

**ASSAM LEGISLATIVE ASSEMBLY**

**GOVERNMENT OF ASSAM**

**GOVERNOR OF ASSAM**

His Excellency Sir ANDREW GOURLAY CLOW, K.C.S.I., C.I.E., I.C.S.

**MEMBERS OF THE COUNCIL OF MINISTERS**

1. The Hon'ble Srijut GOPINATH BARDOLOI, M.A., B.L., in-charge of Appointment, Education and Publicity Departments.
2. The Hon'ble Mr. BASANTA KUMAR DAS, in-charge of Home, Judicial, Legislative, Registration and General Departments.
3. The Hon'ble Srijut BISHNURAM MEDHI, M.Sc., B.L., in-charge of Finance and Revenue Departments.
4. The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR, M.A., B.L., in-charge of Local Self-Government, Agriculture and Veterinary Departments.
5. The Hon'ble Mr. BAIDYANATH MOOKERJEE, B.A., in-charge of Supply, Reconstruction, Mechanically Propelled Vehicles, and Jails Departments.
6. The Hon'ble Rev. J. J. M. NICHOLS-ROY, B.A., in-charge of Public Works, Forests, Industries and Co-operative Departments.
7. The Hon'ble Srijut RAMNATH DAS, B.L., in-charge of Excise, Medical and Public Health Departments and of Labour.

ASSAM LEGISLATIVE ASSEMBLY

MR. SPEAKER

The Hon'ble Mr. Debeswar Sarma, B.L.

DEPUTY SPEAKER

Mrs. Bonily Khongmen, B.A.

PANEL OF CHAIRMEN

1. Khan Bahadur Maulavi Sayidur Rahman.
2. Srijut Rupnath Brahma.
3. Babu Akshay Kumar Das.
4. Dr. C. G. Terrel.

SECRETARY

Mr. A. K. Barua, B.A.

**LIST OF MEMBERS OF THE ASSAM LEGISLATIVE ASSEMBLY**  
**✓ GENERAL, INDIAN PLANTING AND INDIAN COMMERCE AND INDUSTRY**

1. Shri Abala Kanta Gupta, South Sylhet (West).
2. Raja Ajit Narayan Dev of Sidli, M.A., B.L., Dhubri (North).
3. Babu Akshay Kumar Das, B.L., Sunamganj (Reserved seat).
4. The Hon'ble Mr. Baidyanath Mookerjee, B.A., Indian Planting (Surma Valley).
5. The Hon'ble Mr. Basanta Kumar Das, B.L., Sylhet Sadr (South).
6. Srijut Beliram Das, B.L., Kamrup Sadr (South) (Reserved seat).
7. Srijut Bepin Chandra Medhi, B.L., Mangaldai (North).
8. Srijut Bhadra Kanta Gogoi, Dibrugarh (Central).
9. Babu Bidyapati Singha, B.A., Hailakandi.
10. Srijut Bijoy Chandra Bhagavati, Tezpur (East).
11. Srijut Bejoy Chandra Saikia, Dibrugarh (West).
12. Srijut Bimalaprosad Chaliha, Sibsagar (West).
13. The Hon'ble Srijut Bishnuram Medhi, M.Sc., B.L., Kamrup Sadr (Central).
14. Srijut Dandeswar Hazarika, B.L., Golaghat (South).
15. The Hon'ble Mr. Debeswar Sarmah, B.L., Jorhat (North).
16. Srijut Gauri Kanta Talukdar, B.L., Nalbari.
17. Babu Gopesh Chandra Pal, B.L., Sylhet Sadr (North).
18. The Hon'ble Srijut Gopinath Bardoloi, M.A., B.L., Kamrup Sadr (South).
19. Srijut Haladhar Bhuyan, Nowgong (West).
20. Mr. Harendra Nath Sarma, B.L., Indian Planting (Assam Valley).
21. Srijut Hareswar Das, M.A., B.L., Goalpara (North-West).
22. Srijut Harinarayon Baruah, Jorhat (South).
23. Srijut Hem Chandra Hazarika, B.L., North Lakhimpur.
24. Babu Jagat Bandhu Sircar, Habiganj (North) (Reserved seat).
25. Babu Jatindranath Bhadra, Sunamganj.
26. Srijut Kameswar Das, M.Sc., B.L., Barpeta (North).
27. Babu Kamini Kumar Sen, B.L., Karimganj (East).
28. Babu Khagendra Nath Samaddar, Nowgong (North East) (Reserved seat).
29. Srijut Lakshesvar Boroah, B.L., Dibrugarh (East).
30. Srijut Lakshmidhar Borah, B.L., Kamrup Sadr (South).
31. Srijut Mahendramohan Choudhury, B.L., Barpeta (South).
32. Srijut Manisankar Basumatari, Goalpara (South-East).
33. Srijut Motiram Bora, M.A., B.L., Nowgong (South-East).
34. Professor Nibaran Chandra Lasker, M.A., Silchar (Reserved seat).
35. Babu Nirendra Nath Dev, B.L., Habiganj (South).

GENERAL, INDIAN PLANTING AND INDIAN COMMERCE AND  
INDUSTRY—concl'd.

36. Srijut Omco Kumar Das, B.A., Tezpur (West).
37. Mr. Prabhudayal Himatsingka, B.L., Solicitor, Indian Commerce and Industry.
38. Srijut Purandar Sarma, M.A., B.L., Mangaldai (South).
39. Srijut Purna Chandra Sarma, B.L., Nowgong (North-East).
40. Srijut Purnananda Chetia, B.A., Sibsagar (East).
41. Babu Purnendu Kishore Sen Gupta, South Sylhet (East).
42. Babu Rabindra Nath Aditya, M.A., B.L., Karimganj (West).
43. Srijut Rajendra Nath Barua, B.L., Golaghat (North).
44. The Hon'ble Srijut Ram Nath Das, B.L., Jorhat (North) (Reserved seat).
45. Babu Ramesh Chandra Das Chowdhury, Karimganj (East) (Reserved seat).
46. Srijut Santosh Kumar Barua, B.A., Dhubri (South).
47. Srijut Sarat Chandra Sinha, B.Sc., LL.B., Dhubri (Central).
48. Shri Satindra Mohan Dev, Silchar.
49. Srijut Siddhi Nath Sarma, B.L., Kamrup Sadr (North).
50. Babu Suresh Chandra Biswas, Habiganj (North).

MUHAMMADAN

51. Maulavi Md. Abdullah, M.A., Habiganj (South-East).
52. Khan Bahadur Maulavi Abual Majid Ziaosh Shams, B.L., Dhubri (West).
53. Maulavi Muhammad Abul Kashem, B.A., Dhubri (South).
54. Maulavi Abdul Bari Chaudhury, M.A., B.L., Sunamganj (South).
55. Maulavi Dewan Abdul Basith, B.A., South Sylhet (Central).
56. Maulavi Abdul Hai, M.Sc., B.L., Kamrup (North).
57. Maulavi Abdul Hamid, B.L., Sylhet Sadr (Central).
58. Maulavi Abdul Khaleque Ahmed, Sunamganj (West).
59. Maulavi Abdul Kuddus Khan, Goalpara (East).
60. Maulavi Md. Abdul Latif, B.A., Karimganj (Central).
61. Maulavi Abdul Matin Chaudhuri, B.L., Darrang.
62. The Hon'ble Maulavi Abdul Mathb Mazumdar, M.A., P.I., Hailakandi.
63. Maulavi Abdur Rasheed, Sylhet Sadr (East).
64. Maulavi Dewan Abdur Rob Choudhry, B.A., Sylhet Sadr (South).
65. Maulavi Syed Abdur Rouf, B.L., Barpeta.
66. Maulavi Afazuddin Ahmed, Nowgong (East).
67. Maulavi Md. Ali Haidar Khan, South Sylhet (East).
68. Dr. Erran Husain Chaudhury, D.Sc., Pol. (Berlin), Sibsagar.
69. Maulana Ibrahim Ali, Sylhet Sadr (North).
70. Maulavi M. Idris Ali, Karimganj (West).
71. Maulavi Md. Mafiz Chowdhury, B.L., Sunamganj (East).
72. Maulavi Makabbir Ali Mozumdar, B.L., Silchar.
73. Maulavi Mayeenud-Din Ahmed Chowdry, M.A., LL.B., South Sylhet (West).

MUHAMMADAN—concl'd.

74. Maulavi Md. Maksed Ali, B.A., Dhubri (North).
75. Khan Sahib Maulavi Mudabbir Hussain Chaudhuri, B.L., Habiganj (North-East).
76. Mumtazul Muhaddisin Moulana Md. Mufazzal Hussain, Karimganj (South).
77. Maulavi Munawwar Ali, B.A., LL.B., Sunamganj (Central).
78. Maulavi Nasir-ud-Din Ahmed, B.L., Habiganj (South-West).
79. Maulavi Md. Nazmal Haque, B.L., Goalpara (West).
80. Khan Sahib Maulavi Nurul Hossain Khan, Habiganj (North-West).
81. Khan Bahadur Maulavi Muhammad Roufique, Nowgong (West).
82. Maulavi Saiyid Sir Muhammad Saadulla, M.A., B.L., Kamrup (South).
83. Khan Bahadur Maulavi Sayidur Rahman, M.A., B.L., Lakhimpur.
84. Maulavi Dewan Taimur Raza Choudhury, Sylhet Sadr (West).

EUROPEAN, EUROPEAN PLANTING AND EUROPEAN  
COMMERCE AND INDUSTRY

85. Mr. J. C. Horwood, European Planting.
86. Mr. E. S. Kaye, M.B.E., European Commerce and Industry.
87. Mr. E. W. B. Kenny, European Planting.
88. Mr. G. Kydd, European Planting.
89. Mr. H. A. Munro, European Planting.
90. Mr. R. A. Palmer, European Planting.
91. Mr. W. D. Rutherford, European Planting.
92. Dr. C. G. Terrell, European Planting.
93. Mr. A. Whittaker, European.

WOMEN'S

94. Mrs. Bonily Khongmen, B.A., Women's (Shillong.)

INDIAN CHRISTIAN, BACKWARD TRIBAL (PLAINS), BACKWARD  
AREAS (HILLS) AND LABOUR

95. Mr. Binode Kumar J. Sarwan, Labour, Biswanath (District Darrang).
96. Srijut Chanoo Kheria, Labour, Nazira (District Sibsagar).
97. Srijut Dalbir Singh Lohar, Labour, Tinsukia (District Lakhimpur).
98. Srijut Dharanidhar Basumatari, Kamrup (Tribal) (Plains).
99. Srijut Dhirsingh Deuri, Nowgong (Tribal) (Plains).
100. Srijut Jiban Santal, Labour, Srimangal (South Sylhet).
101. The Hon'ble Rev. J. J. M. Nichols-Roy, B.A., Backward Areas (Hills) Shillong.
102. Srijut Karka Dalay Miri, Lakhimpur and Majuli (Tribal) (Plains).
103. Srijut Khorsing Terang, Mauzadar, Backward Areas (Hills), Mikir Hills.
104. Mr. Larsingh Khyriem, Backward Areas (Hills), Jowai.
105. Mr. Mody Marak, Backward Areas (Hills), Garo Hills (North).
106. Mr. Maniram Marak, Backward Areas (Hills), Garo Hills (South).
107. Mr. P. M. Sarwan, M.A., Indian Christian.
108. Srijut Rupnath Erahma, B.L., Goalpara (Tribal) (Plains).

hon. Members. The last nine years were comparatively a period of a quiet life for me and I do not know how in this sphere of new duties I shall acquit myself. But, although I am conscious of my personal limitations I shall spare no pains to discharge my duties to the best of my abilities, and with the co-operation and good-will of all I hope I shall be able to go ahead with my duties to the satisfaction of this House.

Sir, I again thank you for the kind words you used referring to my services as Speaker of the last Assembly.

Mr. A. WHITTAKER (Acting Speaker): I would now request Hon'ble Mr. Debeswar Sarmah to take the Chair.

(The Acting Speaker, Mr. Whittaker then vacated the Chair and the elected Speaker, the Hon'ble Mr. Debeswar Sarmah occupied it, amidst cries of "Jai Hind" from the Congress Benches and "Pakistan Zindabad" from the Muslim League Block.)

#### Felicitations to the Speaker

The Hon'ble Srijut GOPINATH BARDOLOI: Mr. Speaker, Sir, it is a great privilege and honour to me to be able to offer my felicitations on your accession to this high office. It is a particular honour to me that as Leader of the House I have to accord you this welcome. You are not, Sir, new to the House. Your parliamentary abilities were so well-appreciated by the Party and, I believe, by the House also, that I need not make special mention of them. To-day you come before us not so much as a representative of the Party, but as the custodian of the privileges, prestige and dignity of this House. I do believe that the dignity and prestige of the House will very well be maintained by you. You have before you the brilliant example of the Speaker who has gone before, to guide you. He has, as you know, Sir, come to do executive functions of the Government now. I feel that what the House has lost, the country may gain by this change of office. But, I do feel that with the great example of what he had achieved as a Speaker of this House, you shall have before you enough precedents for your guidance and actions. I congratulate you on behalf of our Party, and I believe I can congratulate you also on behalf of the House for having got this unique honour of being elected to this high office unanimously. I hope and trust that the privilege of the Members of this House will be safe in your hands and that both sides of the House will receive due consideration in the functions that you shall be called upon to discharge.

Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, I endorse whatever has been said by my predecessors, Mr. Whittaker and my Friend the Leader of the House, in welcoming you to the great responsibility which has fallen upon your shoulders. I believe it is a very happy augury that I hear solicitation for co-operation and good-will being talked of from every side of the House. Your worth as the Chief Whip of the Congress Party of the previous Assembly has been well-known to everyone of us, but once you have been raised to the Chair you cease to be a party-man, and, as my Friend the Hon'ble Prime Minister has just now urged upon you, you must be impartial to every side of the House in the discharge of the duties which have devolved upon you.

You have a double responsibility. The position of the Speaker is not a *sinecure*. To my mind this post is more onerous and more difficult than that of a Hon'ble Minister in the Treasury Benches. You have to give your Ruling then and there, on the spur of the moment and unless your knowledge of the Constitutional Law and Assembly Rules and Parliamentary procedure are perfect there may be pitfalls before you. The second responsibility is that you have succeeded one Speaker who has, as has been said by my hon. Friend the Leader of the European Group, carried the office with great dignity and distinction. But knowing, as I do, your keen intelligence and capability, I am perfectly sure that you will carry on the traditions of the House, in the best manner possible. While I am voicing the sentiment of the Group which I have the honour to lead, I must be frank and state before the House that my party

seriously considered whether it should not break the unanimity with which you have been elected—not on the score of ill will against your personality, but to lay a protest against the procedure that has been adopted. Sir, you and those who have followed the proceedings of the Legislative Council from 1921 onwards, may admit that I rise only to support the convention that has been followed in the past as regards the occupancy of the Chair in the Assam Legislature. At first, there was an official Chairman, but when a non-official Chairman was first appointed, the post went to a Sylhet Zemindar, scion of a noble family from the district of Sylhet—I refer to the late Rai Bahadur Nalini Kanta Ray Dastidar.

After that, the post went to a Muslim in the person of my Friend who is now assisting me and functioning as Deputy Leader of the Muslim League Group. (*A voice*: He was opposed.) After his term was over, the post was occupied by a Muslim, but really he represented the then Opposition Group as he was the Leader of the Congress Party at that time. When the present reforms were ushered in, my hon. Friend in the opposite—the Hon'ble Mr. Basanta Kumar Das—was elected to the Chair. My Group thought that following the previous tradition, they must see that this time a Muslim be chosen to occupy the Chair. However, I am very glad that my Friends in the Group were good enough to desist from contesting the Chair with the hope that in future, any party in power, would consider the question of setting up a convention which is being adopted in other self-governing institutions in different provinces of India—I refer to the Chairmanship of Corporations in Calcutta, Bombay and Madras—where alternately, by rotation, different sections of the people are given the chance to preside over the deliberations of those institutions—(*A voice*:—Question).

I stated, Sir, that I see a good augury, for everyone is asking for good-will and co-operation from every quarter. I am going to give out no secret when I say that our prospective Speaker, only this morning, was good enough to approach me and ask for my co-operation. I was literally touched by his modesty and the way in which he talked to me. I am perfectly aware that the good-will and co-operation which he was seeking will not be denied to him so long as he upholds the tradition of the House, so long he interprets the rules and regulations of this House impartially and so long he literally performs the functions of the custodian of the rights and privileges of every Member of this House.

We are in the midst of troublesome times. Not only there is the storm gathering in the political horizon, but there is the danger ahead in the food situation. Therefore, it behoves that everyone of the House who has just taken oath of allegiance will remember his duties and functions as citizen of the province of Assam first and will not be guided by the party label only. That we have got a very difficult task before us was very ably stated by the Congress Leader—Pandit Jawaharlal Nehru while addressing an Assembly in Calcutta very recently. I read in the paper only yesterday and I thought it was so appropriate to the present occasion that I should better place it before the House. It appeared in the *Anrita Bazar Patrika* of the 11th March and it may have appeared in other papers as well. But I should read out the relevant portion to the House: “The country, added Pandit Nehru, was in the midst of a convulsive movement. The country was faced with questions of tremendous implications. The old regime was nearing its end and the new one was in sight. But the trying hurdle lay in the transit. What should be the type of the National Government would no doubt rest with the people to decide but in the meantime there remained much lee-way to make up; a thorough change was necessary. ‘Swaraj’ did not mean simply the end of an alien rule; an Indian Viceroy at Delhi or an Indian Governor in Province would not make much difference from what was already in existence. ‘Swaraj’ meant establishment of people’s ‘raj’ where people looked to people’s interest and a handful of men could not thrive at the cost of millions”.

I may add one word only and that is, that the "people" of India means both Hindus, Muhammadans and other minorities. (*Applause.*)

The Hon'ble the SPEAKER: Friends, I thank you heartily for the honour you have done to me in electing me as your Speaker. The duties and responsibilities of the Speaker are indeed very heavy. I know it that I cannot discharge my duties without the good-will and co-operation of all. I hope and trust that I shall have these in no unstinted measure from you. I also assure you that it will be my earnest endeavour to maintain the dignity and privileges of the House—nay more to enhance them, if possible, and I shall try my best to administer the rules and regulations with scrupulous fairness. (*Voices: Hear, hear.*) It will be my best efforts to safeguard the rights and privileges of various parties of this House, particularly of the minority groups and individual Members also. All know what this great national organisation, I mean the Indian National Congress, stands for and its aims and objects. I need not dilate on this. As Choudhury Khaliqzaman, the Leader of the Muslim Group in the United Provinces on a similar occasion in 1937 said: "We have to apply in India Indian traditions suitable to Indian circumstances and environments". Gentlemen, I again thank you heartily for the honour you have bestowed upon me and the kind words that you have expressed. (*Voices of cheers.*)

#### Announcement of date for the election of Deputy Speaker

The Hon'ble the SPEAKER: The next item that I shall have to announce is the date fixed for the election of the Deputy Speaker. Under Rule 5(1) of the Assam Legislative Assembly Rules, I hereby fix Thursday, the 14th March, 1946, as the date for the holding of the election of the Deputy Speaker. Hon. Members are required, under Rules 5(2) and 5(3) of the said Rules, to submit nomination papers in person to the Secretary to the Assembly at any time before 3 P.M. on Wednesday, the 13th March, 1946. Printed copies of nomination papers may be had from the Assembly Department.

#### Panel of Chairmen

The Hon'ble the SPEAKER: The next item is to nominate a Panel of Chairmen for the present Budget Session of 1946. I nominate the following gentlemen:—

- (1) Khan Bahadur Maulavi Sayidur Rahman,
- (2) Srijut Rupnath Brahma,
- (3) Babu Akshay Kumar Das, and
- (4) Dr. C. G. Terrell.

#### Governor's message communicating allotment of days for the presentation of Budget, general discussion of Budget, voting on Demands for Grants, etc.

The next item is to announce the message from His Excellency the Governor and the Secretary to the Assembly will now read out the same.

SECRETARY TO THE ASSEMBLY: The message from His Excellency is as follows:—

"For the purposes of sub-section (1) of section 78, section 79, sub-section (2) of section 80 and section 81 of the Government of India Act, 1935, and in pursuance of Rules 13, 15(1), 16(1), 18(1), 18(2) and 19 of the Assam Legislative Assembly (Governor's) Rules, I, Andrew Gurlay Clow, hereby appoint the following days for the presentation to the Legislative Assembly of the Statement of estimated Receipts and Expenditure of the Province for the year 1946-47 and for the subsequent stages in respect thereof and for the presentation to the Legislative



Assembly of the Supplementary Statement of Expenditure for the year 1945-46 and for the subsequent stages in respect thereof in the Legislative Assembly during its March-April Session, 1946, namely:—

Tuesday, the 12th March... Presentation of the Budget for the year 1946-47 in the Legislative Assembly.

Thursday, the 14th March  
Friday, the 15th March  
Saturday, the 16th March  
Monday, the 18th March

1. General discussion of the Budget in the Legislative Assembly. (Discussion to commence after the election of the Deputy Speaker.)
2. Discussion, if any, of estimates of expenditure charged upon the revenues of the Province other than estimates relating to expenditure referred to in paragraph (a) of sub-section (3) of section 78 of the Government of India Act.

Tuesday, the 19th March  
Thursday, the 21st March  
Friday, the 22nd March  
Saturday, the 23rd March  
Monday, the 25th March  
Friday, the 29th March

1. Presentation of Supplementary Statement of Expenditure for 1945-46 in the Legislative Assembly.
2. Voting on Demands for Grants.

Thursday, the 28th March

1. Discussion, if any, of Supplementary Statement of Expenditure charged upon the revenues of the Province during 1945-46.
2. Voting on Demands for Supplementary Grants for 1945-46.

Saturday, the 30th March...

Placing of the Authenticated Schedules of Authorised Expenditure before the Assembly.

2. This order shall be subject to my revision, if necessary, from time to time.

A. G. CLOW,  
Governor."

### Allotment of days for Private Members' Business by the Hon'ble Speaker

The Hon'ble the SPEAKER: The next item is to announce the number of days allotted for Private Members' Business during the present session:—

In pursuance of Rule 17 of the Assam Legislative Rules, I hereby allot in consultation with the Hon'ble Prime Minister the following days for Private Members' Business during the present session of the Assam Legislative Assembly:—

Saturday, the 28th March  
Monday, the 1st April

Private Members' Motions and Resolutions after the presentation of Authenticated Schedules of Authorised Expenditure before the Assembly on the 30th March 1946.

Private Members' Resolutions will also be taken up on the following days, if time permits, after disposal of Government Business:—

Monday, the 18th March,  
Thursday, the 4th April.

This order shall be subject to my revision, if necessary, from time to time.

### Statement regarding Course of Government Business

The Hon'ble Srijut GOPINATH BARDOLOI: With your permission, Sir, I desire to make a statement about the course of Government Business during this Session.

2. The Government Business which is to be taken up today is shown in the agenda, a copy of which has been placed on each Member's table. I need not detail it again. If the motion for taking the Assam Finance Bill, 1946 into consideration is accepted by the House today, we propose that the Bill (i) be

considered clause by clause and (ii) passed on the 18th March, 1946, after the disposal of the Budget Business of that day.

3. On the 18th March, 1946, we also propose to introduce and move the motions for consideration of the following Government Bills:—

- (1) The Assam Forest (Amendment) Bill, 1946.
- (2) The Assam Sales of Motor Spirit and Lubricant Taxation (Amendment) Bill, 1946, and
- (3) The Assam Amusement and Betting Tax (Amendment) Bill, 1946.

If on that day, the motions for consideration of the above Bills are accepted by the House, we propose that these Bills be considered clause by clause on the 2nd and 4th April, 1946, and then to move that they be passed.

4. On the 26th March, 1946, we propose to take up the following Government business:—

- (1) (a) Consideration of the amendments to the Assam Motor Vehicles Rules, 1940, item by item and (b) motion for adoption.
- (2) Motions (a) for consideration of the Report of the Public Accounts Committee on the Appropriation Accounts for 1943-44 and (b) for approval of the excess expenditure, if any, recommended by the Committee.
- (3) Motion regarding the constitution of a Privileges Committee.

5. Any Government business which remains unfinished on previous Government days will be taken up on the 2nd and 4th April, 1946.

#### Committee on Petitions relating to Bills

The Hon'ble the SPEAKER: The next item is to announce the names of Members to be nominated for the Committee on Petitions.

Under Rule 112(1) of the Assembly Rules, I nominate the following Members to constitute a Committee on Petitions relating to Bills for the current Session of the Assembly:—

- (1) Mr. Lakshesvar Borooah.
- (2) Mr. Munawwar Ali.
- (3) Mr. R. A. Palmer.
- (4) Mr. Akshay Kumar Das.

Under the rules, the Deputy Speaker will be the Chairman of the Committee.

#### House Committee

The Hon'ble the SPEAKER: Under Rule 126 of the Assembly Rules, I nominate the following Members to constitute a House Committee for the current Session of the Assembly:—

- (1) Maulavi Dewan Abdul Basith.
- (2) Maulavi Abdul Hai.
- (3) Babu Gopesh Chandra Pal.
- (4) Srijut Purnananda Gheta.
- (5) Mr. Chandro Kheria.
- (6) Babu Jagat Bandhu Sircar.

#### Message re assent to certain Bills

The Hon'ble the SPEAKER: I now authorise the Secretary to the Assembly to read out the message from His Excellency the Governor regarding assent to certain Bills.

SECRETARY TO THE ASSEMBLY: Information has been received from the Secretary to His Excellency the Governor of Assam that, under the provisions of section 75 of the Government of India Act, 1935, His Excellency the Governor has assented to the following Bills which were passed by both Chambers of the Assam Legislature:—

1. The Assam Finance Bill, 1945.
2. The Assam Local Board Elections (Emergency Provisions) Bill, 1945.

The Hon'ble the SPEAKER: The next item is for the Hon'ble Finance Minister to present the Budget of the Government of Assam for 1946-47.

We have only 7 minutes and I do not think, he will be able to finish within that time. I think, it is better therefore to adjourn the House till 2 P.M.

**Adjournment**

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

*After lunch*

The Hon'ble the SPEAKER : Is there any hon. Member who has not taken his oath ?

(Voice : Yes, Sir.)

**Oath of Allegiance**

The following Member was sworn in :—

Srijut Khorsing Terang.

**Statement *re* Vernacular speeches**

The Hon'ble the SPEAKER : Order, order.

The next item is for the Hon'ble Finance Minister to present the Budget of the Government of Assam for 1946-47 ; but before he takes up that item, I think I have to make a statement in respect of certain difficulties we have to face.

I want to speak a few words with regard to those hon. Members who would like to deliver their speeches in Indian languages. Under Assembly rule 9, those hon. Members who are unacquainted or not sufficiently acquainted with the English language may address the Assembly in any recognised language of the Province. The term "Recognised language" in this rule means Bengali, Assamese and Hindusthani, *i.e.*, Hindi and Urdu. Hon. Members will be sorry to hear that the only Vernacular Reporter, Mr. Kshitish Chandra Das, who was attached to the Assembly Department, for reporting Assamese and Bengali speeches, is no more. He died in November last. In spite of our best efforts we could not as yet get a suitable man to replace the deceased Reporter. My thanks are due to the Inspector General of Police who at last came to our rescue by lending the services of the only expert Vernacular Stenographer available in his Department. There should therefore be no difficulty this time in reporting Assamese and Bengali speeches.

As regards Hindi and Urdu speeches I would like to repeat the instructions that were circulated to the hon. Members of the last Assembly in 1939. The fact is that there is no arrangement upto now in the Government Press to print Hindi and Urdu speeches in their proper characters. It is not therefore possible for the Assembly Department to publish speeches or quotations in those languages or transliterate them into English characters. I would, therefore, request that until arrangements are made by Government both in the Secretariat Press for printing Urdu and Hindi speeches or quotations in their proper characters and in this Department for editing and checking such speeches or quotations, they would be so good as to supply the reporting staff with one copy of transliteration in English, Bengali or Assamese characters of the Hindi and Urdu speeches or quotations that they may make in this session and in future sessions. If one copy of such transliteration of speeches or quotations in Hindi and Urdu is not received it will not, I am afraid, be possible to publish such speeches or quotations along with the printed proceedings of the House. I am sincerely sorry for the trouble that will be caused to the hon. Members in this matter but I am helpless.

I may mention here that the then Speaker, the Hon'ble Mr. Das, moved Government to make necessary arrangements in the Government Press for printing Hindi and Urdu speeches and quotations in their respective characters but the proposal was turned down by the then Government on account of its cost which was considered prohibitive in those days.

As Hindusthani (*i.e.*, Hindi and Urdu) has been recognised as one of the mediums of speeches in the Assembly, the hon. Members cannot be denied the right of speech and quotations in that language and when it is allowed, it is also desirable that the speeches or quotations so made should also be printed in their proper characters. I would therefore request Government on behalf of this House to make proper arrangements in this matter in the Government Press and allow extra expert hand for the Assembly Department so that no difficulty in the matter may arise in any future session. I shall see that formal proposals are again sent to Government immediately after the session is over.

**Adjournment Motion regarding eviction of certain people from Pukuripar area in Chaygaon Circle of Gauhati subdivision**

Maulavi ABDUL MATIN CHAUDHURI: I gave notice of an Adjournment Motion. According to the Rules of Business of the Assam Legislative Assembly, Adjournment Motions are to be taken up before the business of the day is taken up. Before you call upon the Hon'ble Finance Minister to make his Budget speech, I would like you to take up the Adjournment Motion.

The Hon'ble the SPEAKER: Yes. The hon. Member has mentioned about the Adjournment Motion. I think, we have gone well into the business of the day. I do not propose to hold that, since we have already done some business of the day, this Motion is inadmissible. I would request the hon. Member to say what he has to say about his Adjournment Motion.

Maulavi ABDUL MATIN CHAUDHURI: I beg leave of the House to move that this House do now adjourn to discuss a definite matter of urgent public importance, to wit, ruthless eviction of 54 families in Champapathar in Pukuripar area in Chaygaon Circle of Gauhati subdivision on 28th February last by demolishing their houses and destroying their crops.

Sir, this Champapathar is a village in the Gauhati subdivision. Some 54 families of immigrants used to live there; they have been living in that place for some years past. On the 28th February an officer of the Assam Civil Service accompanied by armed police force and a large number of Hindu Assamese people of the locality raided that village and demolished all the houses. They rendered about 200 persons homeless.

Not only that, Sir, the vegetable crops that was grown in the compound have been uprooted and a mosque in which they used to say their prayers has been pulled down. What was once an inhabited locality has become a place of desolation.....

Babu RABINDRA NATH ADITYA: On a point of information, Sir. Was it in defiance of law or in compliance of law?

Maulavi ABDUL MATIN CHAUDHURI: Ruthless eviction must have been in defiance of law.

Sir, on the 7th March Maulana Abdul Hamid Khan, the President of the Assam Provincial Muslim League, Maulavi Abdul Hai, M.L.A., Dewan Abdul Basith, M.L.A., Maulavi Mayeenud-Din Ahmed Chowdry, M.L.A., Maulavi Nazmal Haque, M.L.A., and myself, and we all visited the place and saw with our own eyes the destruction that had been wrought. It is in order to censure this brutal and barbarous act of this Government that I have brought forward this Adjournment Motion.

The Hon'ble the SPEAKER: Who evicted those families?

Maulavi ABDUL MATIN CHAUDHURI: Government officials, Sir.

The Hon'ble Mr. BASANTA KUMAR DAS: Sir, with regard to this Adjournment Motion, I wish to raise a point of order. My Friend Maulavi Abdul Matin Chaudhuri has himself admitted that leave for Adjournment Motion is to be asked for before the business of the day begins. Now, here today the business of the House began with the election of the Speaker and my Friend slept over his right so long. He ought to have asked for leave to move the Adjournment Motion immediately after the Members had been sworn in. That was the proper time for him. Therefore, I submit, Sir, he has lost his right. Adjournment Motions are moved to discuss a certain matter of urgent public importance and of recent occurrence and therefore extreme promptitude is prescribed by the Rules for asking leave to move an Adjournment Motion. By not asking for leave to move the motion at the proper time, I submit, he has lost his right to ask for leave of this House now.

With regard to the facts he has stated, the Hon'ble Revenue Minister will say his say.

Maulavi ABDUL HAMID: Sir, the Hon'ble Home Minister is right in saying that the Adjournment Motion should have been moved as the first item of business. I think, the hon. Member intended to move the Adjournment Motion at the proper time and gave notice for the same. It was for the Chair to call upon him to ask for leave of the House to move the Adjournment Motion. The hon. Member did not commit any mistake. The Speaker was newly elected and there was some confusion. As there was no latches on the part of the hon. Member intending to move the Adjournment Motion he should be allowed to move the same.

I should also point out to the House that in a way what the Hon'ble Home Minister has said will go against the Speaker's own decision. He has already waived that and given permission to the hon. Member to move his Motion. So, I think, the Hon'ble Home Member will not be in order in going against the decision of the Chair.

The Hon'ble Mr. BASANTA KUMAR DAS: The Chair itself did point this out.

The Hon'ble the SPEAKER: I think, what the Hon'ble Mr. Das has said is quite correct. I also find under Rule 89 at page 26 of the Assam Legislative Assembly Manual that "A member asking for the consent of the Speaker *shall*, before the commencement of the sitting of the day, leave with the Secretary a written statement of the matter proposed to be discussed and after questions and before the business on the list for the day is entered upon, *ask* for the leave of the Assembly to make the motion." Therefore, even if a written paper with one's proposal to move certain Adjournment Motion is before the Speaker, I do not think, it is for the Speaker to call for it because the rule is clear, "a member asking for the consent of the Speaker under rule 86 *shall* after questions and before the business on the list of the day *ask for leave*." But as I said before that without making it a precedent for future I waived that technicality for the day and I have allowed the hon. Member to move his Adjournment Motion.

I will now request the Hon'ble Minister to state what he has got to say.

The Hon'ble Srijut BISHNU RAM MEDHI: Mr. Speaker, Sir, on this incident narrated by my Friend Maulavi Abdul Matin Chaudhuri we have no recent information from the district officials. As regards the matter of eviction, from the old record I find that eviction order was given by one of their Ministers on the 23rd December in pursuance of the Resolution that was accepted and published by the last Government on the 23rd July 1945. After that order of eviction, my predecessor the Hon'ble Srijut R. K. Chaudhuri went to the locality on the 23rd December and made local investigation into the matter and after making local investigation in the presence of local officers and Sub-Deputy Collectors he directed eviction of the unprotected immigrants that is those who are not protected by the Resolution passed and published by the last Government that is those who came afterwards and recently encroached in defiance of law.

Now, after that order was passed, in pursuance of that some eviction was carried out and only three or four applications were submitted to the Government here by some advocates but I could not find the names of the advocates who appeared in connection with the matter. There the allegation was not that any oppression was done to any of the people but that they were protected immigrants. As regards those three or four persons who submitted applications the allegation made was that they were protected immigrants and that they should not have been evicted. After the incident of the 23rd December there was no complaint made to the Government. I have not passed any order myself regarding this particular Professional Grazing Reserve. But as regards the other Professional Grazing Reserve we only accepted the Resolution of the last Government and said that only the unprotected immigrants should be evicted as defined in the Government Resolution, *i.e.*, those who were unlawfully interfering with the graziers who pay grazing tax. Recently I had been to a grazing reserve and saw with my own

eyes that people living in the houses of the *dewanis* encroached on the Professional Grazing Reserve and were bringing jute sticks and thatch in order to erect new sheds within the grazing reserve. There were no crops of any kind; these were people who had encroached recently. Under these circumstances, Sir, I submit that this Adjournment Motion should be ruled out.

Babu RABINDRA NATH ADITYA: On a point of order, Sir. The Motion is defective on account of its vagueness and indefiniteness. "Ruthless" is a very vague word, and it is a matter of expression of opinion of a certain individual. The whole question is whether there was any offence against the law. The hon. Mover of the Motion could not say that there was any offence against the law on the part of those who evicted these persons; rather we find that they did so in compliance with the law. Therefore this Motion is defective on account of its vagueness and indefiniteness. Moreover even if there was excess on the part of the subordinate officers there is a Ruling from the Chair on a previous occasion that the Ministers are not responsible for the administrative actions of their subordinate officers.

The Hon'ble the SPEAKER: Will the hon. Mover please explain what he meant by "ruthless eviction." If I remember aright, he used the words "barbarous treatment" also. Will he kindly explain what he meant?

Maulavi ABDUL MATIN CHAUDHURI: I mean this, Sir. There was a standing village of 200 persons comprising 84 families. The entire village has been wiped out; not a single house is standing in a place which was once an inhabited village. If you don't call that "ruthless," I don't know what else you can call it; if you don't call it "barbarous" I don't know how else you can characterise it.

The Hon'ble the SPEAKER: Who did that and why?

Maulavi ABDUL MATIN CHAUDHURI: Government officials did that, Sir. Why they did that is known to Government.

Srijut PURNA CHANDRA SARMA: On a point of information, Sir. How long have the people been there?

Maulavi ABDUL MATIN CHAUDHURI: For the last 3, 4, 7, 8, 9 and 10 years.

The Hon'ble the SPEAKER: Did the Hon'ble Minister say that he had not received any information about this occurrence? Does he think he can get all the information by day after to-morrow?

\*The Hon'ble Srijut BISHNURAM MEDHI: We have not received any complaint regarding the behaviour of the officers, as has been narrated by the hon. Mover. If the immigrants came 7 or 8 years ago, they are protected by the Government Resolution and they cannot be evicted. The three complaints that we received have been sent for enquiry and report. We shall try to expedite the enquiry, but I am not in a position to say whether the report will be available by day after to-morrow.

The Hon'ble the SPEAKER: Did the occurrence take place on the 28th of February?

Maulavi ABDUL MATIN CHAUDHURI: Yes, Sir.

The Hon'ble the SPEAKER: The occurrence took place on the 28th of February and the Hon'ble Minister is not in a position to give full facts about it. I think this matter should stand over till after the question-hour day after to-morrow, and meanwhile the Hon'ble Minister will please try to get the necessary information telegraphically (*Applause from the Opposition Benches.*)

\*Maulavi ABDUL BARI CHAUDHURY: Sir, there is an Adjournment Motion standing in my name. May I crave the same indulgence and be allowed to move my Motion ?

The Hon'ble the SPEAKER:—I am sorry, I cannot allow this. The reason is this: when there are more than one Adjournment Motion they are taken up in order of the time at which they were actually received in the office, and since the hon. Member who tabled this Motion, was not diligent enough to bring this up in time, not even before the other Adjournment Motion which was in fact submitted later than this. We have already gone well into the day's business. I am afraid we have to stick to the rules and the precedent created in this hon. House by my predecessor.

Maulavi ABDUL MATIN CHAUDHURI: May I respectfully suggest, Sir, that the business of the day really begins after the Question time? There were no Questions to-day, and actually all the business that was transacted before the Question time, *viz.*, announcing the names of Members to constitute the House Committee and the Committee on Petitions, etc., cannot be taken as the beginning of the actual business of the House. The actual business began when the Hon'ble Speaker called upon the Hon'ble Finance Minister to present the Budget, and make his speech. All other things were, I submit, only preliminary to the actual beginning of the business of the House.

The Hon'ble the SPEAKER: I am not convinced, but what I would suggest to the hon. Member is to table these two Motions day after to-morrow, and I would waive urgency on this point.

(Voices from the Opposition: Thank you, Sir.)

\*Maulavi Saiyid Sir MUHAMMAD SAADULLA:—The office will remain open to-morrow, and my hon. Friends can hand in their Motions to-morrow.

### **Presentation of the Budget for 1946-47 and Budget Speech of the Hon'ble Finance Minister**

The Hon'ble Srijut BISNURAM MEDHI: Mr. Speaker, Sir; this is the first time that I have the honour and privilege of presenting the annual financial statement and the Budget Estimate of the province of Assam for the year 1946-47 under Section 78 of the Government of India Act. Barely a few weeks have elapsed since I assumed charge of office and I had no time to prepare the Budget in accordance with the policy and programme for which I stand here to-day. The present Cabinet had hardly any time at its disposal to scrutinise new proposals or formulate new schemes for amelioration of the condition of the people living in the villages. I need hardly say that even a slight change in the figures in any particular item and addition of any new schemes in the Budget involve change in the entire Budget. Besides this, the Press would not have been able to print the Budget Estimates and the memorandum in time for despatch to hon. Members so as to reach them in reasonable time before its presentation in the Assembly. These were the difficulties which made us decide to present the Budget as prepared by the previous care-taker Government, without any new schemes for the present. Soon after the Budget Session, this Cabinet will formulate schemes for the moral, intellectual and

economic uplift of the people and come before this House in the summer session of the Assembly to be convened not later than July 1946. At the outset I crave the indulgence of this House and state that I have neither the experience nor tact nor skill of those Finance Ministers who presented the Budget in the previous years.

Sir, while presenting this Budget Estimate, I have to mention at the outset the financial difficulties which confronted the Finance Minister after the introduction of Provincial Autonomy in 1937. I mean, Sir Muhammad Saadulla, who was the Finance Minister at the time, having had parliamentary experience of more than a decade, had to complain of the difficulties he found in balancing the Budget. He mentioned the financial injustice meted out by Sir Otto Niemeyer to a poor province like Assam without any elastic sources of revenue. Conscious as he was of the growing needs of the province as a representative of the people, he could not let the occasion of presenting the Budget pass without recording an emphatic protest against the meagre doles of subvention from the Central Government. It is amazing that Assam which produces tea, coal, kerosene and petroleum oil, etc., and contributes to the Central Government in excise duties more than 5 crores of rupees, which is much more than the total receipt of this province, gets a subvention of a trifling sum of Rs.30 lacs only annually. The other day, Sir Archibald Rowland, Finance Member, while presenting the Budget in the Central Assembly, exclaimed that "India is still confronted by a whole array of dangerous and enduring enemies—poverty, squalor, ill-health, illiteracy, under-nourishment and under-employment and of them, the most formidable is poverty. If we can expel this adversary from our midst, we shall find no great difficulty in dealing with the allies who revolve round his axis." May I ask him why this state of things prevails here in India which was one of the richest countries in the world before the advent of the British to this unhappy land ?

When man has been able to conquer nature, when science has placed all the amenities of modern life within easy reach in all independent countries of the world, why should people of India live in such a state of helplessness ? When flood and famine devastate the smiling countryside, the people are asked to accept them as divine dispensation. Is not the condition now prevailing in India, as depicted by Sir Archibald Rowland, due to the exploitation of the masses by the British ruling classes which have ruined India economically, politically, culturally and spiritually during this period of 150 years ? This unnatural state of things degrades both the rulers and the ruled to assert their right of independence. It was in this context that the people had to come in conflict with the British ruling classes under the able guidance of Mahatma Gandhi to assert their inalienable right of independence. The Indian National Congress as representing the people's will to freedom decided to



enter the Legislative Assemblies with the inauguration of provincial autonomy. The transfer of power (limited as it was, hedged on all sides by veto, constitutional safe-guards, etc.) was availed of by the Congress, inspite of the irresponsible Centre.

With Rs.77 lacs *Charged* on the provincial revenues and some 27 lacs for the Excluded Area over which we have no control (and some more as supplementary demands charged on the revenues, which will be presented in the course of this session of the Assembly), not being subject to the vote of the Legislature under section 79 of the Government of India Act, with our claims for a share of excise duty on petrol and kerosene going unheeded and with a mere dole of 30 lacs under Sir Otto Niemeyer's award, we are to balance the Budget with the limited resources at our disposal.

It was against this background of a deplorable financial position of the province that the Hon'ble Finance Minister under the Congress Coalition Cabinet at the time of presenting the Budget had to introduce a few new taxation measures based on the principle of taxing the rich who can well afford to bear the burden and for giving relief to the poor, already crushed under the weight of taxation, in the shape of land revenue remission and also to set apart funds for rural water supply, primary education, adult education, prohibition of opium, etc. Out of these measures the yield from the agricultural income-tax alone was estimated to be about 25 lacs. These measures which were expected to increase the provincial revenues to the extent of 30 lacs were opposed at every stage by the Opposition. An attitude of doubt was carried on in years that followed the resignation of the Congress Coalition Cabinet as to the yielding capacity of these taxation measures by the subsequent Finance Ministers. I can however boldly say to-day that the expectation of the Finance Minister who sponsored these measures was more than fulfilled during these years. The agricultural income-tax alone contributed a sum of Rs.2,70,12,406 to the provincial exchequer up to the end of January 1946 and the other taxation measures brought a total sum as shown below :—

Assam Amusement and Betting Tax	Rs.
Assam Motor Vehicles Taxation Act	7,60,427
Assam Taxes on sale of Motor Spirit and Lubricants	20,95,808
	<hr/>
	1,48,77,186

These measures were responsible not only to wipe out the deficit in the Budget but also stabilised and improved the financial position of the province.

But before the money thus raised could be utilised for the benefit of the masses, the Congress Coalition Government had to resign for an issue known throughout the world. It suffices to say that the British Government refused to accede to the demand of the Indian National Congress on behalf of the people of India for immediate declaration of complete independence and a Constituent

Assembly elected by the people to frame the constitution of Free India with full safe-guards for the protection of minority rights and the demand for taking immediate steps to give effect to the popular will for the formation of the National Government at the Centre to carry on the administration of the country. I need not narrate here in detail how the country was forced by circumstances to adopt the famous Quit India Resolution on the 8th of August 1942 extending hand of fellowship on equal terms and how instead of responding to the appeal of Mahatmaji, the entire nation was subjected to an orgy of repression throughout the length and breadth of the country after the arrest of the leaders in different parts of India. I will be failing in my duty if I do not remember to-day and pay my loyal homage to those martyrs of Dhekiajuli, Gohpur, Barhampur, Pathsala and other places (*Hear, hear*), who in that hour of national crisis sacrificed their lives in vindicating the nation's inalienable right to freedom and independence. On this issue of complete independence and on the very same issue of the Quit India Resolution, the Congress contested the election and the people of all races and tribes and followers of all faiths living in hills and plains have given a clear verdict that they are behind the Congress demand of Complete Independence. (*Voices—“No”, “no” from the Muslim League Party.*)

It is up to the power that is now ruling the country to accept the Congress demand and to transfer the power to the representatives of the people of India. The British Cabinet Mission will be coming to India very soon with a view to solving the Indian problem and let us hope that a satisfactory solution of the Indian problem on the basis of complete independence will be found by negotiation for the good of India and Britain. We, the Congressmen, want to meet the Mission in an atmosphere of peace and good will. ✓

In order to create a favourable atmosphere in the country for the peaceful solution of our problem by negotiation we propose to refund the collective fines imposed during the upheaval of 1942 on many an innocent person for acts done secretly by a few who could not be detected even by our vigilant police. The Cabinet is also considering the desirability of giving relief to those whose properties have been confiscated or damaged. This will remove the feeling of bitterness that still lingers in the mind of the people against the Government and create an atmosphere of good will and amity which is so essential for the purpose of carrying on a government representing the people, specially in these difficult times when we are confronted with so many difficult problems which can only be tackled with the full and sympathetic co-operation of all sections of the people.

During the period the Congress M. L. As. left the Legislature and were detained without trial, almost the entire amount raised by the new taxation measures sponsored by the Hon'ble Finance Minister of the Congress Coalition Cabinet for the purpose of ameliorating the condition of the poor peasants, labourers and the backward people was absorbed in giving fat salaries and special

allowances to innumerable persons appointed in various new departments created during the war emergency period. It will be our duty now to scrutinise and retrench such expenditure as may be found extravagant and unnecessary and to abolish unnecessary posts fattening at public cost after a thorough enquiry into the matter before we think of new taxation measures to meet the increased demands for development of village industries and other measures for raising the economic condition of the people.

Sir, it is in this context of the political situation that I now proceed to review the financial position of the province, and in doing so I do not propose to go into the details of the Budget as the variations have been explained as far as possible in the Budget Memorandum.

Let me draw the attention of the hon. Members first to the accounts of the year 1944-45. The accounts of this year having closed, we are in a position to compare the results of the actual working with the original estimates. The anticipated deficit was Trs.10,40 over expenditure but the net results of the actuals however worked out to a surplus of Trs.7,97 as shown below :—

	Budget estimate, 1944-45	Revised estimate, 1944-45	Actuals, 1944-45
Revenue Receipts ...	4,51,71	5,80,98	6,22,48
Revenue Expenditure...	4,62,11	5,51,89	6,14,51
	<u>—10,40</u>	<u>29,09</u>	<u>7,97</u>

It is to be noted that the figures both of receipts and expenditure on revenue were the highest of all the war years and almost double our pre-war receipts and expenditure. These figures are characteristic of the recent war-time budgets in showing large variations from previous estimates. This is probably due to the very large transactions in which the Government have been engaged on behalf of the Central Government whereby large payments are due to us from them, and which are frequently not adjusted in the year to which they relate, and therefore give an unreal character to the following year's receipts and expenditure.

The Revenue expenditure shows an increase of Trs. 62,62 due mainly to increase under the head "Forests" (Trs. 47,28) to be recovered from the Defence Department.

The increase in the opening balance from Trs. 29,29 to Trs. 1,94,94 was due to arrear collections of Agricultural Income-tax for the assessment year 1943-44 due to large profits made by Tea Companies in 1942 (Trs. 3,57) as well as increase in other heads detailed in the Memorandum but the increase is counterbalanced by a decrease of Trs. 12,23 under Land Revenue on account of the poor economic condition of the peasants who were unable to pay land revenue in time as they had to purchase cloth and other necessities at higher price, by selling their agricultural produce at an uneconomical price as the minimum price was not fixed by the

Government for agricultural produce, such as, paddy, etc. We are strongly in favour of fixing a minimum price for Aus, Boro, Sali paddy, but the maximum price which had already been fixed is standing in the way of fixing the minimum price at a level which would leave a margin over the cost of production.

### Revised Estimates, 1945-46

Total Revenue receipts now expected are likely to reach Trs. 5,83,16 showing an increase of Trs. 45,03 on the Budget Estimates. The variations are noted in the Budget Memorandum in detail. I mention a few only.

(1) The taxes on income are expected to go up to Trs. 1,03,70 showing an increase of Trs. 29,62, partly due to an increase under Agricultural Income-tax on account of the collection of practically all the arrears due in previous years and to a larger profit by the Tea Industry in 1943 than was anticipated and partly due to an increase in the share of Central income-tax.

(2) Land Revenue shows an increase of Trs. 2,37 due to expansion of settlement and probably arrear realisation of the previous year.

(3) Agriculture shows a decrease of Trs. 17,35 owing to smaller receipts from the Grow-More-Food Campaign than was anticipated. This is counterbalanced by smaller expenditure as many of the schemes could not be fully implemented. I feel inclined to say that the Grow-More-Food Campaign was not a success.

The expenditure shows a decrease of Trs. 37 as a result of variations noted in the Budget Memorandum. I only mention a few.

Increased expenditure on Civil Works to the extent of Trs. 23,01 was principally due to additional expenditure found necessary to restore the roads damaged by heavy military traffic to pre-war condition and, in fairness, the Central Government should reimburse the amount.

Capital receipt shows an enormous decrease (Trs. 63,84,99 — 38,05,00) = Trs. 25,79,99 which includes Trs. 15,00 as the Central Government's contribution for the reconstruction of Kohima. There will still be Treasury Bills to the extent of Trs. 3,50,00 outstanding on 31st March 1946.

The year, though it is shown to close with a Revenue surplus of Trs. 43,09 against an estimated deficit of Trs. 2,31 as estimated in the Budget (with a closing balance of Trs. 1,07,90), is in fact actually a deficit one, if account is taken of the Treasury bills of 3½ crores which will be outstanding on 31st March 1946.

### Budget Estimates, 1946-47

I now turn to the financial year 1946-47. Our total revenue estimate amounts to Trs. 5,15,59 as against the revised estimate of Trs. 5,83,16, *i. e.*, a decrease of Trs. 67,57. The variations are shown in the Budget Memorandum. I refer only to a few of them.

Due to the cessation of hostilities the forest revenue has been estimated to decrease by Trs. 34,38 as there will be no war demands. I may inform the hon. House in this connection that since the final Budget was prepared the latest revised estimates of the Forest Department show that there are great doubts that their suspense accounts of 65 lakhs will be cleared this year. This fact will considerably upset the final actuals of 1945-46 and postpone the credit of this sum till 1946-47 thereby considerably decreasing the total estimated Revenue Receipts in the current year.

In view of the arrear collection in the last two years it is anticipated that there will be no arrears of Agricultural Income-tax outstanding on the 31st March 1946. It has therefore been estimated that Trs. 35,50 will be the normal income from Agricultural Income-tax for the year as against the revised estimate of Trs. 47,00, *i. e.*, a drop of nearly Trs. 11,50. A further fall of Trs. 18,22 in the share of Central income-tax is also anticipated. Thus, receipt from Income-tax alone is estimated to be down by Trs. 29,92 including refunds.

Due to the cessation of hostilities a further drop of Trs. 2,34 under the Motor Vehicles Act is estimated. On the assumption that the consumption of petrol by the Army and the army contractors will considerably decrease, it has been estimated that the revenue under the head "Other taxes" will be less by Trs. 7,62. To guard against further fall of revenue and taking advantage of the fact that the petrol excise duty has been reduced by the Centre to the extent of annas 3 per gallon, we propose to introduce legislation to increase the rate of tax under the Assam Sale of Motor Spirit and Lubricant Act and for the same purpose we propose to introduce an amended Assam Amusement and Betting Tax Bill slightly increasing the rate.

It appears from the above figures that revenue receipts are bound to shrink more rapidly than expenditure and the Budget Estimate which shows a surplus of Trs. 10,27 seems not real. This surplus has been shown in anticipation of receipt of a sum of Trs. 20,00 on account of contribution for establishment charges under the head "Civil Works" from the South-East Asia Command and for the fact that no allocation has been made for any new scheme. Otherwise the Budget would have been a deficit one to the extent of about 30 lacs. This is the financial position of the province which has been left for us to face.

On the capital side of the Budget it is not at all bright. At the end of last year the then Government had to take a lot more of Treasury bills owing to heavy purchases of rice in the Surma Valley. On the 1st April 1945 the bills amounted to four and a half crores. This amount is expected to be reduced by one

crore at the end of the current year. The Budget provides another reduction of half a crore next year leaving a balance of 3 crores still outstanding (while the provincial balance will stand at Trs. 51,27) but if the liability under the head Provident Fund amounting to Trs. 1,30,00 is taken into consideration the balance would turn out to be a deficit balance of Trs. 78,73. ✓


The Supply Department do not however believe that the supplies in hand on that account are likely to be more than a crore and a half. It is apprehended that there will be huge losses probably amounting to more than a crore and a half. Since however the balance sheet for 1944-45 is not yet ready the amount of loss cannot be definitely ascertained and the matter is now being examined carefully to find out, if possible, who is responsible for all this.

The estimate of the Supply Department for the next year envisages an expenditure of Trs. 29,65 over the receipts, but it is based only on vague generalisation. The revised figures of the current year differ enormously from their original budget expectation and under the circumstances more accurate figures cannot be ascertained. This was the state of the Supply Department when we assumed charge of office. We hope that we should be able to close down the Supply Department without leaving the province bankrupt. (*Hear, hear.*) Every endeavour is now made to correct the former errors and avoid repetition of policies which involved heavy losses formerly. It will not be possible to escape the losses which have already occurred. The matter is still under the consideration of the Government for finding out the person or persons responsible for this state of things.

In view of the fact that there will be no substantial Revenue surplus during the next year no provision has been made for a transfer to the Revenue Reserve Fund detailed at page 52 (Budget Memorandum) during the budget year. The total amount in the fund at the close of the current year will be Trs. 1,00,00 including the Central Government's grant for the reconstruction of Kohima amounting to 15 lacs shown in Statement C under "Debt raised in India". The entire amount is to be utilised in connection with the Post-War reconstruction. The amount from revenue is credited to the Debt head by debit to the Revenue head "Transfer to the Revenue Reserve Fund". Details are given at page 52 of the Budget Memorandum.

Provision has been made in the Budget for preliminary expenses on Post-War reconstruction aggregating a sum of Trs. 7,02. It is proposed to meet this expenditure from the amount in the Revenue Reserve Fund and hence a corresponding amount has been taken on the receipt side of the different grants by transfer from the Revenue Reserve Fund.

	Trs.
25.—General Administration (Cost of Employment Bureau)	29
27.—Miscellaneous Department (Electrical Adviser, Development).	35
50.—Civil Works for certain works and Establishment ...	1,54
Formation of a new Division at Kohima ...	2,70
57.—Miscellaneous Expenditure in England (for Technical stipends).	2,14
Total ...	7,02


Capital receipts show a decrease by Trs. 5,58,22. In the estimate for Capital receipts is included a loan of Trs. 9,80 from Government of India for the Grow-More-Food Campaign. 

### Post-War Planning

The Government of India propose to spend 900 crores of rupees and contribute to different provinces sufficient money for carrying on the Post-War Plan of reconstruction for schemes approved by the Centre. We think with the establishment of responsible Government at the Centre the entire outlook of this planning will change.

As an integral part of an all-India plan of Post-War Reconstruction aiming at the maximum increase achievable in the national wealth and its utilisation in such a manner as to bring about an all round improvement in the people's standards of living, a provincial five-year plan was prepared. This plan was estimated to cost a little over 26 crores of rupees and was provisionally scheduled to commence on the 1st April 1947. This Government, however, have undertaken a re-examination of the plan in all its bearings and are still engaged in the process. It will be some time before the plan can be finalised. So far as financial implications are involved it is expected that the Central Government will bear a considerable portion of its cost, ranging between 8½ and 13 crores, while the rest of the cost will have to be met from provincial resources, including loans. As a measure preparatory to the implementation of the said five-year plan and in order to cope with economic problems incidental to the transition from war to peace, an interim plan costing about 3 crores of rupees was also prepared. The Central Government have promised to finance those of the schemes comprising this plan which are approved by them, in two ways, *viz.* (i) by means of advance grants out of the contribution indicated by them towards the five-year plan so far as productive schemes are concerned and (ii) by means of loans so far as unproductive (or self-financing) schemes are concerned. The implementation of this interim plan, a detailed examination of which is also in progress, will commence as soon as it is finalised and approved by the Central Government.

### Excise

 Consumption of opium under the pass system still continues in the excluded areas of the province. Sooner or later Government will have to consider the desirability of total prohibition of this

drug in the Excluded Area for the welfare of the tribal people. Smuggling of opium is rampant in various parts of the province and the present Cabinet will have to take steps to combat this planned smuggling. In the meantime smugglers are warned to give up this profession (*Hear, hear.*) The rise of Revenue Receipt under the head Country Spirit from Trs. 8,85 in 1942-43 to Trs. 38,00 in the Revised budget of 1944-45 cannot be looked on with equanimity by the present Government. Sooner or later they will have to forego a considerable amount of this revenue.

The Rowland Committee has recommended the abolition of the post of Commissioner and this hon. House also once recommended its abolition. This Cabinet is also considering the desirability of abolishing the post and thereby save an expenditure of about one lac provided in the budget, if possible.

### Supply Department

There is an attempt to reduce the expenditure in various branches of the Supply Department. The Civil Canteen at Shillong has been abolished.

There has been a considerable reduction in the provision regarding standard cloth as it was decided by the last Government to discontinue any further import of standard cloth after the indent under allotment VIII. This accounts for the reduction of standard cloth.

✓ **Professional Grazing Reserves.**—Now, I am giving a little history of the Professional Grazing Reserves. The cultivators from East Bengal began to arrive in large numbers since about 20 years ago and to settle in the available waste land of the province. Things went on sufficiently well so long as these immigrants were engaged in filling up the vacant space in the riverain area. Thus a large number of these immigrants were accommodated in the hitherto available waste land. The influx of immigrants gradually increased and many of the original immigrants prospered and bought up land from their neighbours forming a small and wealthy class of land owners who with large areas (sometimes more than 1,000 bighas) under their control naturally employed labourers to cultivate for them and let out some of the land to tenants. Such labourers and tenants naturally imported from their native districts formed a nucleus of landless immigrants. As soon as these landless Kamalas are provided with land, those for whom they used to work would under necessity import fresh batches to work for them. In this process a large number of Kamalas used to be imported by the growing number of middle class landlords or Dewanias. So long as waste land was available, these increased numbers of Kamalas were settled. Since after the Muslim League put up the claim to include Assam in Pakistan zone, a huge number of immigrants practically began to invade Assam (Maulavi Abdul Bari—Question) as if under a plan although there was not sufficient arable land even to provide the landless indigenous Hindus, Muslims, tribals and others who had no economic holdings.



From figures available so far it can safely be said that the available arable waste land in Assam is not even sufficient for the landless indigenous people and those who have no economic holding. I appeal to the Bengal Government and the leaders of public opinion to dissuade the people from coming to Assam in the hope of getting land here. I hope they will respond to my appeal and help in not making the problem more complicated. This sudden influx of immigrants (specially during the war) imported by the Dewanias in various places, failing to get waste land began to encroach on the village grazing reserves and professional grazing reserves in direct violation of law leading to serious clashes. ✓ These lands which have been reserved for definite purposes, such as village grazing grounds or grounds for grazing buffaloes by professional graziers, form areas in which settlement is forbidden to all persons, immigrants and non-immigrants.

It may not be out of place to state that the buffaloes and cattle grazing in these reserves play a vital part in the economic life of the rural people. They are not only a source of supply of draught cattle for ploughs and carts and of milk and milk products to villages and towns but also serve as a source of supplementary income to a number of persons interested in the production of milk, milk products and draught bullocks. In order that these buffaloes and cattle may be most economically exploited, they are reared in herds and they require large areas of land full of fodder. The maintenance of these reserves is thus of vital importance to the agricultural people of the province. Since the beginning of the war the draught cattle ceased to be imported into the province from Bihar and the agriculturists had to depend solely on these herds of buffaloes and cattle grazing in these reserves for supply of plough bullocks and milk.

Due to the short sighted policy pursued by some of the Ministers of the last Government, these reserves which play such a vital part in the economic life of the rural people were opened under the guise of Grow-More-Food Campaign and about 1,60,000 bighas of reserve land were settled with immigrants to the exclusion of the just claims of the landless indigenous people including Hindus, Muslims, tribals and Scheduled. The entire people of the Assam Valley were startled by such dereservation of the professional grazing reserves. A country-wide agitation was started against dereservation and settlement of land to immigrants to the exclusion of the indigenous people. Sir Muhammad Saadulla fully realised the injustice done to the people of the soil and convened a conference of all parties which came to an agreement with the Hon'ble Srijut G. N. Bardoloi and Srijut Rohini Kumar Chaudhuri. In pursuance to that agreement it was decided by the last Government that recent encroachers should be forthwith evicted from all professional grazing reserves and a resolution dated the 13th July 1945 to

that effect was published in the *gazette*. Unfortunately on some plea or other during the last election campaign, the resolution was not given effect to till the care-taker Ministry resigned. Although the people of the Assam Valley feel that their interest was not fully protected in that resolution, yet for the sake of peace and good-will we decided to abide by the terms of the agreement and have directed to evict those who are liable to be evicted under the terms of that agreement and clear all the professional grazing reserves and village grazing reserves. We appeal to the leaders of all parties to render us all possible help in our endeavour to clear the professional grazing reserves by eviction of the trespassers.

We stand for a planned settlement of the arable waste land. For that purpose we propose to have an enumeration of the landless people and devise measures by which the landless as well as those who have got uneconomical holdings are settled in better and more economic holdings. The figures of available arable waste land are being collected and on receipt of all these figures we propose to consider how best we can solve the problem of land settlement. We have full sympathy for those immigrants who have been brought under various pretext for the interest of the Dewanias or Matabbars. The land settlement carried on so long was not for the interest of the landless. Many an encroacher has got land and houses elsewhere. There are instances in which the Colonisation Officer had settled waste land to immigrants having more than 300 bighas elsewhere in preference to landless immigrants and indigenous people. We are determined to root out this sort of favouritism. We will never encourage land-grabbers to have more land and become landlords over the poor immigrants. (*Hear, hear.*) I appeal to those who have recently encroached on the professional grazing reserves to go out of the reserves peacefully so that their case may also be considered after providing land to the indigenous landless people.

**Sylhet Non-agricultural Tenancy Bill.**—My attention has been drawn to the desirability of an early legislation for the protection of the interest of the non-agricultural tenants residing in towns but due to pressure of work I have not been able to go through the matter within this short period. I feel the urgency of this legislation. Soon after the budget session I shall discuss the matter with those who are interested in or are likely to be affected by such measures and try to come to a decision in the matter. I hope our friends of the Surma Valley will forgive me for my inability to introduce this measure in this session.

### Public Works Department

A few words for the Public Works Department. This Department has to deal with what are going to be called National Highways, Provincial Roads and Village Roads of the Province and with Navigation Embankment and Drainage and with buildings also.

According to the Budget Estimates for the year 1946-47 under Revenue account on Irrigation, Navigation, Embankment and Drainage Works the expenditure is over Rs.6,00,000 and under Public Works and Public Improvements Rs.63,67,000.

**The Post-War Reconstruction schemes.**—It has a programme of about Rs. 73,00,000 for the year 1946-47 for roads. In this Department the Post-War schemes were considered by the Communication and Post-War Reconstruction Boards under the previous Government. These schemes have again to be re-examined by the present Government. It will take some time for this Government to decide about certain schemes which were included in the present list. There may be some modifications. The object of this Government will be to try, as much as possible, to give alleviation to the villagers and see that the roads which will be constructed from the Post-War Reconstruction amounts are not only for the benefit of the people living in town areas and for moneyed interest but for the villagers also.

### Forest Department

The Forest Department is a paying Department of the Government. The estimated revenue from this head for 1946-47 is Rs.29,65,000. It is to be noted that this estimate is much less than the revised estimate for the year 1945-46 which is Rs.64,03,000. This is due to the fact that there will be hardly any order from the military for our forest produce. Since this is a paying department of the Assam Government, the Minister in charge is making an effort to study the whole situation, to see whether the running of the department may be improved and will try as much as possible, to control expenditure and to increase the revenue. There are schemes for Post-War Reconstruction which will include a school and regeneration of forests and other schemes. The schemes formulated under the previous Government will be re-examined by a Committee to be appointed by this Government and we shall see whether any improvements are to be made in the management as well as in the plan.

### Industries

In the Department of Industries, the only industrial work which has been of some value to Assam is the Handloom Weaving Industry. This industry has helped much at this time of acute shortage of mill-made cloth, and this Government will take steps to maintain a high standard of production even in peace-time when mill-made cloth will be available in abundance and there will be several kinds of industries which will be taken up under the Post-War Reconstruction plans. The Minister of Industries will make plans to see that new cottage industries be started in Assam such as Rope-making, Hessian cloth weaving, mat-making, Lacquer works, Hosiery, Leather goods,

Electroplating, Jute Spinning, etc. and also to improve the present method of Dyeing, Calico Printing, and manufacturing of soap which may include toilet soaps.

### **Co-operative**

In the Co-operative Department it is necessary only to state that at present there are about 1,800 Societies. A number of officers were appointed by the previous Government temporarily for supervision and audit of these societies. This Government understand that some of these societies are not doing very well. They need to be put on a firm footing. There are proposals for Post-War Reconstruction in this department also such as Collective Farming, Fisheries, Co-operative Industries, etc. These schemes will have to be re-examined by this Government for the good of the people. All that is possible to be done in order to increase the number of Co-operative Societies and to make them successful will be done by this Government for the good of the people.

Sir, in conclusion I appeal to the hon. Members to excuse me for taking such a long time in introducing the Budget. I express my gratitude to all those who ungrudgingly helped me in explaining the details of the Budget and the financial position of the Province in so short a time. I am particularly thankful to Mr. Patton who took pains to explain to me the intricate points involved in the Budget because we have got seven days time in preparing the Budget.

Sir, with these remarks, I beg to introduce the Budget of the Province of Assam for the approval of this House.

### **Time limit for Budget Speeches**

The Hon'ble the SPEAKER: Order, order. Hon. Members have come to know that His Excellency has allotted the 14th, 15th, 16th and 18th March for the general discussion of the Budget. It will be somewhat difficult for me to fix a time limit, if necessary, for speeches until and unless I know how many Members desire to take part in the discussion on a particular day. I would therefore request the Leaders of various Parties to give the names of their party Members who desire to speak on the subject on different dates to the Assembly Department by 12 noon on Wednesday, the 13th March, 1946, *i.e.*, to-morrow.

I may also tell the hon. Member that in order to find time for the various Government Bills to be taken up on the 18th March, 1946, I propose that only the Finance Minister should give his reply to the Budget discussion on that day. The hon. Members should therefore finish their Budget speech within the first three days, *i.e.*, from 14th to 16th March, 1946.

### **Statement regarding allotment of time for voting on Demands for Grants**

The Hon'ble the SPEAKER: I have also to make a statement regarding allotment of time for voting on demands for grants.

**PRESENTATION OF CERTAIN AMENDMENTS-  
TO THE ASSAM MOTOR VEHICLES  
RULES, 1940**

[12TH MAR.]

With regard to the Demands for Grants to be considered by the House, hon. Members are now aware of the days that have been fixed by His Excellency the Governor. I have got a time-table prepared allotting the time that should be devoted to the discussion of each of the demands during this Session. Copies of the time-table have already been circulated to the Leaders of Parties. I would request them, to examine the same and inform the Secretary of their views, if any, on the said time-table before 2 p.m. to-morrow the 13th March. Printed copies of the time-table will be circulated to the hon. Members as soon as it is approved. I may, however, inform the hon. Members that the last date and time for receipt of Cut Motions on Demands for Grants to be taken up by the House on the 19th March is before 3 p.m. on the 15th March, 1946.

**The Assam Finance Bill, 1946**

The Hon'ble Srijut BISHNU RAM MEDHI: Mr. Speaker, Sir, I beg to introduce the Assam Finance Bill, 1946 and to move for the Bill to be taken into consideration.

Sir, this Finance Bill is introduced every year to provide for the rate of income-tax to be levied on the agricultural income. It is needless to say that in the original Bill for levying the agricultural income-tax the rate was not fixed. It has been left to be fixed every year so that it can favourably compare with the rates fixed by the Central Government. The object of the Bill is to fix the rate for the year 1946-47, under sections 3 and 6 of the Assam Agricultural Income-tax Act. The same rate has been fixed as in the current year.

Sir, I move also that the Bill be taken into consideration by the House.

The Hon'ble the SPEAKER: Motion moved:

"That the Assam Finance Bill, 1946 be taken into consideration."

The Hon'ble the SPEAKER: It appears that no hon. Member is taking part in the discussion. Therefore, I will put the question.

The question is:

"That the Assam Finance Bill, 1946 be taken into consideration."

The question was adopted.

**Presentation of notifications under section 296 of the Assam Municipal Act 1923**

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:—Mr. Speaker, Sir, I beg to present the following notifications under section 296 of the Assam Municipal Act, 1923:—

(i) Notification \*No. LML. 4/44/24, dated the 20th April 1945;

(ii) Notification \*\*No. LML. 2/45/10, dated the 18th May, 1945.

**Presentation of certain Amendments to the Assam Motor Vehicles Rules, 1940**

The Hon'ble Mr. BASANTA KUMAR DAS: Mr. Speaker, Sir, the Hon'ble. Mr. Baidyanath Mookerjee is elsewhere engaged and I have been requested by him to act in his behalf. I hope you will please permit me.

The Hon'ble the SPEAKER: Yes.

The Hon'ble Mr. BASANTA KUMAR DAS: Sir, I beg to present certain amendments to the Assam Motor Vehicles Rules, 1940 under section 133(3) of the Motor Vehicles Act, 1939.

The printed copies of the amendments have been laid on the table of the hon. Members and these amendments will come up for discussion on a date which has been fixed and that date is mentioned in the provisional programme of this House.

\*Appendix "A"

\*\* "B".

†Appendix C.

Now the hon. Members can table amendments to these amendments and these amendments will be discussed. The hon. Members also know that under section 133(3) of the Motor Vehicles Act these rules are also to be placed before the other House and concurrence of both the House is necessary to place the rules in operation. After these amendments are passed by this Hon. House we shall see that the concurrence of the other House is secured.

The Hon'ble the SPEAKER: Will the Hon. Minister say how we can get the concurrence of both the Houses? Should there be a joint session?

The Hon'ble Mr. BASANTA KUMAR DAS: No, Sir, it is not necessary. Not even a joint conference would be necessary. We hope we shall be able to manage on some other way.

Mr. A. WHITTAKER: Sir, what is the last date for amendments?

The Hon'ble the SPEAKER: The last date for sending amendments to the Assembly Department is before 3 p.m. on 22nd March 1946.

#### **Presentation of the Appropriation Accounts and Finance Accounts for 1943-44**

The Hon'ble Srijut BISHNU RAM MEDHI: Mr. Speaker, Sir, I beg to present the Appropriation Accounts and Finance Accounts for 1943-44.

I think, printed copies of these have already been placed on the table of each hon. Member.

#### **Presentation of the Report of the Public Accounts Committee on the Appropriation Accounts for 1943-44**

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, I beg to present the Report of the Public Accounts Committee on the Appropriation Accounts for 1943-44.

The printed copies of this have also been placed on the table of each hon. Member.

#### **Election of Members to the Bengal and Assam Railway (A. B. Zone) Local Advisory Committee**

The Hon'ble Rev. J. J. M. NICHOLS-ROY: I beg, Sir, to move that this Assembly do elect in accordance with the instructions contained in the voting paper, one Member to the Bengal and Assam Railway (A. B. Zone) Local Advisory Committee.

The Hon'ble the SPEAKER: Motion moved:

"That this Assembly do elect in accordance with the instructions contained in the voting paper, one Member to the Bengal and Assam Railway (A. B. Zone) Local Advisory Committee."

Mr. A. WHITTAKER: Mr. Speaker, Sir, at the time of your predece or when it was proposed to elect Members on these Committees, I think, the Speaker gave some encouragement to the view that there should be some discussion on the floor of the House regarding what these Members should do in these Committees. Conditions of travel in Assam are such that I feel the Members who will serve on these Committees—whether railway or steamer—should know either by public examination or by speeches what exactly their brief is. We do not know what they do or what they say on these Committees except that they draw their travelling allowances. Speaking for myself who has been travelling over these transport services, I should like the Members who are elected—I do not care who is elected—to know what the average Member of this Assembly thinks about conditions of travelling. I should like to suggest, Sir, that if the time-table permits you might like to fix, say half an hour or possibly an hour in which the Members of the Assembly might ventilate their grievances against the transport companies.

30 ELECTION OF MEMBERS TO THE JOINT STEAMER [12TH MAR.  
COMPANIES' ADVISORY (PROVINCIAL)  
COMMITTEE

The Hon'ble the SPEAKER : I think the discussion can take place now, or if the hon. Members are not prepared for such a discussion now, we can try to find out some time later.

Babu RABINDRA NATH ADITYA : It would be better if the discussion takes place after the elections, so that the hon. Members may know to whom they are ventilating their grievances. Otherwise it would be a discussion addressed to "whom it may concern."

The Hon'ble the SPEAKER : The question is :

"That this Assembly do elect in accordance with the instructions contained in the voting paper, one Member to the Bengal and Assam Railway (A. B. Zone) Local Advisory Committee."

The question was adopted.

**Election of Members to the Bengal and Assam Railway (E. B. Zone) Local Advisory Committee**

The Hon'ble Rev. J. J. M. NICHOLS-ROY : I beg, Sir, to move that this Assembly do elect in accordance with the instructions contained in the voting paper, one Member to the Bengal and Assam Railway (E. B. Zone) Local Advisory Committee.

The Hon'ble the SPEAKER : Motion moved :

"That this Assembly do elect in accordance with the instructions contained in the voting paper, one Member to the Bengal and Assam Railway (E. B. Zone) Local Advisory Committee."

The question was put and adopted.

**Election of Member to the Tezpur-Balipara Railway Local Advisory Committee**

The Hon'ble Rev. J. J. M. NICHOLS-ROY : I beg, Sir, to move that this Assembly do elect in accordance with the instructions contained in the voting paper, one Member to the Tezpur-Balipara Railway Local Advisory Committee.

The Hon'ble the SPEAKER : Motion moved :

"That this Assembly do elect in accordance with the instructions contained, in the voting paper, one Member to the Tezpur-Balipara Railway Local Advisory Committee."

The question was put and adopted.

The Hon'ble the SPEAKER : I hereby fix Saturday, the 23rd March 1946, as the date for holding separately the elections to the Local Advisory Committees of the Bengal and Assam Railway, both A. B. and E. B. Zones, and of the Tezpur-Balipara Railway. Voting will be held between the hours of 2 P.M. to 4 P.M. in Committee Room No.1 or as soon as the business of the day is finished, whichever is earlier.

**Election of Members to the Joint Steamer Companies' Advisory (Provincial) Committee**

The Hon'ble Rev. J. J. M. NICHOLS-ROY : I beg, Sir, to move that this Assembly do elect in accordance with the instructions contained in the voting paper two Members to the Joint Steamer Companies' Advisory (Provincial) Committee to represent the rural interest and travelling public as far as possible.

The Hon'ble the SPEAKER : Motion moved :

"That this Assembly do elect in accordance with the instructions contained in the voting paper two Members to the Joint Steamer Companies' Advisory (Provincial) Committee to represent the rural interest and travelling public as far as possible."

Mr. A. WHITTAKER : Mr. Speaker, Sir, may I raise here a question of principle about the elections to these various Advisory Committees ? In the past we have had members on the Eastern Bengal Zone who never resided in the Eastern Bengal Zone and never had any need to travel by Eastern Bengal Zone. Similarly, we had a member in the Assam-Bengal Zone Committee who lived in the Eastern Bengal Zone and never had any reason to travel by the Assam-Bengal Zone. We now have a very welcome departure, *viz.*, the Steamer Companies setting up an Advisory Committee which will include two Members of this Assembly. I would like to suggest for the consideration of the various parties in this Assembly that the appointments to these committees should be from zones in which the steamer companies are an important transport service. I do not think, for example, it is of any use putting anybody from the Khasi and Jaintia Hills on the Advisory Committees of the Steamer Companies. It would seem therefore reasonable that the House should accept a convention that as there are two members, one should come from the Surma Valley—from an area such as Sunamganj, for example, or Sylhet Sadar or Karimganj, which rely prominently on the steamer services—and the other should come from an area, I would suggest, on the North Bank of the Brahmaputra river. That is a fair distribution and we do at least ensure that the persons who represent the public in these committees are persons who need to use these transport services and can, therefore, speak with practical knowledge. It does not seem to be a matter for the Hon'ble Speaker but is one for setting up a convention which all the parties might accept.

The Hon'ble the SPEAKER : The question is :

“That this Assembly do elect in accordance with the instructions contained in the voting paper two Members to the Joint Steamer Companies' Advisory (Provincial) Committee to represent the rural interest and travelling public as far as possible.”

The question was adopted.

The Hon'ble the SPEAKER : I hereby fix Monday, the 25th March 1946, as the date for holding the elections to the Joint Steamer Companies' Advisory (Provincial) Committee. Voting will be held between the hours of 2 P.M. to 4 P.M. in Committee Room No. 1 or as soon as the business of the day is finished, whichever is earlier.

#### **Election of Members to the Assam Agricultural Development Board**

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : Mr. Speaker, Sir, I beg to move that this Assembly do elect four members in accordance with the instructions contained in the voting paper to the Assam Agricultural Development Board.

The Hon'ble the SPEAKER : Motion moved :

“That this Assembly do elect four members in accordance with the instructions contained in the voting paper to the Assam Agricultural Development Board.”

The question was put and adopted.

#### **Election of Members to the Assam Industrial Development Board and Assam Co-operative Development Board.**

The Hon'ble Rev. J. J. M. NICHOLS-ROY : I beg, Sir, to move that this Assembly do elect in accordance with the instructions contained in the voting paper, four Members each to the (i) Assam Industrial Development Board and (ii) Assam Co-operative Development Board.



The Hon'ble the SPEAKER: Motion moved:

"That this Assembly do elect in accordance with the instructions contained in the voting paper, four Members each to the (i) Assam Industrial Development Board and (ii) Assam Co-operative Development Board."

I am putting it now as a question.

The question is:

"That this Assembly do elect in accordance with the instructions contained in the voting paper, four Members each to the (i) Assam Industrial Development Board and (ii) Assam Co-operative Development Board."

The question was adopted

The Hon'ble the SPEAKER: I hereby fix Tuesday, the 26th March, 1946, as the date for holding separately the elections to the (i) Assam Agricultural Development Board, (ii) the Assam Industrial Development Board and (iii) the Assam Co-operative Development Board. The voting will be held between the hours of 2 p.m. and 4 p.m. in Committee Room No.1 or as soon as the business of the day is finished, whichever is earlier.

### Election of Members to the Public Accounts Committee

The Hon'ble Srijut BISHNU RAM MEDHI: I beg, Sir, to move that this Assembly do elect seven Members to the Public Accounts Committee under rule 102 of the Assembly Rules for the year 1946-47.

The Hon'ble the SPEAKER: Motion moved:

"That this Assembly do elect seven Members to the Public Accounts Committee under rule 102 of the Assembly Rules for the year 1946-47."

I am putting it as a question.

The question is:

"That this Assembly do elect seven Members to the Public Accounts Committee under rule 102 of the Assembly Rules for the year 1946-47."

The question was adopted.

The Hon'ble the SPEAKER: Under the Rules, I hereby fix Friday, the 29th March, 1946, as the date and 4 p.m. as the time or as soon as the business of the day is finished, whichever is earlier, for holding the election to the Public Accounts Committee. The voting will be held on the floor of the House.

I may inform the hon. Members that the Assam Finance Bill will be taken into consideration clause by clause on the 18th March, 1946. So, the last date for tabling amendments is the 14th of March before 3 p.m.

I have also to make the announcement regarding seating arrangement. The existing seating arrangements made by the Secretary is purely temporary and that it is open to the Leaders of the various Parties of the House to reshuffle the seats of their Party Members in any way they like within the blocks allotted for such Parties or Groups.

### Adjournment

The Assembly was then adjourned till 11 A.M. on Thursday, the 14th March, 1946.

Shillong,  
The 12th April 1946.

A. K. BARUA,  
Secretary, Legislative Assembly, Assam.

## APPENDIX A

The 20th April 1945

No.LML.4/44/24.—In exercise of the powers conferred by section 330(1)(d) of the Assam Municipal Act, 1923 (Assam Act I of 1923), as subsequently amended, the Governor of Assam is pleased to extend the provisions of sub-sections (1), (2) and (3) of section 27 of the said Act to the Small Towns of Hailakandi, Gauripur, Palasbari, Nalbari, Mangaldai, Nazira, North Lakhimpur and Doom Dooma which are notified areas under section 328 of the said Act subject to the following modifications:—

(1) That references to a Municipal Board or the Board shall be read as referring to the Town Committees established for the aforesaid areas under section 329 of the said Act.

(2) That sub-section (2) shall in its application be modified by the addition after the word "meeting" of the words "or on receipt by the Town Committee of information that the resignation has been accepted by the Provincial Government where the Vice-Chairman was appointed by the Provincial Government" and also by the addition after the word "election" of the words "or appointment".

S. L. MEHTA,  
Secy. to the Govt. of Assam in the Edn. & L.S.-G. Deptts.

## APPENDIX B

The 18th May 1945.

No.LML.2/45/10.—In exercise of the powers conferred by section 296 of the Assam Municipal Act, 1923 (Assam Act I of 1923), as subsequently amended, the Governor of Assam is pleased to make the following amendments in the Municipal rules—Parts IV and V—published with notification No. 1041-E., dated the 8th March 1924:—

## AMENDMENTS

In rule 2 of Part IV *add* a comma and the words "or public Health" between the word 'Medical' and the word 'or' first occurring in the rule.

In rule 5 of Part IV *delete* the fullstop at the end of the first sentence of the rule and *add* the following:—

"in the district in which there is no District Medical Officer of Health. In other districts the work of the vaccinators as well as that of the inspecting staff shall be scrutinised by the District Medical Officer of Health".

*Substitute* the following for rule 6 of Part IV:—

"6. The Civil Surgeon, Assistant Director of Public Health and the District Medical Officer of Health shall supervise every dispensary in his district or districts, as the case may be, which is maintained or aided by Boards and shall exercise complete professional control over the Medical Officer in immediate charge so far as Medical and Public Health matters respectively are concerned".

In rule 1 of Part V *add* the words 'the Director of Public Health', after the word 'Hospitals' occurring first in the rule *delete* the word "and" occurring before the "Civil Surgeon" and placing a comma instead and the words "the Assistant Director of Public Health and the District Medical Officer of Health" after the words "Civil Surgeon".

*Delete* the fullstop at the end of the rule and *add* the words "or the Director of Public Health".

In rule 6 of Part V *add* after the word 'subdivision' a comma and the words "and the District Medical Officer of Health or the Subdivisional Medical Officer of Health" and *substitute* the word 'members' for the words "a member" occurring after the words "*ex-officio*". *Add* also after the word "Surgeon" occurring last in the rule a comma and the words "and the District Medical Officer of Health or the Subdivisional Medical Officer of Health and *delete* also the words "one of" occurring in the last but two sentences of the main part of the rule.

In rule 7 of Part V *add* after the word 'Officers' a comma and the word "the District Medical Officers of Health or the Subdivisional Medical Officers of Health".

In rule 8 of Part V *add* after the words "Civil Surgeon" a comma and the words "the District Medical Officer of Health".

In rule 9 of Part V *add* after the bracket the words "and the Director of Public Health (through the District Medical Officer of Health)" and also *delete* the fullstop at the end of the first sentence and *add* the words "and the Director of Public Health". *Add* also after the word "Hospitals" occurring last in the rule the words "and the Director of Public Health".

A. H. S. FLETCHER,  
*Secy. to the Govt. of Assam in the Edn. & L. S.-G. Deppts.*

### APPENDIX C

#### The Hon'ble Mr. Baidyanath Mookerjee to move:—

Sir, I beg to lay the following amendments to the Assam Motor Vehicles Rules, 1940, on the table:—

(1) *Insert* the following as 'Note' below sub-rule (b) of Rule 100:—

"The Licensing Authority shall have discretion to relax this rule in regard to the requirement of photographs and may accept thumb impressions in lieu thereof, until the termination of the present hostilities."

[ Home Department notification No. HMV.219/44/8, dated the 23rd March 1945.]

(2) *Insert* the following as sub-rule (G) to Rule 22:—

Learners' licenses lost or destroyed—procedure—

(G) If at any time a learner's license is lost or destroyed, the holder shall intimate the fact within 10 days to the licensing authority by whom the license was granted. On receipt of the intimation the licensing authority shall proceed as if the learner's license were a driving license. The fee for a duplicate license shall be rupee one.

[ Home Department notification No. HMV.85/44/11, dated the 24th March 1945.]

(3) *Insert* the following as sub-rules (c) and (d) after sub-rule (b) of Rule 75:—

"(c) Annual permit fees for Motor Vehicles other than private carriers shall be paid in one instalment, within 15 days of the commencement of the permit year, failing which composition fees for late payment shall be imposed at the rates prescribed below:—

(i) First 15 days—No penalty.

(ii) After 15 days—penalty at Rs. 5 upto one month.

(iii) After 30 days—Rs. 10 upto two months after which action shall be taken under sub-rule (b) and the permit shall be liable to suspension or cancellation.

(d) The Secretary, Provincial Transport Authority, or Regional Transport Authority as the case may be, may write off the composition fee in special circumstances."

[ Home Department notification No. HMV.131/44/12, dated the 9th April 1945.]

(4) After rule 173 of the said rules, the following heading and rules shall be inserted, namely:—

"SPECIAL RULES APPLICABLE TO TRANSPORT VEHICLES OTHER THAN MOTOR CABS, AND FITTED WITH PRODUCER GAS PLANTS.

173-A. *Definition*.—(1) In these rules, unless otherwise expressly stated "Producer" has the meaning assigned to "Producer Gas Plant" in clause (j) of section 2 of the Assam Motor Vehicles Taxation Act, 1936 (Assam Act IX of 1936 as amended by Assam Act VI of 1944).

(2) In regard to vehicles already in operation on the road, and which have been fitted with a Producer approved by a competent authority prior to the date of issue of these rules, the provisions in these rules, save as regards any subsequent modifications under rule 173-D (3), shall not apply, so long as the producer, its method of attachment and its maintenance satisfy the Provincial Motor Transport Controller.

173-B. *Use of producer.*—(1) On or after 1st May 1945 no producer shall be fitted to a motor vehicle unless the producer—

(a) has been made by a manufacturer approved in this behalf by the Registering Authority,

(b) is of a type or model approved by, and in accordance with specifications approved by, that authority for use on the type of vehicle concerned,

(c) has affixed to the generator in such a manner as to be clearly visible, a metal plate having legibly displayed upon it the name of the manufacturer the description, name, mark or number assigned to it by the Registering Authority under sub-rule (1) of rule 173-D and the manufacturer's serial number.

(2) Any producer approved by a competent authority elsewhere in British India as specified in Schedule I and any modification thereof approved by the original authority shall be deemed to be approved for the purposes of sub-rule (1) of this rule provided that a gas filtering certificate has been granted either within the original province or elsewhere.

173-C. *Approval of model.*—(1) Any person seeking the approval of the Registering Authority under rule 173-B shall make application in writing to the said authority accompanied by duplicate copies of the specifications of clear drawings or prints of the producer and of the instructions for working it, and shall state the type or model of the motor vehicle, and the horse power of the engine for which the producer is intended.

(2) The instructions for the working and maintenance of the producer shall be subject to the approval of the Registering Authority, who shall cause to be endorsed thereon a statement of the materials and parts declared by the applicant not to be calculated to withstand two years fair wear and tear. A copy of the above instructions, so approved and endorsed, and bearing upon it the particulars specified in clause (c) of sub-rule (1) of rule 173-B, shall be attached to, or tendered with, every producer offered for sale. The instructions referred to in sub-rules (1) and (2) shall include the manufacturers' recommendations as to lubrication generally, and in particular upper cylinder lubrication.

(3) If so required by the said authority, a person who has made an application under sub-rule (1) of this rule shall—

(a) submit the producer to such test and in such laboratory or workshop and by such person as the authority may specify, and

(b) furnish at his own expense a vehicle fitted with the producer for test on a reasonably level road (including a road journey solely on producer gas of not less than 50 miles continuous).

173-D. *Intimation of approval.*—(1) When the Registering Authority approves of any type or model of producer, he shall inform the applicant in writing accordingly, and shall intimate the description, name, mark or number under which it may be offered for sale.

(2) No person shall sell or offer for sale any producer which does not conform in every material respect to the specification approved by the Registering Authority in relation to the name, mark or number displayed on the generator in accordance with clause (c) of rule 173-B (1).

(3) A manufacturer who proposes to modify or alter in any way the design or specification of an approved type or model of producer shall, before offering the modified type or model for sale, make application to the Registering Authority with particulars of the modification or changes proposed, and shall obtain the approval of the Registering Authority thereto.

(4) Upon receipt of an application under sub-rule (3), the Registering Authority may if he thinks fit, require the modified type or model to be subjected to the test specified in sub-rule (3) of rule 173-C.

173-E. *Specifications.*—(1) Before according approval to any type or design of producer, the Registering Authority shall satisfy himself that the design and construction proposed are in accordance with the provisions of these rules and the general specification at Schedule II, provided that in the case of Transport Companies which manufacture gas plants exclusively for their own use and do not offer them for sale, minor deviations may be accepted if the Registering Authority is satisfied that these deviations do not affect public safety.

(2) *New or unusual designs and new methods of construction.*—If any person wishes to manufacture a producer, the design of which contemplates departure from ordinary practice, the employment of any new or unusual methods of construction, or the use of methods of construction and processes not in conformity with these rules and specification, he shall apply to the Registering Authority stating in what respects the design departs from ordinary practice, and the modification or relaxation of the rules and specification, which he desires to be made, with the reasons therefor.

173-F. *Installation and maintenance.*—(1) Every producer shall be installed and maintained in accordance with the specifications and with all reasonable care necessary to prevent danger from fire, gas poisoning and burns, and, in particular, all pipes, joints, valves, and all covers to hoppers, generators, coolers, filters and any other accessories shall be free from gas or air leaks, and all exposed hot surfaces shall be effectively screened from accidental contact.

(2) If an escape funnel be fitted to any generator, for use during the blowing of air through the generator, the mouth of the funnel shall be above the roof level of the vehicle measured externally. A suitable valve or flame trap shall be fitted to the air inlet of all types of generator, to prevent danger from blowback.

(3) The fitting of a producer plant to any motor vehicle shall be reported to the Registering Authority as an alteration as required by section 32 of the Act, and the vehicle shall thereupon be produced for inspection by such authority and at such time and place as the Registering Authority may specify.

173-G. *Location of the producer.*—(1) No part of any producer shall be placed so as to reduce the field of vision of the driver by means of the mirror prescribed in rule 120 of Assam Motor Vehicles Rules, 1940, or otherwise, or so as to impede the driver in the control of his vehicle.

(2) In a public service vehicle—

(a) no part of the producer shall be placed within the passengers' compartment; and

(b) the generator shall be placed in rear of the passengers' compartment either completely outside it or recessed into the rear panel, and shall be insulated and have the clearance prescribed in rule 173-H;

(c) in the case of any generator fitted in the rear of a vehicle and to one side of the vehicle, suitable means shall be taken to compensate for the additional weight by inserting one or more leaves in the rear springs of the vehicle at that side:

Provided that notwithstanding the provisions of rule 111 (a) of Assam Motor Vehicles Rules, 1940, the generator and a reserve of fuel not exceeding one hundred and fifty pounds in weight may be carried on a trailer attached to a public service vehicle.

(3) No public service vehicle towing a producer shall have any opening or door in the rear end of, and facing to the rear of, the vehicle.

(4) In a transport vehicle other than a public service vehicle, the generator shall not be placed forward of the rear of the driver's cab, and shall be insulated and have the clearance prescribed in rule 173-H:

Provided that in the case of any special purpose vehicle, the Registering Authority may, subject to the provision of adequate means of egress for the driver (such as a hinged canvas tilt, or overhead flap opening), specify that the generator may be placed level with the driver's seat.

173-H. *Insulation and clearances.*—(1) On any motor vehicle if any part of the generator is so placed as to be within a distance of six inches in a horizontal plane from any part of the vehicle, the vehicle shall be insulated from the generator by a sheet of asbestos one-quarter of an inch thick, or by such other insulating material, and of such thickness as the Registering Authority may by general or special order in writing specify in this behalf, not less in height than the height of the generator including the hopper and of such a width as:—

(a) where the generator is recessed, completely to line the recess;  
 (b) where the generator is not recessed, to project for a distance of not less than six inches on either side of the generator.

(2) No part of a generator shall have a clearance between it and the insulating material prescribed in sub-rule (1) of less than two inches.

(3) The joints in any insulating material as aforesaid shall be either—

(a) overlapped by not less than 3 inches, or  
 (b) butted with a covering butt-strap of the same material and thickness not less than 5 inches wide, and over-lapping the butt joint equally by not less than 2½ inches.

(4) The clearance between the ground and the lowest part of any producer plant shall not be less than 12 inches.

173-I. *Location of fuel tank.*—(1) No generator, and no pipe between the generator and the gas filters shall be so placed that any part of the generator or such pipe is within a distance of less than—

(a) two feet from any part of the petrol tank,

(b) four feet from the filling point or orifice of the petrol tank :

Provided that in the case of a transport vehicle other than a public service vehicle, the generator may be at a distance of less than 2 feet from any part of the petrol tank, but shall be as far removed therefrom as possible, and in no case, shall there be a distance of less than 8 inches between any part of the generator or of any pipe connecting the generator or the gas filter and any part of the petrol tank :

Provided further that when any part of the generator or pipe as aforesaid is at a distance of less than 2 feet from any part of the petrol tank, that part of the generator and pipe shall be insulated from that part of the petrol tank by the interposition of the insulating material and the clearance specified in rule 173-H.

(2) The filler cap and any other opening in the main petrol tank shall, where the generator is mounted on the side of the vehicle, be located on the opposite side of the vehicle to the generator, and shall be not less than 4 feet away from the generator and from any pipe leading from the generator to the gas filters.

(3) Any auxiliary petrol tank with gravity feed shall be located in front, as far from the generator as practicable.

173-J. *Installation of filters and gas coolers.*—On any transport vehicle the filters and gas coolers shall be so placed as to be readily accessible for cleaning at any time.

173-K. *Fixing of producer and maintenance of pipes, valves, etc.*—Every part of the producer shall be firmly and securely fixed in place, and all pipes, valves, joints and hopper lids or covers shall at all times be maintained in a gas-tight condition.

173-L. *Instructions for driver or other person in charge.*—No driver or other person in-charge of a motor vehicle to which a producer is fitted shall—

(a) at any time when there is fire in the generator, cause or allow the vehicle to stop or remain stationary at a distance of less than 20 yards from any petrol pump or place where petrol is supplied in tins;

(b) at any time when there is fire in the generator, pour petrol or cause or allow petrol to be poured into the petrol tank ;

(c) carry, or cause or allow to be carried in the vehicle (save in the regular petrol tank thereof), any petrol or other inflammable or explosive substance ;

(d) at any time when there is fire in the generator, clean or rake out the generator at any appointed bus stand or stopping place, or within a distance of less than 20 yards from any other motor vehicle, or on any road surface, or cause or allow the same to be done by any person ;

(e) where a park, bus stand, or halting place or a part of a park, bus stand, or halting place is set apart for vehicles fitted with producers, allow the vehicle to stop or remain stationary in any other park, bus stand, or halting place or other part thereof, as the case may be ;

(f) where a park, bus stand or halting place or a part of a park, a bus stand or halting place is set for vehicles fitted with producers, allow any such vehicle to stop or remain stationary in such a way as to bring the generator of one vehicle within 4' of the filling point or orifice of the Petrol tank of another vehicle ;

(g) place the vehicle or cause or allow it to be placed in any garage or shed unless the garage or shed is provided with a permanent opening or openings for sufficient ventilation other than doors or windows that may be closed.

173-M. *Compliance with Motor Vehicles Rules.*—(1) The projection of any part of a producer beyond the rear of the vehicle shall be deemed not to be a part of the vehicle for the purposes of rules 132 and 134 of the Assam Motor Vehicles Rules, 1940.

(2) No producer shall be fitted to any motor vehicle in such a way that the vehicle thereby contravenes the provisions of rule 131 or rule 133 of the Assam Motor Vehicles Rules, 1940.

### SCHEDULE I

LIST OF COMPETENT AUTHORITIES IN BRITISH INDIA WHOSE APPROVAL IS ACCEPTED FOR THE PURPOSES OF RULE 173-B(2)

Authorities empowered under Producer Gas Plant Rules to approve Gas Plants in their respective Provinces.

Bombay.—The Director of Industries, Bombay.

Madras.—The Central Road Traffic Board.

Bengal.—The Provincial Transport Authority, Bengal.

Punjab.—The Punjab Producer Licensing Board.

Central Provinces and Berar.—The Secretary, Provincial Transport Authority.

Orissa.—The Regional Transport Authority.

Bihar.—The Provincial Transport Authority.

Assam.—The Provincial Motor Transport Controller.

Sind.—The Regional Authority, *i.e.*, Superintendent of Police, Karachi and Tatta Districts.

North-West Frontier Province.—The Provincial Transport Authority.

Delhi.—The Board constituted for the purpose of approving persons to serve as manufacturers of charcoal gas plants.

Coorg.—The Coorg Provincial Transport Authority.

Ajmer-Merwara.—The Registering Authority, *i.e.*, the Superintendent of Police, Ajmer-Merwara.

United Provinces.—The Secretary to Government, Industries Department.

### SCHEDULE II

PRODUCER GAS PLANTS FOR MECHANICALLY PROPELLED VEHICLES

General specification (referred to in Rule 173-E.)

1. *Design.*—The General design shall be reasonably simple, and suitable to the type of vehicle for which it is intended. It shall be such that it can be fitted to the vehicle in such a way that the driver's vision and control of his vehicle are not impeded ; that the convenience and safety of the passengers is not endangered ; and that the Coolers, Filters, Pipes, and any other parts requiring frequent cleaning and attention can be installed in readily accessible places.

2. *Performance.*—The Producer shall be capable of providing gas sufficient to propel the vehicle under gas alone along the level road with its full lawful loading at a sustained speed of not less than—

(a) in the case of a goods vehicle not being a heavy transport vehicle, 20 miles per hour ;

(b) in the case of a goods vehicle being a heavy transport vehicle, 15 miles per hour ;

(c) in any other case, 25 miles per hour.

3. *Fuel capacity.*—The effective fuel capacity of the generator and hopper shall be sufficient to provide fuel to propel the vehicle under producer gas for a distance of not less than 50 miles along a level road, without recharging.

4. *Filtering system capacity.*—This shall be such as to ensure that in normal circumstances the system shall not require cleaning at intervals of less than 50 miles.

5. *Construction.*—The Plant shall be constructed, put together and installed, in a sound and workman-like manner. The materials and method of construction specified by the manufacturer applicant shall, save as otherwise declared by him, be calculated to withstand fair wear and tear for a period of not less than two years under the normal conditions of working and maintenance of the type of vehicle for which the plant is intended. The plant shall not form an inflexible or rigid unit, but shall be connected with flexible couplings at appropriate points to relieve any stresses within itself or due to travel on the road. No rubber hose shall ordinarily be used as a flexible connection between the generator and the cooler.

6. *Generators.*—Generators are divided into three main types, *viz.*, updraft, down-draft and cross-draft. The materials for the construction of the generators including the hoppers, and outer shells if any, shall be of mild steel sheet, not less than the following gauge thicknesses—

All outer shells where fitted, not thinner than 16 B. W. G. (0.065 inches thick.)

*Updraft generators.*—The lower end of shell from the bottom to a point 12 inches above the grate, or to the top of the gas outlet whichever is the less not thinner than No. 11 B. W. G. (0.120 inches thick) remainder of shell not thinner than No. 16 B. W. G. (0.065 inches thick.)

*Downdraft generators.*—The lower end of shell from the bottom to a point 12 inches above the fire grate, not thinner than No. 14 B. W. G. (0.083 inches thick) remainder of shell not thinner than No. 16 B. W. G. (0.065 inches thick.)

*Cross-draft generators.*—The lower end of shell from the bottom to a point 12 inches above the centre line of the tuyere, not thinner than No. 14 B. W. G. (0.083 inches thick) remainder of shell not thinner than No. 16 B. W. G. (0.065 inches thick.)

All generator cover and generator flange joints shall be made of heat-resisting material. If an escape funnel be fitted to any generator, for use during the blowing of air through such generator, the mouth of the funnel shall be above the roof level of the vehicle measured externally. A suitable valve or suitable flame trap shall be fitted to the air inlet of all types of generator to prevent danger from blowback.

7. *Coolers.*—The material from which coolers are made shall be mild steel, copper, or brass sheet, not less than No. 18 B. W. G. (0.049 inches thick.) All coolers must be made so that they can be readily cleaned.

8. *Filtering.*—The gas filtering system shall be in not less than three stages, of which the security or last stage shall be felt or other approved fabric, provided that the Provincial Government may by notification approve any filtering system. The test mentioned at paragraph 3 (3) (a) of the foregoing additional rules may include a gas filtering test with the object of determining the purity of the gas in this respect. The materials from which filter casings and all gas piping up to the mixing chamber or carburettor are made shall not be less than No. 18 B. W. G. (0.049 inches thick).

9. *Flanges and flange joints.*—Flanges fitted to piping shall be made of material not less than  $\frac{1}{4}$  inch thick.

10. *Use of water.*—Where water is used either for injection or for cooling tuyeres, it shall be provided from a source other than the engine cooling system and shall not be in circuit therewith.

11. *Water tanks.*—These shall be made of mild steel sheet or copper sheet material of a thickness not thinner than No. 20 B. W. G. (0.035 inches thick) and shall be provided with strainers for inlets and outlets and a suitable arrangement for determining the water level."

[ Home Department notification No. HMV.6/44/122, dated the 24th April 1945.]



(5) Add the following as sub-rule (n) to rule 62 :—

“The Provincial or the Regional Transport Authority may delegate any of the powers and functions of its Secretary to any other gazetted officer of the Police Department subordinate to the Secretary, provided that such delegation shall not extend to the grant of permits or to any matters of policy”.

[ Notification No. HMV.29/45/4, dated the 7th May 1945.]

(6) Add the following after sub-rule (a) to rule 38 :—

“A fee of Rs. 10 (Rupees ten) shall be charged for a duplicate of the certified copy of the order if lost or destroyed.”

Substitute the following for the existing “note” below Rule 38 :—

“Note.—The application for a certified copy of the order against which the appeal is preferred, shall be made within 30 days of the receipt of the order appealed against but the time required for obtaining the certified copy of the order (i.e., the time from the date of application to the date of supply) shall be excluded from the limit of 30 days referred to in sub-rule (a). One copy of such order shall be granted free.”

Add the following after sub-rule (a) to Rule 39 :—

“A fee of Rs. 10 (Rupees ten) shall be charged for a duplicate of the certified copy of the order if lost or destroyed.”

Substitute the following for the existing “note” below Rule 39 :—

“Note.—The application for a certified copy of the order against which the appeal is preferred, shall be made within 30 days of the receipt of the order appealed against but the time required for obtaining the certified copy of the order (i.e., the time from the date of application to the date of supply) shall be excluded from the limit of 30 days referred to in sub-rule (a). One copy of such order shall be granted free.”

[ Notification No. HMV.76/45/8, dated the 30th July 1945.]

(7) I. Add the following as a new rule after rule 28 :—

“28A. Notwithstanding anything contained in these Rules, no refund of the tax or part of the tax paid in respect of any quarter shall be made in respect of a motor vehicle (other than a transport vehicle as defined in the Motor Vehicles Act, 1939), which is transferred, whether permanently or temporarily, from the Province of Assam during that quarter to any other Province (including a Chief Commissioner’s Province) in British India.”

II. Add the following as a new rule after rule 36 :—

“36A. Notwithstanding anything contained in these Rules, any motor vehicle (other than a transport vehicle as defined in the Motor Vehicles Act, 1939), registered and normally kept in any other Province in British India (including a Chief Commissioner’s Province) for which the proper tax has already been paid in respect of a particular quarter in that Province and which is transferred, either permanently or temporarily, into the Province of Assam during that quarter shall be exempt from payment of the tax payable under the Act for the same quarter.”

III. In the last line of sub-rule (1) of rule 35 insert “or rule 36A” between the figures “36” and the word “Pay”.

[ Notification No. HMV.102/44/32, dated the 17th August 1945.]