difficulties for the dealers and if this Motion is carried out and if such a Bill is accepted, these dealers will feel some difficulty. So long as he holds the brief of the dealers, Sir, I think, we are justified in not taking it seriously. We are vitally interested in the consumers and we should see that unadulterated food is imported and distributed for the people of the Province. Our Deputy Leader said that by accepting the motion for circulation no great harm will be done. I submit, Sir, that not only no harm will be done but some beneficial purpose will be served. Sir, it is admitted from all sides of the House that adulteration is going on a wide scale all over the Province and the dealers, who are connected directly or indirectly, with adulterated foodstuffs are taking advantage of the insufficient provision of the parent Act, but if this amending Bill is circulated, at least this will be known all over the Province that some stringent measures are being taken by the Legislature for bringing the culprits to book. If this purpose is served, this will check adulteration. It is also admitted that the present amending Bill is an improvement to the provisions of the parent Act. If the Government can assure us that they will bring forward a more comprehensive Bill, that will be another improvement on the present proposed amendments and then and then alone, Sir, shall we be justified in requesting the hon. Mover to drop this present Bill. So in this view of the matter, I would request Government benches to accept this motion for circulation by which some useful purpose will be served. With these words I support the Motion.

The Hon'ble Srijut RAMNATH DAS: Mr. Speaker, Sir, although I sympathise with the hon. Mover of this Motion and thank him for his initiation of the discussion about this matter in the House, yet I cannot accept his Motion on the ground that his Bill has not touched certain vital defects in the main Act. These main defects are (1) in the administration of the Act and (2) in the scope of the Act. In the scope of the Act, Sir, he has not remedied the defects which relate to adulteration of foodstuff. The adulteration is punishable only when the adulterated food is unwholesome and if it is not unwholesome in that case adulteration is not punishable. This defect he has not touched in his Bill. Secondly he has himself admitted that the Local Boards and the Municipal Boards have failed to administer properly the Act, and, therefore, in order to remove the defect he has not added any clause to give power to the Government to administer this Act in case of necessity. He failed to touch these defects in his amending Bill and we have already promised that we are going to bring a more comprehensive Bill removing all these defects. In the face of the assurance I do not see any utility of accepting this motion of circulation of the Bill of the hon. Member. We have almost finished the drafting of the Bill and I can assure you, Sir, we will positively introduce our Bill in the next session of the House. I hope, Sir, with this assurance given by me, the hon. Mover of the Motion will see his way to withdraw his Bill.

Maulavi ABUAL MAJID ZIAOSH SHAMS: Mr. Speaker, Sir, I shall give a short reply to the points raised by the hon. Gentlemen who hold opposite views. The first objection came from my European Friend. He advocated

that there should be provincialisation of the Public Health Officers and as it does not exist at this stage therefore the Bill will lose much of its effectiveness; that is perhaps what he meant. But, then I should inform him that these Public Health Officers are all Government officers; they are lent to the Municipalities and are placed under the Chairmen, but they are all Government servants. Another objection that he has raised is about the inadequacy of the staff; he said that the staff was too inadequate to meet the situation. I think if the hon. Gentleman had read my legislation a bit closely he would have found there that instead of one Public Analyst I have stated one or more Public Analysts; he will also find that I have cast a duty upon the local bodies to submit monthly returns of adulteration cases. It automatically follows therefore that the Municipalities and the Local Boards will have to engage more officers than now to detect these crimes. So, the question of inadequacy of the staff has been met in a way.

My hon. Friend, Mr. Deb, has raised an objection that I have taken the Public Analyst too seriously, casting reflection on his honesty, but it will not be a news to many in this House that in many cases the traders with samples of food left in their possession have been successful in securing a different certificate from the Public Analyst than those already received by the local bodies from the Analyst. How this is done, Sir? (The Hon'ble Mr. Baidyanath Mookerjee: By the advice of the lawyers!). Ultimately that sordid instinct, I mean avarice, which is at the root of many evils, is also responsible for failure of the Food Adulteration Act to a very great extent. So, no man is immune from suspicion under this earth with very few exceptions. So, I don't consider the Public Analyst to be an angel dropped from heaven.

Now, coming to the second hon. detractor to my Bill, hon. Mr. Talukdar, he said that there was no necessity for eliciting public opinion since Government would be bringing a Bill. Sir, circulation for eliciting public opinion is a very innocuous measure; it harms nobody. Because Government will bring in a Bill it is all the more important that I should clothe Government with additional opinion of the public.

Mr. Aditya then raised various objections, and I would try to meet him *seriatim*.

The first is he said that I want some glory or aspiration which is preventing me, or may prevent me, from withdrawing the Bill. Sir, he thinks that credit, glory or aspiration are the monopoly of the majority party here, who want to glorify themselves throughout the length and breadth of the country and it is they only who have brought and can bring this legislation to save the millions from food adulteration! Apart from this question of glory which may not be my motive I feel for food adulteration, Sir, which it is my duty also to eradicate. As long as 15 years ago I brought a Resolution in the Council on this question to which I referred before.

Now, Sir, the one thing which must not be lost sight of is that delay will cause great harm. Government may not bring forward the Bill in course of another two months, and in the meantime much mischief will be done by the miscreants who make money illegally out of food adulteration. So why should we wait for 3 or 4 months more?

Another objection raised by him was, why should importers be punished because the evil must be checked at the root? Sir, we know that even under the present Act the importer is liable to punishment. How can we check evil at the root, Sir, unless the Criminal Procedure Code is changed at the Centre? Because once the adulteration is made in Bombay, as is the case with tinned butter (I have myself boiled the tinned butter, and I could get little ghee out of that), how can we punish the person who is responsible for it unless the Criminal Procedure Code is changed and jurisdiction is given to us to punish the original miscreant wherever the adulterated food can be detected? Of course there

is a Congress Government at the Centre now, and my Friend opposite can take up the matter to them. That lies in the power of our majority Friends there. But my hon. Friend does not see that if the importers are punished that is also a check.

Then my hon. Friend said that Public Health Officers should be invested with the powers to prosecute persons found guilty. This point can very well be tackled by Government in the Select Committee.

Then, Sir, my hon. Friend, Mr. Aditya, has made a suggestion as to the desirability of procuring reports from Public Analysts of other provinces. My objection to this proposal is this that if we cannot control our own Analyst it will be very difficult to control the Analysts of other provinces.

Then, Sir, with regard to another objection raised, *viz.*, that the reports of the Public Analyst can be considered by the Court for decision in case of doubt, and can be rejected if some tangible proof is placed, I may inform the hon. Members that this has been provided for in the Bill, just to obviate the difficulty of holding protracted enquiry and so it has been left to the discretion of the Courts to decide the cases.

Another objection has been raised to the effect that when Government are contemplating to bring in a comprehensive Bill for this purpose there is no necessity for the present Bill of mine. With regard to this objection I may inform the hon. Members that in 1932 there was a Bill and it was passed into law and still Government thought it necessary to bring in another legislation. Well, Sir, Bills may come; they might be enacted into law, but there is no harm in bringing in an amending Bill. Is there any guarantee that the Government Bill which will be brought soon will hold good for all time to come? (*Laughter*).

You may laugh and jeer for you have a comfortable majority in the House. I do not mind; I do not care for aspiration so much. Let aspiration and glory come to you; I do not mind it, but you must have some thanks for others who can bring forward some legislation for the good of the people and not with any ulterior motive at all. I may inform the House that I would not have brought forward this piece of legislation before this House but for the assurance given by my Hon'ble Friend, Srijut Bishnuram Medhi, some three weeks back when he had been at Dhubri on tour. I distinctly remember, Sir, that when I approached him at the Dhubri Circuit House he asked me to bring forward a Motion for circulation of the Bill for eliciting public opinion thereon. My Motion for a Motion—a Motion which will harm nobody, but will do good to all. If my Bill is not workable it may be referred to a Select Committee and defects, if any, may be remedied. With these words, Sir, I press my Motion for the acceptance of the House.

* **The Hon'ble Mr. BAIDYANATH MOOKERJEE:** On a point of information, Sir. May I know from the hon. Mover whether he sent the Bill to the Assembly after consultation with the Hon'ble Finance Minister or before that?

Maulavi ABDUL BARI CHAUDHURY: After that.

* **The Hon'ble Mr. BAIDYANATH MOOKERJEE:** On what date the hon. Mover met the Hon'ble the Finance Minister at Dhubri?

The Hon'ble the SPEAKER: I find the hon. Members are taking to private conversations.

The Hon'ble Srijut BISHNURAM MEDHI: Sir, as my name has been referred to by the hon. Mover I think it is my duty to enlighten the House on this point. Most probably, Sir, the Bill was introduced in the last session of the

Assembly. But I had an occasion of meeting the hon. Member after the session was adjourned and in course of discussion with him I remember to have said to him that he should better take a chance and consult the Hon'ble Minister-in-charge. I said so, Sir, only with a view to encourage my hon. Friend who was very much keen about it.

Maulavi ABUAL MAJID ZIAOSH SHAMS: Sir, I find that the Hon'ble Minister has no recollection of the conversations he had with me at Dhubri; probably it may be due to the fact that he was tired as he had to grant so many interviews. So, it is not unlikely that he might have forgotten the conversations he had with me. Sir, my former Motion was one for consideration only, but when he advised me to bring a Motion for circulation for eliciting public opinion, I thought it advisable to do so.

The Hon'ble Srijut BISHNURAM MEDHI: Sir, I definitely advised my hon. Friend, the Mover of this Bill to consult the Minister-in-charge and I told him only to take a chance. My hon. Friend was very tired on account of the fast of Ramzan and probably he has forgotten it.

The Hon'ble the SPEAKER: Will the Hon'ble Minister-in-charge say anything now? He has a right to have his last say.

The Hon'ble Srijut GOPINATH BARDOLOI: Mr. Speaker, Sir, I did not think it was necessary for me to intervene in this debate; nevertheless matters personal and public have come to play there; therefore I consider that the view points, not on behalf of myself personally and of Government, but on behalf of the Hon'ble Minister-in-charge should be placed before the House. Sir, if the object of the Government was to shut up discussion then we might have opposed this Motion at the very initial stage. Our real object was indeed to hear the full discussion about this Bill and the amendments that have been sought to be introduced by the hon. Mover.

As we are hearing the debate, we felt, Sir, that we have been much enlightened by what we heard. On behalf of Government I do also convey my thanks to the hon. Mover who has actually taken so much pain over the subject and tried to go into it so carefully and in which Government are equally, if not more, interested. I believe the reasons which have been given by the Hon'ble Minister-in-charge of the Department have convinced the hon. Mover of the necessity and utility of withdrawing his Motion. I can assure the House that the discussions that have taken place in this House will be placed before Government for consideration in arriving at decisions as to what steps could be taken in reference to these amendments. But as has been pointed out by many hon. Members, the amendments are not in themselves enough to meet the situation. There are grave defects on the administrative side of the Act and those are, to my mind, more important for rectification than any other subject. When we say that we shall take into consideration all the amendments proposed by the hon. Mover and also the discussions that we have had in this House, I consider the hon. Mover will do well to withdraw his Motion. If the Motion was one for reference to a Select Committee I could understand hon. Mover's anxiety for early action. But the hon. Mover's Motion is one for circulation, and that means that the matter is kept pending for a further period and even then it is not known how we will stand in the end. In the meantime, Government can do something which the hon. Mover wishes to do. So, my Hon'ble Friend the Minister-in-charge rightly thinks that it will not serve any useful purpose in pressing the amendments. In view of all these, the hon. Mover may please withdraw his Motion.

Maulavi ABUAL MAJID ZIAOSH SHAMS: On the assurance of the Hon'ble Premier, Sir, and as it is also the desire of my Group here, I beg leave of the House to withdraw my Motion. (*Applause from the Congress Benches*).

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

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

The Assam Local Self-Government (Amendment) Bill, 1946

Srijut LAKSHESVAR BOROAH: Sir, I beg leave of the House to introduce the Assam Local Self-Government (Amendment) Bill, 1946.

The Hon'ble the SPEAKER: The question is:

“That leave be granted to Srijut Lakshesvar Boroah to introduce the Assam Local Self-Government (Amendment) Bill, 1946.”

The question was adopted.

(Secretary of the Assembly then read the title of the Bill.)

Srijut LAKSHESVAR BOROAH: Mr. Speaker, Sir, I beg to move that the Assam Local Self-Government (Amendment) Bill, 1946, be taken into consideration. The object of the Bill is to remove the ban that now exists in the present Act, *i.e.*, the parent Act, the Assam Local Self-Government Act, 1915, prohibiting women from standing for membership of Local Boards of Assam. The provision of that Act of 1915 is this—sub-section (3) of section 4 of the Act mentions qualifications of members who can stand for election to the Local Board. It reads thus:—“The qualifications of members and of electors and of electoral body shall be prescribed by rule.” In the proviso that follows it is stated that “no person shall be eligible for election as member of a Local Board if such person is not a *male* person entitled to vote at the election of members of the Local Board.” As I said, Sir, in the Objects and Reasons of my Bill it is an obnoxious provision in the Act standing since 1915 for which we should all be ashamed. The sooner it is removed, the better it is for us and for the whole province of Assam.

Sir, it is known to us all the growing interest the women folk of Assam are taking in all walks of life. The figures of literacy will reveal that the Assam women are far in advance in literacy than many other provinces of India. A lady belonging to a highly respectable Muhammadan family of Assam adorns the office of Presidentship of the Upper House in Assam with efficiency. Innumerable women both in villages and towns have been working as teachers in the Primary, Middle and High Schools and also as Professors and Principals of Colleges. We also find in the social field the growing interests taken by the women of Assam. We also feel proud to see among us a woman in the person of Mrs. Bonily Khongmen who is a graduate and is adorning the office of the Deputy Speaker of this House with ability. Further, Sir, in the field of political activities the womanhood of Assam has been taking part in the struggle for freedom of the country at the cost of prestige, honour and even life. The role written in golden letters in the future history of Assam. The contribution made by the women of Assam particularly in the last general election to the Assembly is a matter of pride for all of us and I feel but for the contribution made by them

the Congress could not have achieved the success they had. Sir, it is the growing desire on the part of the womanhood in Assam to participate in all our activities and it will be really a matter of great relief to us if the women are made eligible to come in and co-operate with us in the Local Bodies. As a matter of fact, I feel that the Local Bodies are really the proper places for the women because there questions of primary education, child welfare, village sanitation and similar other subjects are disposed of. Therefore, I for one, feel that the Local Bodies are the real fields for the womanhood (*A voice*:—and also the Assembly.) Yes, also the Assembly to a great extent, I do not deny that. For these reasons I want to delete the word "male" from that provision. If it is deleted, then the sentence will read like this:—

"If such person is not a person entitled to vote at the election of members of the Local Board". If we delete the word "male", which is very ill placed then the objectionable meaning of the provision will go. I, therefore, with these remarks, commend my motion for acceptance of the House.

The Hon'ble the SPEAKER: Motion moved: "That the Assam Local Self-Government (Amendment) Bill, 1946, be taken into consideration."

Maulavi ABDUL BARI CHAUDHURY: Mr. Speaker Sir, I beg to accord my support to the principle of the Bill.

The hon. Mover surely deserves our gratitude for bringing in this Motion. We all feel that time has come when this embargo on our women folk should be removed. But at the same time I would like to remind the hon. Mover that in the Government of India Act there is no such ban for the women to enter into the Assembly from the general seats. Up till now we have completed two elections. During these elections ladies did not come forward to contest the general seats. So if a provision be not made for reserving some seats in the Local Boards for our women folk, it seems to me that the good intention of the hon. Mover will remain in paper only.

Then, Sir, in coming to the main Amendment it will be found that the whole sub-section of Section 4 ought to have been deleted. After deleting the word 'male' the rest of the sentence retains hardly any meaning. So when the Bill will be moved for consideration clause by clause this aspect of the point will have to be considered.

With these words, Sir, I support the Motion that has been moved by my hon. Friend, Srijit Lakshesvar Borooah.

Mrs. BONILY KHONGMEN: Mr. Speaker, Sir, I take this opportunity to congratulate Mr. Barooah, the Mover of the Motion, and to convey to him on behalf of the women of Assam their grateful thanks for the championship he is now taking of the cause of all women in this matter. Now I am not going to give details about the efficiency of women who are serving as teachers, principals of Colleges and staff of hospitals as the hon. Member had already made mention about these. But in supporting this Bill, Sir, I beg to mention and I hope that every hon. Member will admit that in a democratic State both men and women irrespective of their caste, creed or colour are equal in the eye of the law and also in the democratic society all authority emanates from the people, that is from men and women.

Now, everyone of us here are elected by the men and women of this Province and if we find that any injustice of any kind is being done to anybody in any matter to any part of our people, men or women, it is only right and proper and our bounden duty to see that such injustice is removed or remedied as early as possible. Now this Act of 1915 which was passed some 30 years ago goes

against the interests of the women of Assam by excluding them from standing as candidate for election as members of the Local Boards. I think the House will agree with me that this part of this Act of 1915 calls for immediate removal from the Act, and the Act itself should be amended in such a way as to enable the women of Assam to stand as members of Local Boards. While women are eligible for membership to the Legislative Assembly and Council I fail to see why they should be prevented from being members to Local Boards.

With these observations I earnestly request the hon. Members of the House to support this Bill.

Maulavi ABDUL HAMID: Sir, I give my whole-hearted support to the Amendment that has been brought forward by my hon. Friend, Srijut Lakshesvar Borooh. It might very well be regarded by womanhood of Assam as a slur on them. They are being nominated to the Constituent Assembly; they are adorning benches and chairs in Assemblies and Councils. Why they should not be eligible for election to the Local Boards? Sir, in recent years some progress has been made in maternity and child welfare work in urban areas. Extension of such work in rural areas is an urgent necessity and we can do so only through the machinery of the Local Boards which are in charge of the rural hospitals. In such work female members will be of immense value. Keeping this fact in view I think it is essential that there should be lady members in the Local Boards. Their services will also be of great value in extending general rural welfare work.

Srijut GAURIKANTA TALUKDAR: Sir, I rise to support the Motion moved by my hon. Friend, Srijut Lakshesvar Borooh. I sincerely thank him for introducing this Bill. It is really a slur on the part of the society to deprive the female sex of their right of representation in the deliberations of Local Boards. The imposition of such a disqualification is not certainly graceful and it was not certainly creditable on the part of the framers of the Act. Therefore we should remove this ban as early as possible by passing this Bill into an Act.

This Bill, Sir, requires no argument and no lengthy debate. Everyone in this hon. House, I am sure, will support it. But I do not think that there is any necessity for reservation of seats in these days of democracy as suggested by our hon. Friend, Maulavi Abdul Bari Chaudhury. Nobody will, I believe, attach much weight to caste, creed, community or sex in the matter of selection of candidates for election to Local Boards. Ability will, and should be, the first consideration. And now-a-days I believe there will be no paucity of able ladies to be sent to Local Boards as elected members. So, Sir, I again thank our hon. Friend, Srijut Lakshesvar Borooh for the duty he is going to do on behalf of us all and I support the Motion whole-heartedly.

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: Mr. Speaker, Sir, I do not raise objection because the tendency of the world and the tendency of the whole House is that way. My hon. Friend, the Mover, has repeated several times that it is a shame on the part of the males. Of course, considering the question from one point of view it is so. But if it is a matter of assertion of rights it is in the fitness of things if this Motion would come from the Deputy Speaker, Mrs. Khongmen. Anyway, he has repeated several times that it is a shame of the males. But I should say that it is a shame on males that in order to carry on public functions they have had to requisition the services of female sex (*Hear, hear*). Sir, as I have the sentiment, I do not mind, to voice it against the whole House, because I have the right to give vent to my private sentiments (*Voices: Surely, surely*). If my office were not a public one, I would not have supported it, because it is a defect in the organisation—social organisation—itsself. Well, reciprocity of sexes could be adjusted in many other ways (*Laughter*). Anyway, as the tendency is that way let our fair sex take part side by side along with us in

our public affairs in the Legislature and everywhere. So I do not like to raise any objection, I rather welcome the Motion. With these few words I resume my seat. (*Voices*: The Hon'ble Minister-in-charge neither supports nor opposes the Motion.)

The Hon'ble the SPEAKER: The question is "That the Assam Local Self-Government (Amendment) Bill, 1946, be taken into consideration."

The question was adopted.

The Hon'ble the SPEAKER: Consideration, clause by clause, of this Bill will be taken up on 16th September 1946, and the last date for filing amendments is at or before 3 P. M. on the 12th instant. Now we pass on to the next item.

The Assam Shop Assistants' Relief Bill, 1946

Maulavi ABDUL BARI CHAUDHURY: Mr. Speaker Sir, I beg leave of the House to introduce the Assam Shop Assistants' Relief Bill, 1946.

The Hon'ble the SPEAKER: The question is: "That leave be granted to Maulavi Abdul Bari Chaudhury to introduce the Assam Shop Assistants' Relief Bill, 1946"

The question was adopted.

(The Secretary of the Assembly then read the title of the Bill.)

Maulavi ABDUL BARI CHAUDHURY: Mr. Speaker, Sir, I beg to move that the Bill be taken into consideration.

My intention in moving this Bill is to provide for regulation of hours in shops and improvement of conditions of the employees of the shops. Sir, the shop assistants in this Province have been leading a life of misery and drudgery. They have got hardly any rest and they do not enjoy any kind of security of their services; (*Voices*: males or females?) both males and females; there is no distinction. They have got no holiday, no sick leave, no privilege leave nor any benefit under the Trade Unions Act. This state of affairs is not only detrimental to their health but also to the interests of their employers; for dissatisfied and over-worked persons cannot devote their whole energy and capacity for the work of their masters. In view of the nature of the work and the nature of the services they are employed, it is not possible to give them full security of livelihood, leisure and enjoyment in this country. Still it is possible to mitigate their grievances by an enactment.

Sir, with this intention in view I have moved this Bill. In the neighbouring Province of Bengal almost a similar legislation has been enacted and it has been in force for the last four years. Broadly speaking, the Bill may be sub-divided into two parts. The first part provides for weekly holidays and public holidays, and the second part deals with security of service of a shop assistant. Sir, the urgent necessity of providing for rest to these over-worked shop employees was realised by the Government of India and the Weekly Holidays Act, 1942, was promulgated.

• That Act provides for one full holiday and a half-holiday in a week. It is exactly in line of the present Bill. Sir, sub-section (3) of section 1 of the Government of India legislation reads as follows: 'It shall come into force in a Province or in a specified area within a Province only if the Provincial Government by notification in the official Gazette so directs'. Then again in sub-section (1) of section 3 of the same Act we find that every shop shall remain entirely closed one day in a week and that a notice shall be exhibited in a conspicuous place in the shop. So from the provisions of the Government of India legislation we

find that the initiative was left with the Provincial Government. I am sorry to say that the Government of Assam did scarcely take any action under the Weekly Holidays Act of 1942. It might be that at one time they wanted to extend the provisions of this Act to some of our towns, *e. g.*, Silchar, Sylhet and Gauhati. But perhaps owing to war-conditions no effective measures were taken in that direction. So in spite of a specific legislation the shop-employees were deprived of the benefits that were provided under the Central Act.

Sir, a question may arise, why in the face of an All-India Act a provincial legislation should be passed? My answer is obvious. According to the All-India Act the initiative lies with the Provincial Government. It depends on the sweet will of the Provincial Government. To my mind, such option should not lie with an uncertain executive, but it must be made the law of the land.

Then again the Central Act is not complete by itself. It provides for weekly holidays alone as the name suggests, but by itself it will give little relief to the employees, and hence the necessity of the present Bill. It is wider in outlook and broader in principle.

Sir, this matter should not be argued further, because as I have said, similar provision has been passed in Bengal. The Bill that I have moved just now, is exactly like that of Bengal and is also in line with the recent amendment of 1945 made therein.

Coming to the Bill itself, I will confine my remarks only to the principles. Clause 5 of the Bill provides for weekly holidays and half holidays. Clause 9 provides for public holidays. If we concede that weekly holidays should be allowed to the shop assistants, it is also apparent that on public holidays the shops should be closed and the employees must get the benefit.

I have tried to limit the working hours per week in the body of the Bill. I have stated that the working hours should not exceed 44 hours per week. Formerly, in all labour institutions it was 48, but hon. Members are aware that after the recent Geneva Convention it was recognised that it should be limited to 44. Then again, by clause 7, I have tried to give security to the services of the employees, so that they might not be turned out and dismissed at the option of the owners.

Finally, I would appeal to the Hon'ble Minister in charge to accept this Bill. It is non-contentious and, at the same time, very important. Sir, this measure is not new to the House. In the year 1941 a similar Bill was moved. That Bill was referred to a Select Committee but unfortunately it was dropped.

With these words I commend my Motion to the acceptance of the House.

The Hon'ble the SPEAKER: What happened to that Bill?

Maulavi ABDUL BARI CHAUDHURY: I am not sure. My idea is that it was circulated; opinions were gathered and after the Government had given an assurance they would come forward with a Bill of their own, it was not proceeded with.

The Hon'ble the SPEAKER: Motion moved:

“That the Assam Shop Assistants' Relief Bill, 1946, be taken into consideration.”

Babu NIRENDRA NATH DEB: Mr. Speaker, Sir, I fully agree with the principle underlying the Bill. I thank the hon. Mover for the trouble he has taken in bringing it forward. Sir, an attempt was made long ago in the previous Assembly and there was such a Bill before it. It was circulated for eliciting public opinion. As regards the details, I think a strong Select Committee should be constituted for studying the Bill further and also for studying the public

opinion that will be elicited. Since the Bill that was placed before the last Assembly lapsed, I think before we send this Bill to the Select Committee the Bill should be circulated for eliciting public opinion for the present. There is no doubt that there is a very strong demand from the shop assistants for such a Bill all over the Province and it has got a considerable public support also. If the Government bring forward a Bill of this nature, I think, it will be all right. But if the Government is not going to bring forward such a Bill, I do not see any harm if the present Bill is circulated for public opinion and then the Select Committee may sit and any alteration in the wording of any clause may be made. Any way, Sir, my last submission is that I do fully agree with the general principles underlying the Bill that is brought before the House. I thank the hon. Member for bringing this Bill and I hope the House will see that the Bill is circulated for public opinion.

Maulavi ABDUL BARI CHAUDHURY: Sir, does the hon. Member bring forward an amendment?

The Hon'ble the SPEAKER: He was speaking something about circulation but I do not know whether he comes with an amendment or not. The Hon'ble Minister may make a preliminary speech.

(*Voices*:—Time is over).

The Hon'ble the SPEAKER: Yes, time is over, but the Private Members' business hour was encroached upon by Government business by common consent by about half an hour. So do we continue till half past four or what?

(*Voices from the Opposition Benches*:—Let us compensate, Sir.)

The Hon'ble the SPEAKER: What does the hon. Leader of the House say?

The Hon'ble Srijut GOPINATH BARDOLAI: We do not like to sit.

Adjournment

The Assembly was then adjourned till 11 A.M., on Thursday, the 12th September, 1946.

SHILLONG:

The 2nd November 1946.

A. K. BARUA,

Secretary, Legislative Assembly, Assam.