

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

The Assembly met in the Assembly Chamber, Shillong, at 11 A.M. on  
Saturday, the 29th March, 1947.

PRESENT

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

## QUESTIONS AND ANSWERS

### STARRED QUESTIONS

*(To which oral answers were given)*

#### Agricultural Seed Farm at Burigaon

**Srijut OMEO KUMAR DAS** asked :

\*56. Will Government be pleased to state—

- (a) If it contemplates to remove the Agricultural Seed Farm at Burigaon in Tezpur Subdivision from its present site ?
- (b) If so, where ?
- (c) Whether it proposes to consider a scheme for establishing another Agricultural Farm in Missamari or Dhekiajuli Mouza in Tezpur Subdivision ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR** replied :

56. (a)—Not at present.  
(b)—Does not arise.  
(c)—Yes, in Tezpur Subdivision.

**Srijut OMEO KUMAR DAS**: Is the Hon'ble Minister aware that the Baghmari Grant has been purchased for the said farm ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR**: I am not aware of that as yet. It may be that the matter is still with the Agriculture Department, and has not yet come up to the Government.

(Starred Questions Nos. 57 and 58 were not put and answered as the hon. Questioner Srijut Mohendramohan Chaudhury was absent).

### UNSTARRED QUESTIONS

(To which answers were laid on the table)

**The Hon'ble the SPEAKER:** We shall now take up \*Unstarred Question No. 161, which was standing over till the 25th of March, awaiting the presence of the Hon'ble Prime Minister.

**Srijut OMEO KUMAR DAS:** Will the Hon'ble Prime Minister be pleased to make an elaborate statement regarding these proposals for abolition of the I. C. S. and I. P. S. ?

**The Hon'ble Srijut GOPINATH BARDOLOI:** Sir, this is a matter more or less between the Government of India and the Secretary of State, and it is not possible for me to make any detailed statement of what is going on between the Government of India and the Secretary of State. All that we have been told is that we have got to build up an All-India Administrative Service in place of the Indian Civil Service and an All-India Police Service in place of the Indian Police Service. Accordingly steps are being taken and correspondence is going on between the Government of India and the Government of Assam in reference to what the cadre of these services will be. I can inform the House that the character of the Administrative Service will be on an All-India basis, but so far as the Police Service is concerned recruitment is to be made from the people of the Province. But so far as the recruitment to the Administrative Service is concerned, it may be from any part of India. The question as to what should be the strength of our cadre for the All-India Administrative Service and also the Police Service is under the consideration of this Government. The question as to how far the services now employed under the Political Department should form part of our cadre is also being considered. What we are actually going to have will depend upon the agreement which must be arrived at between the Secretary of State for India and the Government of India in reference to the services as a whole. The present position is that the Secretary of State for India is trying to get back, possibly for appointment in the Home Service, some of the European I. C. S. personnel that are now working in India. These are, as I said, matters of detail and it is not possible for me to give any more details just at the present moment.

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\* Proposed abolition of I. C. S. and I. P. S.

Srijut OMEO KUMAR DAS asked :

161. Will Government be pleased to state—
- (a) The position of the Assam Government with regard to the proposed abolition of the I. C. S. and I. P. S. ?
  - (b) The amount of compensation likely to be paid for the purpose ?
  - (c) Whether the question of compensation has been examined ?
  - (d) The steps they have taken for early abolition of the I. C. S. and I. P. S. ?
  - (e) The attitude of this Government on this matter ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

161. (a) to (e)—The Government of Assam have supported proposals that the I. C. S. and I. P. S. should be terminated and that in their place Central Administrative and Police Services should be built up. These matters are understood to be under correspondence between the Government of India and the Secretary of State and this Government have no information about the present position or whether compensation is under consideration.

**Srijut OMEO KUMAR DAS:** Will Government be pleased to make a representation to the Central Government for reservation of posts for Provincial men in these services ?

**The Hon'ble Srijut GOPINATH BARDOLOI:** The present arrangement is that 20 per cent. of the posts reserved for the I. C. S. are filled up by promotion from the Provincial Services. The recommendation that was adopted by the All-India Conference of the Prime Ministers was that there should be 25 per cent. representation in the All-India Administrative Service of promoted Provincial Service officers. Government are considering what should be the strength of the cadre and if it is possible by arrangement with the Government of India we shall see if a certain proportion of the posts in the All-India Services cannot be made directly recruitable from the people of the Province. As I said, these matters have not been finally decided, and a lot will depend on what the final agreement between the Government of India and the Secretary of State will be in reference to the entire question of the withdrawal of Civil Services from India. It is quite possible that a number of European officers might yet like to be working here. All these matters shall have to be considered before any final decision over this very important question can be arrived at.

**Assam Medical Service (Senior)—Public Health Branch**

**Srijut BHADRA KANTA GOGO:** asked :

240. Will Government be pleased to state—

- (a) Whether they are aware that the scale of pay now in force for the Assam Medical Service (Senior,—Public Health Branch, is highly inadequate in view of the fact that the members of this Branch of service are not allowed private practice ?
- (b) If so, whether Government propose to take up the question of revision of the scale of pay of this Branch of the Medical Service ?
- (c) Whether they are aware that the present scale of pay of this service was purposely fixed lower than other Provincial Services on the understanding that the officers of this service would be allowed to supplement their income by private practice ?
- (d) Whether Government propose to raise the scale of the officers of the Public Health Branch of the service to the level of other Provincial Services, such as, Assam Civil Service, Assam Engineering Service, etc. ?

**The Hon'ble Srijut RAMNATH DAS** replied :

240. (a), (b), (c) & (d)—The question of the revision of the pay scales of all the Government servants is under the consideration of the Government.

**Babu BIDYAPATI SINGHA:** With regard to (a), will the Hon'ble Minister be pleased to state whether Government are considering the practicability of allowing private practice to the Public Health Doctors in view of the fact that their qualities as doctors deteriorate under the present system ?

**The Hon'ble Srijut RAMNATH DAS:** Government at present do not think that they should be allowed to do private practice.

**Babu KAMINI KUMAR SEN:** May we know the reason why ?

**The Hon'ble Srijut RAMNATH DAS :** Sir, the doctors in the Public Health Department are to do work in the preventive side and have generally to travel from place to place. So, if they are allowed to do private practice they may neglect their duties in the preventive side.

**Srijut BELIRAM DAS :** Is it not a fact, Sir, that since private practice is not allowed, doctors do not like to go to the Public Health Department ?

**The Hon'ble Srijut RAMNATH DAS :** We have got doctors in the Public Health Department.

**Babu BIDYAPATI SINGHA :** Is it not a fact, Sir, that even without permission from Government the Public Health Doctors indulge in private practice in many cases ?

**The Hon'ble Srijut RAMNATH DAS :** We are not aware of the fact, Sir.

#### Distribution of Public Works Department Contracts

**Babu JATINDRANATH BHADRA** asked :

241. (a) Will Government be pleased to state whether under their present system of distributing Public Works Department contracts, the contracts of each district are given to the people of that district alone ?

(b) If so, what is the principle behind it ?

242. (a) Is it a fact that construction of some of the buildings throughout the Province have been entrusted to Messrs. Balmer Lawrie and Company, Limited, Calcutta ?

(b) If so, whether any tenders were invited for the construction of the said buildings ?

(c) If the reply to Question (a) above be in the affirmative, will Government be pleased to state the reason for ignoring the interests of the contractors of the Province ?

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

241. (a)—No.

(b)—Copies of two letters embodying the Government orders are placed on the Library table.

\* **Babu JATINDRANATH BHADRA :** Is it a fact, Sir, that first, second and third preferences have been given to the contractors of the district ?

**The Hon'ble the SPEAKER :** That is not clear. Will the hon. Member please elaborate the question ?

\* **Babu JATINDRANATH BHADRA :** The question is : "Will Government be pleased to state whether under their present system of distributing Public Works Department's contracts, the contracts of each district are given to the people of that district alone ?" Government says in reply "No." My Supplementary Question is : Is it not a fact that first, second and third preferences have been given to the contractors of the district ?

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: Preference is given to the contractors of the district and failing that we give preference to other people.

\* **Babu RABINDRA NATH ADITYA**: Is it not a fact, Sir, that in the provincial contracts the people of the district get first preference in buildings and other contracts of provincial importance?

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: I do not understand the Supplementary Question, Sir. Will the hon. Member please explain what does he mean by 'provincial importance'?

\* **Babu RABINDRA NATH ADITYA**: By 'provincial importance' I mean buildings for Medical College, Agricultural College, Engineering College and so on, that is to say, the projects which benefit the people of the Province as a whole. These institutions are being located at a particular place for certain advantage. In those cases will the people of other districts be debarred from getting the contracts because of the location in a particular district?

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: That is a question of detail which will be fitted in with the policy of the Government and it is left with the officers of the department to be worked out in pursuance of the policy.

\* **Babu RABINDRA NATH ADITYA**: Sir, are we to understand that Government have fixed no policy?

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: Sir, the policy has been framed but that policy is to be worked according to the circumstances and the possibility of carrying out the work and other things including the finance of the Province.

\* **Babu RABINDRA NATH ADITYA**: Sir, are we to understand that Government want to divide the contracts under two heads—one provincial and the other district head?

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: There is no such proposal Sir.

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

242. (a)—Construction of some of the buildings in a few stations are being entrusted to Messrs. Balmer Lawrie and Company.

(b)—No. It was not necessary to do so as the type of construction is covered by a patent and no one else can undertake such works without Messrs. Balmer Lawrie's permission.

(c)—It is considered desirable to introduce into the Province some kind of more durable structures, quick of construction and requiring use of smaller quantity of materials and labour in order that completion of our building programme under Post-War Reconstruction within reasonable time may be possible. Local contractors will be encouraged to take up such works after they have seen these works done by Messrs. Balmer Lawrie and Company.

\* **Srijut DANDESWAR HAZARIKA**: With regard to Question No. 242(b) may I know from Government, Sir, the places where they have chosen to give contracts to Messrs. Balmer Lawrie and Company?

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: The places are at Jorhat, Gauhati, Shillong, Sylhet and Silchar.

\* **Babu KAMINI KUMAR SEN**: The Answer to Question No. 242 (b) reads like this: "No. It was not necessary to do so as the type of construction is covered by a patent and no one else can undertake such works without Messrs. Balmer Lawrie's permission." Will the Hon'ble Minister be pleased to explain what is meant by that ?

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: Messrs. Balmer Lawrie and Company has invented certain kind of material to be used for construction of walls and also pillars. They have also a patent for that. That is made of iron and is a special thing which will enable the contractors to build houses quickly and at a much cheaper rate. Therefore, the Government thought that it would be a very good idea for Messrs. Balmer Lawrie and Company to introduce these things in Assam and then afterwards the contractors of Assam will be able to get license from them to use this patent.

**The Hon'ble the SPEAKER**: I think, the question was the other way about and probably the import of the question was whether Government drew up the scheme of this construction to fit in with that special patent. The answer is "No. It was not necessary to do so as the type of construction is covered by a patent and no one else can undertake such works without Messrs. Balmer Lawrie's permission." The question was whether Government drew up the scheme of this construction to fit in with that special patent ?

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: No, Sir, we have got the estimate of the houses and the plans drawn up but Messrs. Balmer Lawrie and Company will introduce their material—a kind of thing which I have not seen.

**The Hon'ble the SPEAKER**: The Hon'ble Minister has missed the point. Government drew up certain schemes and certain plans of construction. No tender was called because these were covered by Messrs. Balmer Lawrie's patent.

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: That is not the idea. It was not necessary to do so as the type of construction is covered by the patent. Construction of some of the buildings in a few stations are being entrusted to Messrs. Balmer Lawrie and Company. Why ? Because we consider that it is more beneficial to the Province as a whole and also to the contractors.

**The Hon'ble the SPEAKER**: The question is: "If so, whether any tenders were invited for the construction of the said buildings ?" The answer is: "No" and the reason is "It was not necessary to do so as the type of construction is covered by a patent and no one else can undertake such works without Messrs. Balmer Lawrie's permission." Mr. Sen's question is whether it was covered by the patent ?

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: I will explain, Sir. It was not fully understood.....

**The Hon'ble the SPEAKER**: Order, order, it was not fully understood—by whom ?

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: It was not fully explained. Messrs. Balmer Lawrie and Company for the construction of the buildings and as the type of the construction which they are going to give to the Government of Assam is considered to be more profitable, so Government decided to give this to Messrs. Balmer Lawrie and Company and that is why no tender was called for.

\* **Babu KAMINI KUMAR SEN**: Sir, if the plan made by the Government of Assam is not a peculiar one and is not covered by the patent how does Government know that Messrs. Balmer Lawrie and Company has something special which will be more profitable to Government without calling for the tender ?

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: I have already explained, Sir. The position is this that Messrs. Balmer Lawrie and Company has certain kind of construction which is not found anywhere else. The advantage is this, it is cheaper and the construction quicker.

\* **Srijut LAKSHESVAR BOROOAH**: How does the Hon'ble Minister know that without calling for tenders ?

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: Sir, we know from the general kind of works the Public Works Department is giving to the public. It is with regard to some building materials...

\* **Srijut LAKSHESVAR BOROOAH**: What are those building materials ?

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: It is some kind of iron net which is used for walls, roofs and pillars.

\* **Srijut LAKSHESVAR BOROOAH**: Is there anything on record to show that there is no other party which is able to do the work cheaper than Messrs. Balmer Lawrie and Company ?

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: Sir, the question of competition does not come in because Government has to consider the question of building, estimate of the building and what that building will cost and we found that Messrs. Balmer Lawrie and Company will be able to do it at much cheaper rate. From our experience of the past we can find out the cost at which the contractors of the district could construct the building with wood and other things and that is a matter, Sir, which could be easily worked out. Therefore, comparing the kind of work which Messrs. Balmer Lawrie and Company would do with that of the local contractors, we found that it would be much cheaper and quicker to give the contract to Messrs. Balmer Lawrie and Company, because what they would be able to do in a week the local contractor would take a month to do.

\* **Shri ABALA KANTA GUPTA**: Are not the replies to Question No. 242 (b) and (c) contradictory to each other ?

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: I don't consider them to be so.

\* **Babu RABINDRA NATH ADITYA**: What is meant by the type of construction by patent ?

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: It means the iron materials patented by the firm to be used in construction of the building.

\* **Babu RABINDRA NATH ADITYA**: I think the iron materials can be had everywhere.

\* **The Hon'ble Rev. J. J. M. NICHOLS-ROY**: No, the special kind of iron materials, iron sheets, etc. cannot be had everywhere.

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\*Speech not corrected.

\***Babu JATINDRA NATH BHADRA**: Is it a fact that Messrs. Balmer Lawrie and Company have given sub-contracts to other people?

\***The Hon'ble Rev. J. J. M. NICHOLS-ROY**: Sub-contracts for collecting other materials have been given, but the iron materials to be used in the buildings are their own.

\***Babu JATINDRA NATH BHADRA**: Why did not Government give contract of those materials to the other people?

\***The Hon'ble Rev. J. J. M. NICHOLS-ROY**: When contract of the buildings has been given to Messrs. Balmer Lawrie and Company, contract for the materials cannot be given to other people. This cannot be done in the same building.

\***Srijut PURNA CHANDRA SARMA**: Do we understand that Messrs. Balmer Lawrie and Company have been given the contract only in consideration of their patent materials?

\***The Hon'ble Rev. J. J. M. NICHOLS-ROY**: Not only that, but also in consideration of the facts that they would do the work more quickly and at a cheaper rate.

\***Srijut PURNA CHANDRA SARMA**: Do not the Government think that the local contractors could have procured the building materials more easily and at a cheaper rate if the contracts were given to them and the buildings would have cost less?

\***The Hon'ble Rev. J. J. M. NICHOLS-ROY**: They cannot do that. Because, the contract involved a large amount of money and the school buildings to be constructed are of a new type which were not constructed in the past. The local contractors have no idea of them and of the materials to be used in their construction. These school buildings though involve a large expenditure would be pleasing afterwards.

\***Srijut LAKSHESVAR BOROOAH**: May I know from the Hon'ble Minister as to how he has come to the conclusion that the local contractors would not be able to procure the materials and their work would not be as good as that of Messrs. Balmer Lawrie and Company?

\***The Hon'ble Rev. J. J. M. NICHOLS-ROY**: That is a question of opinion?

\***Srijut LAKSHESVAR BOROOAH**: No, Sir, it is a question of fact.

\***Babu RABINDRA NATH ADITYA**: Was it not possible to get the iron materials at the firm of any other merchant in Calcutta?

\***The Hon'ble Rev. J. J. M. NICHOLS-ROY**: The special kind of iron materials have been patented by Messrs. Balmer Lawrie and Company and no body else can supply them.

\***Babu RABINDRA NATH ADITYA**: Can they not be manufactured in Kulti and Jamshedpur?

\***The Hon'ble Rev. J. J. M. NICHOLS-ROY**: Can they not be manufactured in sheet which cannot be found anywhere else. This is a kind of patent

\***Babu RABINDRA NATH ADITYA**: Fabrication can be made by any firm.

\*Speech not corrected,



\***Babu KAMINI KUMAR SEN**: The Hon'ble Minister said that he has not seen the materials himself. May we know who has seen them and certified them to be the best in the market ?

\***The Hon'ble Rev. J. J. M. NICHOLS-ROY**: It is our Chief Engineer who went to Calcutta and saw them and he was very much attracted by the kind of buildings constructed with the materials. And it was thought better to introduce the kind of buildings in Assam for the people of the Province as well as for the local contractors.

\***Babu JATINDRANATH BHADRA**: Is it not a fact that they increased their rate afterwards ?

**The Hon'ble the SPEAKER**: I think this matter has been sufficiently thrashed out. The Hon'ble Minister invites hon. Members to meet him if they want further information in the matter.

\***Srijut DANDESWAR HAZARIKA**: May I know from the Hon'ble Minister whether they have got representation against the contract being given to Messrs. Balmer Lawrie and Company ?

\***The Hon'ble Rev. J. J. M. NICHOLS-ROY**: Yes, we have got a lot of representations.

\***Babu NIRENDRA NATH DEV**: Is it a fact that the Company asked the Government to increase the rate afterwards ?

\***The Hon'ble Rev. J. J. M. NICHOLS-ROY**: That is a new question, and I shall have to make an enquiry about it.

\***Shri ABALA KANTA GUPTA**: May I know how it was found that the rate offered by Messrs. Balmer Lawrie and Company was cheaper ?

\***The Hon'ble Rev. J. J. M. NICHOLS-ROY**: Comparing the cost of building under the present condition and the cost of materials available to the local contractors, the rate offered by Messrs. Balmer Lawrie and Company for the type of building to be constructed by them was found cheaper and that they would do it more quickly.

\***Shri ABALA KANTA GUPTA**: How the repairing work will be made ?

**The Hon'ble the SPEAKER**: We have yet a long time for repair.

#### Silting up of River Surma and its tributaries

**Babu JATINDRANATH BHADRA** asked :

243. Will Government be pleased to state—

(a) Whether they have collected all informations regarding the silting up of the River Surma and its tributaries such as Bahia, Charchandia, etc., as requested during the Budget Session last year?

(b) Whether Government have considered the desirability of excavating portions of these rivers, where necessary, for their general resuscitation?

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

243. (a)—A project has been prepared to improve flow from the Bahia river and is at present under scrutiny. It has not yet been possible to consider the question of improving the channel of the Surma or other tributaries of it for want of adequate staff.

(b)—Government will consider what steps should be taken after necessary data, to take a decision, have been collected.

**Babu JATINDRANATH BHADRA** : Have Government made arrangement for collecting the data ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY** : Government are going to make necessary arrangement for that.

**Babu JATINDRANATH BHADRA** : When will Government make arrangement for the collection of the data ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY** : That depends on the staff. For the present we are short of staff.

#### **Separation of the Judiciary from the Executive**

**Raja AJIT NARAYAN DEV OF SIDLI** asked :

244. Will Government be pleased to state—

(a) What steps, if any, have been taken to separate the Judiciary from the Executive ?

(b) If Government propose to separate the Judiciary from the Executive ?

(c) If so, when ?

**The Hon'ble Mr. BASANTA KUMAR DAS** replied :

244. (a)—As the first step, Government have arranged to create a definite Judicial branch of the Assam Civil Service, and have modelled their recruitment now in progress to this end.

(b)—This is the objective at which Government are aiming, but it is a complicated and difficult one, especially while the Province has not its own High Court.

(c)—Government are unable to state a date, as so much depends upon the march of events and the constitutional planning which is now in progress.

#### **Grant sanctioned by the Government of India for the North East Frontier Agency**

**Srijut OMEO KUMAR DAS** asked :

245. Will Government be pleased to state the amount of grant sanctioned by the Government of India for (i) Education, (ii) Communications and (iii) Medical facilities in the Transfrontier areas, e.g., Balipara Frontier Tract, Sadiya Frontier Tract and Tirap Frontier Tract for 1945-46, 1946-47 and 1947-48 ?

**The Hon'ble Srijut GOPINATH BARDOLOI** replied :

245.—The amounts of grants sanctioned by the Government of India for the North-East Frontier Agency in respect of the undermentioned heads are as follows:—

	1945-46		1946-47	
		Rs.		Rs.
(1) Education ... ..	...	Nil	...	1,650
(2) Communications ... ..	...	Nil	...	5,41,900
(3) Medical... ..	...	82,236	...	1,49,500

Figures for 1947-48 cannot be given as no sanctions have yet been received.

\***Srijut OMEO KUMAR DAS** : By way of suggestion, Sir, I would urge for a road from Udalguri in the Darrang District to Rupa and from Rupa to Lassa, because that is the shortest route from India to Tibet, and also from Rangiya to Dewangiri and from Dewangiri to Punat, the capital of Bhutan, be constructed.

**The Hon'ble the SPEAKER** : These are in excluded areas.

### Scheme for extensive cultivation of Pulses and Mustard Seeds

**Srijut OMEO KUMR DAS** asked :

246. Will Government be pleased to state what scheme they have adopted for making extensive cultivation of pulses and mustard seeds in the Province ?

247. Will Government be pleased to lay on the table a report on the research on pulses conducted at Kokilamukh ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR** replied :

246.—Pulses and oilseeds are being distributed among the cultivators under the Grow-More-Food Seed Distribution Scheme. A collective farming scheme is also under consideration of Government.

247.—No report can be expected now on the pulses scheme started only in last winter at Kokilamukh.

**Srijut GAURIKANTA TALUKDAR** : Are Government aware that seeds are very often distributed amongst persons who really do not care to grow any crop but use them for their own consumption ?

\***The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR** : Government are not aware of such circumstances.

**Srijut GAURIKANTA TALUKDAR** : Will Government take it from me that I have seen seeds distributed to persons who took them and consumed them.

\***The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR** : The hon. Member did not inform this to Government.

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\* Speech not corrected.

**Srijut GAURIKANTA TALUKDAR:** Will Government be pleased to instruct their seed-distributors to distribute seeds only to those persons who really grow crops and not to persons who consume them?

**\*The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** It is not possible to eliminate all sorts of cheating.

**Srijut GAURIKANTA TALUKDAR:** I think, Sir, instructions may be given to the distributing agents, and attempts may also be made to check these mal-practices as far as possible.

#### Veterinary Dispensary at Dhekiajuli

**Srijut OMEO KUMAR DAS** asked :

248. (a) Will Government be pleased to state what consideration they have given to the petition by the Questioner for opening a Veterinary Dispensary at Dhekiajuli ?

(b) Are Government aware of the difficulties of the rayats of the adjacent five Mauzas for want of a Veterinary Dispensary at Dhekiajuli ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR** replied :

248. (a)—Government regret their inability to open a new Veterinary Dispensary at Dhekiajuli for want of trained doctors.

(b)—Yes.

#### Selling and leasing of lands by Tezpur Municipal Board

**Srijut OMEO KUMAR DAS** asked :

249. (a) Are Government aware that the Tezpur Municipal Board has been selling and leasing lands granted to it by Government to private persons ?

(b) Do Government propose to enquire on—

(i) The total area of land thus leased or sold ?

(ii) The terms of the lease ?

(iii) Whether permanent structures have since been erected on those lands ?

(iv) Whether Government would permit such structures on these lands ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR** replied:

249. (a)—No.

(b)—Yes.

**\*Srijut OMEO KUMAR DAS:** In reply to Question No. 249 (a) the answer is "No." I want to give this information to this House that the Tezpur Municipal Board has been selling and leasing lands granted to it by Government to private persons.

**\*The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** I have nothing to add. It has not yet come to the notice of the Government. When it will come to their notice Government will take action.

\* Speech not corrected.

**The Hon'ble the SPEAKER :** Did Government enquire into this after receiving this Question?

**\*The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR :** Certainly Government have done it.

#### Establishment of Veterinary Hospital in Shone-Beel area

**Moulana MD. MUFAZZAL HUSSAIN** asked :

250. (a) Are Government aware that in addition to the Chargula Valley, the cattle of Hailakandi and Longai Valley also gather in winter at Shone-Beel in Karimganj to graze there ?

(b) Are Government aware that a number of cattle die there every year, of various diseases without getting any medical help ?

(c) Is it a fact that there is no Veterinary Hospital in Chargula Valley ?

(d) If so, do Government propose to establish a Veterinary Hospital some where in Shone-Beel area ?

(e) If not, why not ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR** replied :

250. (a)—Yes.

(b)—Yes.

(c)—Yes.

(d)—The suggestion will be considered when Government will have doctors trained to take charge of newly established dispensaries. At present Government are short of trained officers for the purpose.

(e)—Does not arise.

**\*Babu RABINDRA NATH ADITYA :** Will Government be pleased to take up the case of Hakaluki also ?

**The Hon'ble the SPEAKER :** How can the case of Hakaluki come in ?

#### Number of Venture Primary Schools in Jorhat Subdivision

**Srijut HARINARAYAN BARUAH** asked :

251. Will Government be pleased to state--

(a) The total number of Venture Primary Schools in Jorhat Subdivision ?

(b) The number of (1) Scheduled caste, (2) Tribal and (3) *Ex-tea-garden* labour Schools in Jorhat Subdivision ?

(c) Whether Government have given any financial help to those Schools ?

(d) If so, how many of each of these categories of Schools have been given financial help ?

(e) Whether Government propose to give financial help to these Schools which are situated in the most backward areas ?

**The Hon'ble Srijut GOPINATH BARDOLOI** replied :

251. (a)—Total number of Venture Primary Schools in Jorhat Subdivision is 136.

(b)—Number of Scheduled Caste Schools...	...	8
Number of plains tribal Schools	...	31
Number of <i>Ex-teagarden</i> labourers Schools	...	5

(c) & (d)—Yes, General 9, Tribals 5, Scheduled 3, *Ex-teagarden* Labourers 2, Muslim 1.

(e)—Yes, the case of deserving Schools in backward areas will receive consideration as a matter of course.

### Smithy at Panchgaon

**Maulavi MAYEENUD-DIN AHMED CHOWDRY** asked :

252. (a) Is it a fact that Government propose to start a Smithy at Panchgaon under Rajnagar Police Station in the South Sylhet Subdivision ?

(b) Are Government aware that Panchgaon being a Hindu populated locality the Muslims cannot take any advantage from such a Government Institution ?

(c) If so, do Government propose to select the site of such an Institution near Maulvibazar town so that people of all communities may be benefited ?

**The Hon'ble Maulavi ABDUR RASHEED** replied :

252. (a)—No.

(b) & (c)—Do not arise.

### Irrigation or Embankment Department Survey work at Karaya Haor area

**Maulavi Dewan ABDUL BASITH** asked :

253. (a) Is it a fact that some officers of the Irrigation or Embankment Department did some survey work at Karaya haor in the South Sylhet Subdivision of the District of Sylhet ?

(b) If so, will Government be pleased to lay on the table a copy of that survey report ?

(c) Will Government be pleased to state whether they have received any petition from the public of Karaya haor area praying for a Bund at Laghata river ?

(d) If so, will Government be pleased to state what steps have been taken so far in this respect ?

(e) If not, do Government propose to enquire from the local officers of the Agriculture Department what has happened to the petition ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR** replied :

253. (a)—No regular survey was done except general observation.  
 (b)—Does not arise.  
 (c)—No.  
 (d)—Does not arise.  
 (e)—The question is not clear. Government may enquire whether any petition was received by local officers and with what result.

### **Irrigation Bund and Khal Projects in the Surma Valley**

**Maulavi Dewan ABDUL BASITH** asked :

254. (a) Will Government be pleased to place on the table a complete list of small Irrigation, Bund and Khal projects in the Surma Valley undertaken during the years 1945 and 1946 with cost of each project ?  
 (b) Will Government be pleased to state the names with cost of small Irrigation, Bund and Khal projects which will be undertaken in the Surma Valley during this Winter Season ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR** replied :

254. (a) & (b)—Statements are laid on the Library Table.

### **Treatment of Gang coolies as Government servants**

**Maulavi MUHAMMAD ABUL KASHEM** asked :

255. Will Government be pleased to state—  
 (a) Whether the Gang coolies of different Departments are treated as Government servants ?  
 (b) If not, whether Government have made necessary provision for their dearness and other allowances ?

**The Hon'ble Srijut BISHNURAM MEDHI** replied :

255. (a)—No.  
 (b)—No, because the wages paid to them are at market rates which provide for a living wage.

### **Calcutta Riot Inquiry Commission**

**Maulavi MAYEENUD-DIN AHMED CHOWDRY** asked :

256. Will Government be pleased to state—  
 (a) Whether two Advocates have been appointed by Government to represent the Assam Government before the Calcutta Riot Inquiry Commission ?

- (b) If so, the names of those Advocates with their (i) past experiences both in the original works and cross-examination, (ii) the amount of daily fees and (iii) monthly additional remuneration, if any ?

**The Hon'ble Mr. BASANTA KUMAR DAS** replied :

256. (a)—Yes.

(b)—Captain S. K. Ghose and Mr. B. C. Barua.

(i) Government have no details of their previous careers, but they are both regular Advocates.

(ii) The daily appearance fee of Captain Ghose is 5 Gold Mohurs or Rs.85.

The daily appearance fee of Mr. B. C. Barua is 3 Gold Mohurs or Rs.51.

(iii) The monthly retaining fee of Captain Ghose is Rs.200.  
The monthly retaining fee of Mr. Barua is Rs.150.

### Home Permit fee for Forest produce

**Babu RABINDRA NATH ADITYA** asked :

257. (a) Are Government aware that the home permit fee for Forest produce has been raised to Rs. 6 ?

(b) If so, when has it been raised and by what per cent. ?

(c) Is it a fact that the thatch mahals in Singla Reserve in Karimganj Subdivision are all sold in auction leaving no areas for home permit holders to exploit ?

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

257. (a)—Yes.

(b)—It had been raised in January 1945 by 100 per cent.

(c)—No, it is not a fact.

**Babu RABINDRA NATH ADITYA**: Do Government mean to say that there are other thatch mahals still available for exploitation by the home permit-holders ?

**\*The Hon'ble Rev. J. J. M. NICHOLS-ROY**: That is all the information I received from the officer. I have got no further information.

### Barpeta Dispensary Building

**Srijut MAHENDRA MOHAN CHOUDHURY** asked :

258. (a) Are Government aware that the Barpeta Dispensary building is in a most dilapidated condition ?

(b) Are Government aware that the Barpeta Local Board with their present limited finance is quite unable to provide funds for reconstruction of the building ?

\* Speech not corrected.



(c) Is it a fact that several Hon'ble Ministers including the Hon'ble Ministers, Medical and Public Health and Public Works Department on their visit to the town of Barpeta on representations made to them by the people assured that Government should find finance for reconstruction of this building ?

(d) If so, do Government propose to provide funds for this purpose ?

**The Hon'ble Srijut RAMNATH DAS** replied :

258. (a)—Yes.

(b)—The financial conditions of the Local Boards in general are deplorable and the Barpeta Local Board is not an exception to this.

(c)—Yes, so far as I am concerned.

(d)—The matter is being examined.

### Demands for Grants

#### GRANT No. 12

(28.—Jails and Convict Settlements.)

**The Hon'ble Mr. BAIDYANATH MOOKERJEE**: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 12,75,800 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1948 for the administration of the head "28.—Jails and Convict Settlements".

**The Hon'ble the SPEAKER**: Motion moved :

"That a sum not exceeding Rs. 12,75,800 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1948 for the administration of the head '28.—Jails and Convict Settlements'."

There is a \*Cut Motion in the name of Srijut Kameswar Das.

**Srijut KAMESWAR DAS**: I am not going to move it as I understand that Government have already taken up the matter in hand.

**The Hon'ble the SPEAKER**: I put the question.

The question is :

"That a sum not exceeding Rs. 12,75,800 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1948 for the administration of the head '28.—Jails and Convict Settlements.'"

The question was adopted.

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\***Srijut KAMESWAR DAS** to move :

That the total provision of Rs. 12,75,800 under Grant No. 12, Major head 28.—Jails and Convict Settlements, at page 79 of the Budget, be reduced by Re. 1, *i.e.*, the amount of the whole grant of Rs. 12,75,800 do stand reduced by Re. 1.

(To raise a discussion about the desirability of establishment of a Sub-Jail at Barpeta.)

## GRANT No. 25

[50.—Civil Works (excluding Tools and Plant and Establishment).]

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 1,35,71,800 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1948 for the administration of the head "50.—Civil Works (excluding Tools and Plant and Establishment)".

**The Hon'ble the SPEAKER:** Motion moved :

"I hat a sum not exceeding Rs. 1,35,71,800 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1948 for the administration of the head '50.—Civil Works (excluding Tools and Plant and Establishment)'."

There are several Cut Motions.

**Mr. BINODE KUMAR J. SARWAN:** I beg, Sir, to move that the provision of Rs. 32,485 under grant No. 25, Major head 50.—Civil Works, Minor head D.—Grants-in-aid for Communications, etc., Sub-head 1.—Grants to Municipal Boards (total), at page 171 of the Budget be reduced by Re. 1, that is, the amount of the whole grant of Rs. 1,35,71,800 do stand reduced by Re. 1.

Mr. Speaker, Sir, the object of my bringing this Cut Motion is to draw the attention of the present Minister-in-charge of Local Self-Government to the fact that in the year 1944, the Government in spite of giving some hope to the Tezpur Municipality on behalf of which I moved at that time that they would contribute grant for the extension of the Urmnson's Road in Lalmati Area, Ward No. 1, of the Tezpur Municipality, for some reason probably due to the war still continuing at that time, they have not given any grant for this purpose. The Tezpur Municipal Board submitted their estimates after surveying the extension of the Urmnson's Road, as they were asked by the Government to do so, and for which also the Deputy Commissioner, Darrang, in his Memo. No. 4755, dated the 16th September 1944, asked the Tezpur Municipal Board to submit their estimates to the Government. I hope the Local Self-Government Minister now would be pleased to take up the matter with the Tezpur Municipal Board regarding the extension of the Urmnson's Road in the Lalmati Ward No. 1.

Sir, though the Tezpur Municipal Board have passed a Resolution to improve that area by extension of the Urmnson's Road yet they have found it difficult to fulfil the needs of that locality on account of the shortage of their fund, and hence prayed to the Government for a contribution, I hope the Government would grant money required for the extension of the Urmnson's Road which is badly needed for that locality.

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

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** Mr. Speaker, Sir, it is a Cut Motion moved under the Grant of the Public Works Department but the Cut Motion relates to my Department, the Local Self-Government Department.

**The Hon'ble the SPEAKER:** But we are not discussing Demands for Grants of the Local Self-Government Department.

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** In that case, I can reply to this Cut Motion, Sir. It is only to draw the attention of the Hon'ble Minister-in-charge of Local Self-Government Department for granting aid to the Tezpur Municipal Board for the extension of Urmason's Road in Lalnati Ward No. 1, that the Cut Motion has been moved by the hon. Member. This is a particular request for a certain road and it will have to be dealt with by the Tezpur Municipality and that Municipality must approach the Hon'ble Minister-in-charge of Local Self-Government Department through proper channel. That is all I can suggest with regard to the procedure to be followed for this purpose.

**The Hon'ble the SPEAKER:** I was looking up to the Hon'ble Minister to say whether this Cut Motion is admissible.

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** Of course, Sir, this Cut Motion is out of order and it cannot be moved in this way. I only told the hon. Member as to how he should proceed in the matter in the future.

**The Hon'ble the SPEAKER:** I think, I should not allow this Cut Motion. It has been misplaced ; it is out of order.

**Mr. H. PATTERSON:** Mr. Speaker, Sir, I beg to move that the provision of Rs.3,44,860 under Grant No. 25, Major head 50.—Civil Works, Minor head D.—Grants-in-aid for Communications, etc., Sub-head 2.—Grants to Local Boards (total), at page 171 of the Budget, be reduced by Re.1, *i. e.*, the amount of the whole grant of Rs.1,35,71,800 do stand reduced by Re.1.

My object in bringing this Cut Motion before the House is to focus attention on the deplorable condition of communications in the Haliakandi Sub-division of Cachar. These conditions are a combination of a legacy of last year's floods and the inefficiency of the Hailakandi Local Board. The general public can understand and bear with the disruption of communications in times of flood, but expect that communications should be restored in as short a time as possible after the floods have subsided.

**The Hon'ble the SPEAKER:** Order, order. Is the hon. Member speaking about roads, bridges and ferries of the Public Works Department or of the Local Board ?

**Mr. H. PATTERSON:** I am speaking about the Local Board roads, bridges and ferries, Sir.

**The Hon'ble the SPEAKER:** Then it is out of order. Cut Motions are moved to ventilate grievances in respect of a particular Administrative Head, but the Cut Motion of the hon. Member does not relate to the relevant Head and therefore it is out of order.

**The Hon'ble the SPEAKER:** Mr. Kenny is to move his Cut Motion No. 4 but before he moves the Cut Motion, I want to know whether his Motion relates to Public Works Department Road or Local Board Road ?

**Mr. E. W. B. KENNY:** It relates to Public Works Department roads, Sir.

**The Hon'ble the SPEAKER:** Then the hon. Member is allowed to move his Cut Motion.

**Mr. E. W. B. KENNY:** Mr. Speaker, Sir, I beg to move that the total provision of Rs.1,35,71,800 under grant No. 25, Major head 50.—Civil Works, at page 170 of the Budget, be reduced by Re.1, *i. e.*, the amount of the whole grant of Rs.1,35,71,800 do stand reduced by Re.1.

The object of this Cut Motion is to draw Government's attention to the disgraceful state which the five-mile stretch of road from Tangla towards Mangaldai has now reached. Representations are continually being made to the Circle Chairman, Assam Branch Indian Tea Association, by those who have the misfortune to use this road, and the experience of the Chairman himself who has had to use this road weekly for the last seven months, forces him to the opinion that it is definitely the worst road in the Mangaldai Subdivision and, indeed, probably in the whole of the Darrang District under the Public Works Department.

No car, bus or truck can traverse the stretch even at a slow speed without a severe shaking, and many thousands of rupees worth of damage is being done to very valuable vehicles, particularly I would consider to those of the Mangaldai Transport Company, whose payments to the Government funds by way of licence and public carrier fees together with petrol taxation, etc., must amount to a very considerable sum.

The local headquarters of the Public Works Department will include in any answer to this that their road roller has broken, and it is correct that this occurrence took place about last July. In the meantime no alternative means of repair, or even surface dressing, has seemingly proved possible to the Department, and I think it is also correct that no real upkeep of this road has been undertaken since 1939. The road is one that was macadamed many years ago but has never been tarred. No alternative repair other than tarring will ever prove satisfactory now, and it urged that the Department undertakes the tarring of this 5-mile stretch with the least possible delay.

**The Hon'ble the SPEAKER:** Cut Motion moved:

“That the total provision of Rs.1,35,71,800 under Grant No. 25, Major head 50.—Civil Works, at page 170 of the Budget, be reduced by Re. 1, *i. e.*, the amount of the whole grant of Rs.1,35,71,800 do stand reduced by Re. 1.”

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** Sir, in regard to the condition of this road, Government here in Shillong has no information. We have not been told by the Executive Engineer of the area about the conditions of this road. But Government will look into the matter and see what can be done. That is all that I can say now. What is required to be done will be done when finances are available. We must remember that we have only a certain amount of money which will have to be spent for the whole of this Province and there are other places also where roads are bad. Therefore whatever is possible will be done by the Government to remove grievances.

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

**Mr. E. W. B. KENNY:** After hearing what the Hon'ble Minister has said I beg leave of the House to withdraw my Cut Motion and request the Hon'ble Minister to ask the Executive Engineer to take steps to remove the grievance.

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

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

**The Hon'ble the SPEAKER :** The question is :

“That a sum not exceeding Rs.1,35,71,800 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1948 for the administration of the head ‘50.—Civil Works (excluding Tools and Plant and Establishment)’.”

The question was adopted.

**GRANT No. 23.**

**(43.—Industries)**

**The Hon'ble Mau'avi ABDUR RASHEED :** On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 4,19,200 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1948 for the administration of the head “43.—Industries.”

**The Hon'ble the SPEAKER :** Motion moved :

“That a sum not exceeding Rs. 4,19,200 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1948 for the administration of the head ‘43.—Industries’.”

There is no Cut Motion under this Demand, I am therefore putting it as a question.

**The Hon'ble the SPEAKER :** The question is :

“That a sum not exceeding Rs. 4,19,200 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1948 for the administration of the head ‘43.—Industries’.”

The question was adopted.

**GRANT No. 22.**

**(42.—Co-operation)**

**The Hon'bl Maulavi ABDUR RASHEED :** On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 4,14,700 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1948 for the administration of the head “42.—Co-operation.”

**The Hon'ble the SPEAKER :** Motion moved :

“That a sum not exceeding Rs. 4,14,700 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1948 for the administration of the head ‘42.—Co-operation’.”

There is no Cut Motion under this Demand. I am therefore putting it as a question.

**The Hon'ble the SPEAKER:** The question is:

"That a sum not exceeding Rs. 4,14,700 be granted to defray the charges, which will come in the course of payment during the year ending on the 31st March 1948 for the administration of the head '42.—Co-operation'."

The question was adopted.

**\*The Assam Committees of the Legislature (Evidence) Bill, 1946**

**The Hon'ble the SPEAKER:** We pass on to the Supplementary List of Business—consideration of the Assam Committees of the Legislature (Evidence) Bill, 1946, clause by clause. There are 19 Amendments. We take up No. 1.

**Mr. W. R. FAULL:** Mr. Speaker, Sir, I beg to move:

That for the existing title "The Assam Committees of the Legislature (Evidence) Bill, 1946" the following shall be substituted:—

"Assam Select Committees of the Legislature (Evidence) Bill"

**The Hon'ble Mr. BASANTA KUMAR DAS:** Sir, I beg to intervene at this stage. My submission is that all the Amendments tabled except a few are so far-reaching that their acceptance will completely change the structure of the whole Bill. Now, the House stands committed to the principles underlying the various provisions of the Bill and the acceptance of these Amendments will considerably detract from those principles which the House should be zealous to maintain. Now, Sir, the principle underlying the Bill is that its provisions are to apply not only to Select Committees on Bills, the Privilege Committees but also to other Committees which may be appointed by the Legislature or may be appointed on the basis of a Resolution passed by the Legislature. These provisions are to be applicable to proceedings of all these Committees. This Amendment seeks only to provide that these provisions should be applied only to proceedings of Select Committees. The position is, Sir, that we wanted a big house, but that the hon. Member wants to give us a small room.

**The Hon'ble the SPEAKER:** The difficulty is that the Bill seeks to make provision for evidence before 3 kinds of Committees first, ordinary Select Committees for Bills, etc; secondly, Privilege Committee and thirdly other Committees. Now the principle of having Legislation for giving necessary evidence before Select Committee is accepted.

**The Hon'ble Mr. BASANTA KUMAR DAS:** But the question whether the various provisions were to be applied to other Committees was debated and decided when the Bill was moved for reference to the Select Committee. Then a debate was also raised in connection with the Motion for taking the Bill as amended by the Select Committee into consideration, and the House has re-iterated its decision that these provisions are to be applied to all the various Committees envisaged in the Bill. Well, now to ask 'you go back upon your own decision and decide that these provisions are to be applicable only to Select Committees' is really going against the principle of the Bill. That is my objection. The scope of the Bill as designed in its provisions has been accepted by this House and now to say that the scope should not be so wide is to restrict it along with the principle that stands realised in these provisions.

\*N.B.—Originally "The Assam Committees of Enquiry (Evidence) Bill, 1946."

**The Hon'ble the SPEAKER:** The principle of a Bill or a taxation measure is that income up to Rs. 3,000 will be taxed. Subsequently an amendment of Rs. 3,500 was passed. Does not the hon. Member agree with the principle?

**Mr. W. R. FAULL:** I don't think that explains the position. My statement will cover that point.....

**The Hon'ble the SPEAKER:** The important question is what measures can be adopted in clause by clause.

**The Hon'ble Mr. BASANTA KUMAR DAS:** Sir, it is not to be viewed from this standpoint. Here, Sir, one of the objects of the Bill is to secure a privilege for the Legislature and that privilege is that either House of the Legislature can appoint a Committee consisting not only of its Members but also of non-Members, and that is the dominant principle underlying all the provisions of the Bill which stands accepted by the House. But if these Amendments are accepted then it will mean giving a go-bye to this principle and the provisions will be so modified as to be only applicable to proceedings of Select Committees on Bills. It is in exercise of the right that has been given to the Legislature under section 71 of the Government of India Act that this Bill has been designed and to the whole scheme of the Bill the House stands committed.

**The Hon'ble the SPEAKER:** The Hon'ble Minister's point is that in this matter the scope coincides with the principle, namely, not only for Select Committee but for Privilege and other Committees also the House accepted the principle that evidence and other facilities will be offered under this legislation. Is that the point?

**The Hon'ble Mr. BASANTA KUMAR DAS:** Yes, Sir, that is the point.

**The Hon'ble the SPEAKER:** What has the Hon'ble the Leader of the European Group to reply to that point?

**Mr. W. R. FAULL:** I do not think, Sir, that that is a fair consideration of the provisions in the Bill.

**The Hon'ble the SPEAKER:** There is no question of consideration on the merits of the Bill.

**Mr. W. R. FAULL:** My statement, Sir, will clear the position.

**The Hon'ble the SPEAKER:** It is clear from the point of order raised by the Hon'ble Minister that all these Amendments are not admissible since the principle involved is accepted by the House as well as by the Select Committee. Now, Amendments altering the scope of the Bill cannot be admitted because it is an established rule that once a principle is accepted, subsequent Amendments to change the nature of the Bill are not admissible. I hope the Hon'ble Leader of the European Group will accede to it.

**Mr. W. R. FAULL:** Sir, my statement will cover that point.

**The Hon'ble Mr. BASANTA KUMAR DAS:** Sir, I want to add one point. All these Amendments are of such a nature that they cannot be moved unless the Amendments to clause 4 are accepted. This Amendment is intended to change the title of the Bill and the question of such a change would arise if the substantive provisions of the Bill are so altered as to require this change.

**The Hon'ble the SPEAKER:** We can get over that point.

**Mr. W. R. FAULL:** Mr. Speaker, Sir, the important question is what matters can be raised at a clause to clause reading of Bill when a decision has been taken by the House at the consideration stage.

In the first place, though various points may be urged during the consideration stage, it could not be accepted that a vote at this stage disposes of all points except points of detail. It is a decision that the Bill should go on.

In the second place, there is nothing in the Assembly Rules which restricts the right of Members to move Amendments. Thirdly, decisions of the Chair have been made on a large number of points but there is no decision which restricts the right of Members to move Amendments which are within the scope of the Bill. It is agreed that Members cannot bring in an Amendment to negative a Bill, but they are entitled to bring Amendments which will either restrict or expand the scope of a Bill. The main purpose is to set up Committees of the Legislature and to vest them with certain powers for certain functions. None of the Amendments seek to interfere with the right of the Legislature to constitute Committees and the Amendments merely seek to limit the purpose for which such Committees can be utilised and also the composition of the Committees. I would point out that in the consideration stage a number of points were raised and replies were given on behalf of Government. It is possible that if votes had been taken individually on each separate point, the House might have been prepared to support one point and negative the others but in a vote on the consideration stage there is merely a general vote in favour of the Bill going forward and not acceptance or rejection of individual provisions put forward either on behalf of Government or any other party.

I will now endeavour to support my contentions by referring to Parliamentary practice. In the early eighteenth century, it was a rule that an Amendment to a Bill whether relevant or irrelevant could be moved. There was, in course of time, a reaction from this practice and the procedure became somewhat rigid but again there was a modification in practice about the year 1854 and it was laid down that Amendments can be made to Bills as Members think if such Amendments are proved to be relevant to the subject matter of the Bill and if any such Amendments shall not be within the title of the Bill, they had to amend the title accordingly and report the same to the House. Accordingly Parliament can accept Amendments which extend the provisions to objects not contained in the original Bill if those objects are relevant to the subject matter of the Bill or which can augment legislative machinery. It is equally permissible to move Amendments which will restrict the scope of a Bill, limiting the functions provided that it does not negative the Bill as a whole.

**The Hon'ble Mr. BASANTA KUMAR DAS:** Now, Sir, I am to reply to certain points that have been raised by the Hon'ble Leader of the European Group. I think those points are not at all pertinent to the questions I raised. The sum and substance of all that he said is that his Amendments are within the scope of the Bill. It may be so; but the question is whether these Amendments are permissible in view of the fact that their acceptance would mean a narrowing of the scope of the Bill. I have already pointed out that the scope of the Bill is consisting not only of its Members but also of those who are not its Members. Now, Sir, if the Amendments are accepted then that scope of the Bill is restricted so considerably as to make the decision of the House to secure that privilege completely nugatory. The hon. Member has said that only general points were discussed in connection with Motions that were made when the Bill was referred to the Select Committee and when the report of the Select Committee and the



Bill as reported by the Select Committee were taken into consideration. In connection with those two Motions the opposition of the hon. Member was that the Legislature should not have any privilege of appointing Committees that are envisaged in the Bill. His opposition did not succeed and the resultant effect of the acceptance of those two Motions by the House is that it stands committed to the principle that the Bill should have the scope that its provisions are designed to give to it. What I have got, therefore, to say, Sir, now is that all these Amendments which want to effect changes in the provisions of the Bill, will be completely inconsistent with the scope of the Bill and, if accepted, will change the Bill completely. Now, if the object of the hon. Member was to ask the House to go back on its decision he might have moved that the Bill be referred back to the Select Committee (Mr. W. R. Faull:—I think, Sir, that is exactly what I did) There was no formal Motion. He only said, "I request Government to drop the Bill or the Bill may be recommitted to the Select Committee". He did not bring forward any formal Motion before the House when he urged those points. (Mr. W. R. Faull:—My intention was made quite clear, Sir).

Now, Sir, the Select Committee sat and considered all the points that were raised and they came deliberately to the conclusion that the Legislature had got the right under section 71 of the Constitution Act to claim and secure to itself the privilege of having committees when necessary, consisting not only of its Members but also others who are not its Members. Then, this objection was again urged when the Motion for taking the report of the Select Committee into consideration was made before the House. But, Sir, the House agreed with the conclusions of the Select Committee that the House could claim this privilege. The precedents which hon. Mr. Faull cited from the British House of Commons, do not, I think, support his contention that the principle of the Bill can be detracted from at this stage. He also said, Sir, that the Select Committee might sometimes find it necessary to extend or restrict the scope of a Bill. That is another matter. Here the Select Committee did not choose to do so and the question is whether the scope of the Bill can be restricted at this stage in the way in which the hon. Member wants to do it. I do not like to say anything more. I think the point is very clear that if these Amendments are accepted they will really change the Bill to such an extent as to make it almost a new Bill for purpose which are less than what the House intended to provide for by this Bill.

**Babu KAMINI KUMAR SEN:** May I add a few words, Sir? Even if it is accepted for argument's sake that by these Amendments the scope of the Bill can be restricted, my submission is that the very same objections that are being now sought to be ventilated by these Amendments were raised, firstly, when the Bill was referred to a Select Committee, and secondly, when the Report of the Select Committee was placed before the House and the Motion for its consideration was moved by the Hon'ble Minister-in-charge. On both those occasions the objections that are now sought to be ventilated by these Amendments were raised.....

**The Hon'ble the SPEAKER:** Is there any question of estoppel?

**Babu KAMINI KUMAR SEN:** My submission is that the House has already taken a decision on these matters. On both those occasions the same objections were raised and the House ruled them out.....

**The Hon'ble the SPEAKER:** On first occasion, it was only the consideration stage and on the second occasion, when the Report of the Select Committee was placed before the House for consideration, it was said that the consideration of the different clauses in detail would be taken up later.

**Babu KAMINI KUMAR SEN:** My submission is that the House has already taken a decision on these points. This Bill is being read now for the second time. During the first reading the hon. Member raised these objections twice, but the House ruled them out. If the procedure of raising the same objections for the third time is allowed in spite of the House's giving decision on them on two earlier occasions there will be no end of it. If I remember aright, there is a Rule in our Assembly Rules which says that when the House has given its decision on a particular point the same objection should not be allowed to be raised again.

**The Hon'ble the SPEAKER:** That refers to a motion or Amendment which was thrown out but which was sought to be brought again. On previous occasions objection was raised generally. Now we are taking up the Bill clause by clause. The point is whether the hon. Member is entitled to raise his objections in detail with regard to the different clauses.

**The Hon'ble Mr. BASANTA KUMAR DAS:** But at this stage the clauses can only be changed, if it be found necessary, keeping them perfectly within the scope of the Bill. They cannot be so changed as to alter the scope of the Bill.

**Mr. W. R. FAULL:** I maintain, Sir, that the object and scope of the Bill is to form committees. In connection with what Mr. Sen says, I submit that if his argument is accepted then when the Select Committee presents its report and somebody raises an objection which is not held valid by the House, the Select Committee's report becomes tantamount to an Act, and that a Member cannot press his objections at a later stage.

**Babu KAMINI KUMAR SEN:** Mr. Faull's objections are mainly against the principle and scope of the Bill.

**The Hon'ble the SPEAKER:** What is the difference between principle and the scope?

**Babu KAMINI KUMAR SEN:** There is much difference, Sir. The principle is the principle of giving the powers that are sought to be given to the committees by this Bill. The scope of the Bill concerns whether powers should be given to one committee or two or three committees. Three kinds of committees are sought to be given power, viz., the Select Committee, the Privileges Committee and other Committees of Enquiry appointed by the House. The purpose of the Bill is "to invest Committees appointed by or in pursuance of Resolutions passed in either Chamber of the Assam Legislature with powers to enforce attendance of and to examine witnesses on oath or affirmation and to compel production of documents that are necessary for their inquiry, and to compel in pursuance of Resolutions passed in either Chamber of the Legislature..... committees with these powers. But by the Amendments that are sought to be moved that very purpose is going to be frustrated. The Amendments, if they are accepted, will give such powers to a Select Committee but not to the committees of enquiry "appointed by or in pursuance of Resolutions passed in either Chamber of the Legislature." The hon. Member had two opportunities during the first reading of the Bill which was mainly intended to raise his objections with regard to the scope and principle of the Bill. He did raise his objections and the House had come to a decision with regard to them. He cannot therefore be allowed to raise the same objections now.

**Mr. W. R. FAULL:** If hon. Mr. Sen's contention is correct, it would be completely wrong to move any Amendment in the Upper House also.

**The Hon'ble the SPEAKER:** I have carefully listened to the arguments for and against the admissibility of these Amendments, and I have also applied my mind to the legal and constitutional aspects of the question. I am to say that we are not concerned here with the intention of the Government for bringing up this Bill but the purpose of the Bill itself is a material particular and the purpose of the Bill is one and undivided, *viz.*, it is for obtaining evidence, both verbal and documentary, for committees appointed by the Legislature and this includes three committees, *viz.*, Select Committee, Privileges Committee and other Committees of Enquiry. Now, that being so, or in other words, the purpose of the Bill, that is to say the principle of the Bill and the scope being one, I am of opinion that at this stage no Amendment can be allowed to be moved which will render the purpose or the principle of the Bill virtually infructuous. These Amendments, if allowed to be moved at this stage, I lay stress on the particular word 'stage', will mean contravening established rules of procedure and convention. I was looking up to the leader of the European Group to place materials which were relevant to enable me to admit these amendments but the statement that he made relates to a practice which was in vogue about the middle of the last century and Parliamentary procedure has since much developed and fine distinctions between various stages of procedure have been innovated. I, therefore, hold that the Amendments before us which go to detract from the principle of the Bill and seeks to nullify the purpose of obtaining evidence before Privileges Committees and other committees of enquiry except Select Committees are not in order.

**The Hon'ble Mr. BASANTA KUMAR DAS:** I think, Sir, all the Amendments would go except the Amendment which seeks to add a new clause as 11 after 10. If the hon. Member moves that Amendment, I am ready to accept that.

**The Hon'ble the SPEAKER:** Mr. Faull may point out if there is any other Amendment which he wants to move?

**Babu KAMINI KUMAR SEN:** I think, Sir, he can move some other Amendments, *e.g.*, Amendment No. 2 under clause 3, *i.e.*, "The provisions of the Indian Evidence Act, 1872 shall apply to all proceedings before a Select Committee unless otherwise repugnant to the provisions of this Act."

Also Amendment No. 8 under clause 4: "The Chairman of a Select Committee shall, for the purposes of this Act, have the same powers as are vested in a Court under the Code of Civil Procedure, 1908, when trying a suit in respect of the following matters, etc."

**The Hon'ble Mr. BASANTA KUMAR DAS:** These Amendments can be moved, Sir, but I don't think . . . . .

**The Hon'ble the SPEAKER:** Amendment No. 8. Is not that consequential? But Amendment No. 9 is "A notice or requisition under this Act, may be served on the person therein named either by post or, as if it were a summons issued by a Court, under the Code of Civil Procedure, 1908." I think, Amendment No. 9 can be moved although it is incorporated in the rules.

**Babu KAMINI KUMAR SEN:** Many other Amendments can be moved.

\***The Hon'ble Mr. BASANTA KUMAR DAS:** As regards Amendment No. 9, we have provided in the Bill that summons to be issued, but he wants that it should be a notice.

**Babu KAMINI KUMAR SEN:** The Chairman of the Select Committee is deemed to be a public servant.

**The Hon'ble Mr. BASANTA KUMAR DAS:** That we have got already in the Bill. Let Mr. Faull decide which Amendments are to be moved.

**Mr. W. R. FAULL:** In view of your decision I do not think, I shall move any other Amendment than Amendment No. 17.

**The Hon'ble the SPEAKER:** Then let me put clauses 2 to 10 as a question.

The question is:

“That clauses 2 to 10 of the Bill, both inclusive, stand part of the Bill.”

The question was adopted.

**Mr. W. R. FAULL:** Mr. Speaker, Sir, I beg to move that after clause 10, the following shall be inserted as new clause:—

“Any person who is required to give evidence on any matter or produce any document may object that such evidence or document will disclose information which is likely to expose him or his employer to unfair competition and, on such objection being made, the Chairman of a Select Committee shall consider whether such objection is valid and if such objection is accepted as valid, the Chairman shall make arrangements to preserve the secret character of such evidence”.

Sir, in the Appointment and Evidence Bill Government was prepared to accept an Amendment like this. Since the reasons are the same in regard to this Amendment, I hope, Government will be prepared to accept the Amendment in this case also.

**The Hon'ble the SPEAKER:** Amendment moved:

“That after clause 10, the following shall be inserted as new clause:

‘Any person who is required to give evidence on any matter or produce any document may object that such evidence or document will disclose information which is likely to expose him or his employer to unfair competition and, on such objection being made, the Chairman of a Select Committee shall consider whether such objection is valid and if such objection is accepted as valid, the Chairman shall make arrangements to preserve the secret character of such evidence’.”

\***The Hon'ble Mr. BASANTA KUMAR DAS:** Mr. Speaker, Sir, I accept this Amendment. It is perfectly consistent with the provision made under clause 12 (c) of the Bill and the hon. the Leader of the European Group has already pointed out that certain Amendment was accepted by me in another Bill. We are going to accept this Amendment also so far as this Bill is concerned.

**The Hon'ble the SPEAKER:** The question is:

“That after clause 10, the following shall be inserted as new clause:—

‘Any person who is required to give evidence on any matter or produce any document may object that such evidence or document will disclose information which is likely to expose him or his employer to unfair competition and, on such

\*Speech not corrected.

objection being made, the Chairman of a Select Committee shall consider whether such objection is valid and if such objection is accepted as valid, the Chairman shall make arrangements to preserve the secret character of such evidence.”

The question was adopted.

Now, the question is:

“That clauses 11 and 12 of the Bill, both inclusive, stand part of the Bill.”

The question was adopted.

**The Hon'ble the SPEAKER:** The question is:

“The clause 1 of the Bill stands part of the Bill.”

The question was adopted.

**The Hon'ble the SPEAKER:** The question is:

“That the Title and Preamble of the Bill stand part of the Bill.”

The question was adopted.

**The Hon'ble Mr. BASANTA KUMAR DAS:** I beg, Sir, to move that the Assam Committees of the Legislature (Evidence) Bill, 1946, be passed.

**The Hon'ble the SPEAKER:** The question is:

“That the Assam Committees of the Legislature (Evidence) Bill, 1946, be passed”.

The question was adopted.

#### The Assam Opium Prohibition Bill, 1947

**The Hon'ble Srijut RAM NATH DAS:** Mr. Speaker, Sir, I beg to present the Report of the Select Committee on the Assam Opium Prohibition Bill, 1947 and move that the Bill, as amended by the Select Committee, be taken into consideration.

Sir, at the outset I must express my gratitude to the hon. Members of the Select Committee for the trouble they have taken in improving the Bill which was presented before them. The Bill that was presented to them had some defects and the hon. Members of the Select Committee took much pain to remove them. The Amendments that were made in the Select Committee excepting few exceptions were made mainly for the purpose of making the penal provisions of the Bill more stringent with a view to give penalty more severely. The Members were all of the opinion that if opium was to be stamped out and the evils of it were to be stamped out, then the steps that Government proposed to take should be so severe that the people, looking at the severity of the punishment, should keep themselves aloof from the trade in opium. I am thankful to them for the attitude they took on this point. They were all unanimous in their decision and I do not like to narrate the details of their Amendments. If hon. Members go through the Bill, as presented before them, they will see that the Amendments were mainly made to enhance the punishment contemplated in the penal sections of the Bill. With these few words, I hope, the Hon. House will accept my Motion.

**The Hon'ble the SPEAKER:** Motion moved:

“That the Assam Opium Prohibition Bill, 1947, as amended by the Select Committee, be taken into consideration.”

**Srijut LAKSHESVAR BOROOAH:** Mr. Speaker, Sir, I thank the Ministry and the Hon'ble Minister of Excise for putting this bold measure on the legislative anvil. Everybody in Assam knows the devastating effect of this opium poison among the peasantry and labour population of Assam, and with a view to stamp out this evil the Congress Coalition Ministry in 1939 launched a campaign against it and since 1939 import, transport, possession and eating of opium in Administered Areas of Assam has been an offence. Sir, had the Congress Coalition Ministry been able to function since 1939, opium would have been a thing of the past. But, Sir, the Hon. House know that the Congress Coalition Ministry could not function for a long time and for this reason and also particularly owing to the prevalence of the war in this Province, smuggling of opium into Assam was carried on in a variety of ways and devices with the result that addiction to opium among the peasantry and labouring classes has become widespread and is on an increase since 1939. With a view to cope with this situation, Sir, the present Ministry have thought it expedient to bring in this Bill. I admit provisions of this Bill deal with smuggling in drastic manner but I make bold to say that any one aware of the moral depravity to which the peasantry and labour population are driven into would not hesitate that stringent measures are necessary to deal with smugglers — the menace of society. However, to give the public an opportunity to express their opinion, the Bill was published in January last, and as far as my knowledge goes, there was not a single adverse opinion against it. I, as one entrusted with the work of constituting non-official organisation, am in a position to say that to the hundreds and thousands of people attending mass meetings that were held in January and February, the provisions of the Bill was intimated and I may say that one and all agreed and endorsed the provisions that have been made in the Bill. Further the representatives of the Select Committee that were elected by this House not only unanimously approved the provisions of the Bill but they recommended enhanced punishment to smugglers. Sir, I congratulate the Hon'ble Minister of Excise as well as the Ministry on their securing a tremendous volume of public opinion in favour of the Bill. I therefore confidently hope that backed by the tremendous public opinion for the measures they propose to adopt, the Bill will receive unanimous approval for the House. With these few words, I support the measure.

**The Hon'ble the SPEAKER:** The question is: "That the Assam Opium Prohibition Bill, 1947, as amended by the Select Committee, be taken into consideration".

The question was adopted.

**Further discussion on the Motion *re* Food and Supply position of the Province**

**The Hon'ble the SPEAKER:** Now we pass on to the remaining item—*i.e.*, further discussion, if any, on the Motion\* *re* the food and supply position in the Province. May I take it that the subject has been fully thrashed out and that no other hon. Member wants to take part in the debate to-day?

**Babu KAMINI KUMAR SEN:** I would like to say a few words, Sir.

**The Hon'ble the SPEAKER:** I have a long list of ten hon. Members who spoke on the subject and I think hon. Members are tired of hearing about the dearth of mustard oil and other things.

\* The Hon'ble Mr. BAIDYANATH MOOKERJEE:—  
"That the Food and Supply position of the Province be taken into consideration".

**Babu KAMINI KUMAR SEN :** I shall be very brief, Sir.

Mr. Speaker, Sir, we are obliged to the Hon'ble Minister-in-charge of Supply for giving us an opportunity of discussing the subject which is the most burning problem of the day—I mean the food situation in the Province. I do not like to take up all the items that he has dealt with, and I will content myself with making a few observations on one aspect of the problem, I mean, the procurement of imported articles. I shall confine myself to this only.

With regard to procurement of imported articles, the Hon'ble Minister has explained by quoting figures and giving a conservative estimate of our normal demand that Assam's quota is nowhere more than 50 per cent. of its requirements. He has explained that even that inadequate quota, which is allotted to Assam is not procurable due to bungling in the supplying Provinces and States. It has also been stated that for causes beyond their control, the prices and quality cannot also be properly controlled by this Government. The Hon'ble Minister, in his statement, also explained that even after strenuous efforts for the last one year no appreciable improvement could be made. Now, Sir, in this connection it would also be profitable for us to remember that not only do we get inadequate quota, and still more inadequate supply, but due to scanty supply and difficulties of distribution, the ordinary villagers do not generally get more than 15 to 20 per cent. of their normal demand and even for this they have to take much trouble and labour. If a money value is put on the time they have to spend for the purpose the price becomes almost double. For the rest of their requirement they have no other alternative than to go to the black-market and it is well known to hon. Members that the black-market price is 5 or 6 times higher than the controlled price. Now, the adequate quota cannot be secured or procured if and, the article cannot be distributed equitably upto the bottom, what is the remedy, Sir? The Hon'ble Minister has suggested none except that he will put further pressure on the Government of India. If past be any guide to the future, I am afraid, Sir, no appreciable improvement can be expected by moving the Government of India. From all that the Hon'ble Minister has said in his statement it is clear, Sir, that even if the Government of India has the will to increase our quota which means a corresponding reduction in the quota of other provinces, I am sure, other provinces will not allow the Government of India to do it and even if the Government of India agrees to increase our quota, supplying provinces can easily manoeuvre to frustrate that order. That being the position, what should we do? I have already said that I cannot place much reliance on the course suggested, *viz.*, moving the Government of India—I see, Sir, no other alternative than to move the Central Government for the decontrol of these articles, particularly, kerosene, sugar and cloth. It seems to me that it is the only remedy. So, Government should move to decontrol these articles instead of for increasing Assam's quota. I am emboldened to make this suggestion by the encouraging reports received from different parts of the Province since the recent decontrol of mustard oil. The situation became easier after two or three days and we do not now hear any cry of scarcity of mustard oil. Besides that the general consumer has come to a desperate position. Now that the war is over it is no consolation for the poor people if by this control they get only 15 or 20 per cent. of their demand after strenuous labour. They are now ready to face the consequence of an all complete black-market and they would prefer the risk of decontrol, if risk there is any. Moreover, when the control will be lifted there will be competition among traders and price is bound to come down if the law of demand and supply have full play. At any rate there would be some tangible improvement over this intolerable position. Hon. Members have, I think, seen in the newspapers that in a recent debate in the Central Legislature the point was raised by some hon. Members of the Congress Party and they vehemently urged for the decontrol of the articles. The Hon.

Member for Industries, Mr. Rajagopal Achariar, who replied to the debate assured the House that he would ask his Colleagues to consider the matter favourably and at least for early decontrol of sugar. In view of all these, I think, we should move the Government of India for the decontrolling of these articles and when that Government seems to be favourable to this proposal I hope there may not be much difficulty in getting their sanction. Therefore, I suggest, Sir, that decontrol and back to trade should be our policy. That, I think, is the demand of the general public and that policy, I hope, has the approval of this Hon. House.

**Srijut DANDESWAR HAZARIKA:** Mr. Speaker, Sir. I have got to give a few suggestions to Government and I hope Government will pay particular attention to them. I am really very grateful to the Government for their sincere efforts to improve the position of supply in the Province and for seeking help and co-operation and suggestions from all hon. Members of this House. Sir, Assam is a Province, which is not self-sufficient. She is today a beggar or in other words, she is always dependent on other Provinces in matters of food and cloth. Hunger and starvation knows no law. In all earnestness and sincerity I can help the Government by my poor and humble advice which is to move the Central Government without further delay to decontrol everything essential to human beings. What are the reasons for scarcity of food and cloth in Assam? In my humble opinion, Sir, the reasons cannot be so much attributed to want of supply from other Provinces. It is to a great extent due to the fact that in spite of sincere efforts the Government have totally failed to baffle the trick of the big merchants and black-marketers. It is an unquestionable fact and all my hon. Friends, I hope, will agree with me that the Hon'ble Ministers are not reputed businessmen and it is quite natural that they are not well acquainted with all the tricks of the big business brains or big black-marketers. Sir, as soon as the Government introduced the control system these brains combined together to frustrate the sincere plan of the Government. The scarcity of food and cloth today is a creation of these people.

Sir, I will justify my saying how these people are responsible for creating scarcity. I hope it is well-known to all hon. Members of the House that today everything is available in the black-market at a higher price. Whatever is procured by the Government, half of the quantity goes to the black-market and the remaining half comes to the Government stock. What Government and the procure can be easily procured by the black-marketers from other Provinces through their friends. Sir, smuggling and black-marketing are the natural consequences of control system. Therefore, Sir, there is no use of control when Government cannot give adequate supply to the people. Control without supply means helping a few persons to earn more money at the expense of public. It is really a crime on the part of any civilised Government to control supply at the cost of huge public money if their supply is absolutely of no use to the general public. Today, Sir, it is the general cry of the people wherever we go to abolish control when Government cannot supply properly. I, therefore, sincerely and strongly suggest that control should be abolished as early as possible and the officers lent from other Departments to the Supply Department should be placed back at the disposal of the Departments concerned without delay.

Education Department is a nation-building department and I am told that the Education Department is requesting the Government to replace their officers. The other day in connection with a Question in the House, I learn that as many as 24 officers of the Education Department are still working in the Supply and the Textile Departments. I request the Government to send them back to the Education Department without further delay.

**Babu KAMINI KUMAR SEN:** The hon. Member is speaking for decontrolling and I think he need not bother for the officers of the Education Department.



**Srijut DANDESWAR HAZARIKA:** That is all right, Sir. If control is abolished, naturally those officers of the Department of Education will go back to their former posts.

Now a question may arise that if control is abolished, prices of commodities will go abnormally high, but I do not agree with that view, Sir. I will show by the example of commodities that have been recently decontrolled that it is not always the case. Take the case of salt. The price of salt has gone down now and as regards mustard oil we are told that it is now available everywhere even at a cheaper price of Re.1-10-0 or Re.1-12-0 per seer. It may be that when commodities are decontrolled their prices will shot up at the very beginning but when there will be keen competition the prices are bound to come down gradually. So, Sir, it is my sincere request to Government that they would take steps in the matter of decontrolling essential food-stuffs and lastly I would request the Government to raise the price of paddy and rice in Assam and to move the Central Government in this matter. If it is not possible to raise the prices of rice and paddy, I would suggest that Government should decontrol the same totally so that the cultivators may earn something.

**The Hon'ble Mr. BAIDYANATH MOOKERJEE:** Mr. Speaker, Sir, I believe it is the unanimous opinion of all the hon. Members of the House that all the controlled commodities should be decontrolled. I pause for a reply.

(After a pause)

There is no objection from any hon. Member. Now, Sir, I give this assurance that this Government will place this view point and the considered opinion of the hon. Members of the House before the Central Government for decontrolling all the controlled commodities. I will see that steps are taken in this direction on Monday next.

There is another point, Sir, which I want to clarify. As regards raising the prices of rice and paddy a conference was very recently held on the 21st of this month. I have not received the full report of that conference but from what I have been able to gather from a telephonic conversation with my Secretary I could understand that the Central Government is not at all willing to raise the prices of rice and paddy.

My hon. Friend, Mr. Sen, has pointed out that I suggested the only remedy for removing our present difficulty was that we should press upon the Central Government for increasing our quota, but I am sorry to say Sir, this was not the only suggestion made by me to get rid of our present difficulties. Various hon. Members on various occasions pressed this point that this Government should try to increase their quota and in reply to all those hon. Members I said that the Government had been continuing the pressure and that they would continue to do the same. Besides this, Sir, I would tell the hon. Members that I also mentioned that this Government are trying their level best to increase the production in the Province as far as possible and practicable. The other alternative for solving the problem is—which has been suggested today by two hon. Members—to decontrol all the controlled commodities.

Sir, in order to decontrol oil alone there were three conferences and after a good deal of discussion lasting for two days in a conference it could not be decided what step the Central Government would take. We had to wait for weeks. Then the matter went to the Cabinet and a decision was arrived at and we were communicated about it three weeks after the said conference.

**The Hon'ble the SPEAKER:** How long the Hon'ble Minister will take ?

**The Hon'ble Mr. BAIDYANATH MOOKERJEE:** No, Sir, I won't take much time because the suggestion for decontrolling has shortened my speech. As I have already said that we shall communicate the view point of the Hon'ble

