

**Proceedings of the Seventh Session of the Assam Legislative
Assembly assembled after the Second General Election
under the Sovereign Democratic Republican
Constitution of India**

The Assembly met in the Assembly Chamber, Shillong at 9 A. M. on Friday, the 11th December, 1959.

P R E S E N T

Shri Mahendra Mohan Choudhury, B. L., Speaker in the Chair Eight Ministers, Four Deputy Ministers, and Eighty-two Member.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral answers were given)

**Regarding payment of Travelling Allowance Bills of
Mandals of North-Lakhimpur**

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked :

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

- (a) Whether it is a fact that about 16 lot Mandals of North-Lakhimpur did not receive their halting allowances from the year 1948 to 1956 amounting to above Rs.3,000 in total upto the end of the year 1958 ?
- (b) Whether it is a fact that Government had directed the Mandals to submit fresh bills in November, 1957 ?
- (c) Whether it is a fact that the Mandals applied in June, 1958 also to the Subdivisional Officer, North-Lakhimpur as well as to the Deputy Commissioner, Lakhimpur ?
- (d) Why such unusual delay has taken place in paying the travelling allowance bills of the Mandals ?

Shri HARESWAR DAS (Minister, Revenue) replied:

46. (a)—Yes ; 14 Travelling Allowance Bills relating to some lot Mandals of North-Lakhimpur amounting to Rs.3,732.37 nP. for various periods from 1948 to 1956 were not paid.

These bills have since been received for sanction and submitted to Accountant General for pre-audit.

(b)—No. The original bills were lost in transit and so Subdivisional Officer asked the Circle Officers to submit fresh bills. Government did not direct Mandals to submit fresh bills.

(c)—Yes.

(d)—The Mandals and Supervisor Kanungos concerned submitted the bills in time. But the bills were lost in transit and they could not be traced in office of the Subdivisional Officer, North-Lakhimpur. As such the Circle Officers were directed in 1954 to get fresh bills and submit. The fresh bills were received in November, 1958 by the Deputy Commissioner who has since forwarded the same to Government through Director of Land Records for sanction.

The responsibility for this delay in the preparation and submission of the Bills is being fixed with a view to take necessary action against the person or persons at fault.

Shri DEVENDRA NATH HAZARIKA (Saikhowa): When these bills were lost in transit ?

Shri HARESWAR DAS (Minister, Revenue): Immediately after submission. The date cannot be fixed now. When it was agitated it was found that the bills were lost in transit and therefore fresh bills asked to submit. The fresh bills were submitted in 1954.

Shri DEVENDRA NATH HAZARIKA: Will the Minister-in-charge be able to give the approximate date or years in which the bills were lost ?

Mr. SPEAKER: The Minister said that the bills were lost.

Shri HARESWAR DAS: The bills were submitted in time. But latter it was reported that the bills were lost in transit. So the exact date cannot be said now.

Shri DEVENDRA NATH HAZARIKA: When the Mondals can expect to get the payment of the bill ?

Shri HARESWAR DAS: Many of them have already got payment. Few of them shall have to await because the bills were sent for pre-audit.

Procurement of Land from the cultivators in Dibrugarh Subdivision by the Proprietor of the Goneshbari Tea Company

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked:

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

(a) Whether it is a fact that the proprietor of the Goneshbari Tea Company is in possession of over 8,560 bighas of land mostly procured from the cultivators in Dibrugarh Subdivision ?

- (b) Whether Government are aware that over 1,000 families of cultivators have thus been reduced to the position of landless cultivators ?
- (c) If not, whether the Government will enquire and state the actual number of cultivators who have thus been rendered landless ?

Shri HARESWAR DAS (Minister, Revenue) replied:

47. (a), (b) & (c)—The local officers are making enquiries. The detail verification of innumerable transaction will naturally take long time and considerable labour.

Shri DEVENDRA NATH HAZARIKA (Saikhowa): Whether it is fact that an attempt is being made to correct these land procured from cultivator in to tea garden grants with a view to avoid the operation of Ceiling Act.

Shri HARESWAR DAS : We have no such report.

Shri DEVENDRA NATH HAZARIKA : Will the Government resist such attempt if there is any ?

Shri HARESWAR DAS : There is no question of resistance. The operation of Ceiling Act will be automatic in all cases where it is applicable.

Shri SARBESWAR BORDOLOI (Titabar) : How these lands were procured by Tea Garden employee ?

Shri HARESWAR DAS : They must acquire it by purchase. No other ways they can procure this land.

UNSTARRED QUESTIONS

(To which answers were laid on the table)

Proposal for transfer of Udarband thana from the Sonai S. D. C's. Circle

Shri TAJAMAL ALI BARLASKAR (Udarbnad) asked :

68. Will the Minister-in-charge of Revenue be pleased to refer to question 218 (b and c) of the last Budget Session asked by the Questioner on 2nd April, 1959 and state—

- (a) Whether the matter of placing Udarband thana from the Sonai S. D. C's. Circle has already been examined ?

(b) If so, when Government propose to transfer Udarband thana from Sonai S. D. C's. Circle to Silchar S. D. C's. Circle and Chatla from Silchar S. D. C's. Circle to Sonai S. D. C's. Circle ?

Shri HARESWAR DAS (Minister, Revenue) replied :

68. (a)—Yes.

(b)—The Deputy Commissioner, Cachar, after examining the proposal has recommended transfer of Udarband thana from Sonai to Silchar Circle ; but Chatla area being near Silchar is proposed to be retained within Silchar. This will make the Silchar Circle very big and the matter is under consideration.

Representation of All-Assam Excise Lessees' Association, Dibrugarh for Settlement of Excise Shops

Shri DURGESWAR SAIKIA (Thowra) asked :

69. Will the Minister-in-charge of Excise be pleased to state—

(a) Whether it is a fact that a representation was lately made to Government by the All-Assam Excise Lessees' Association, Dibrugarh for redress of some of their grievances ?

(b) If so, what are those grievances ?

(c) Whether Government have considered the grievances and fulfilled the same ?

(d) If not, why not ?

(e) Whether it is a fact that due to annual settlements, the tenderers and those with whom excise shops are settled have to incur harassment and heavy monetary loss for different stages of appeals ?

(f) What are the numbers of liquor shops in Dibrugarh and Sibsagar Subdivisions and what was the number of tenders received in 1957 and 1958 ?

(g) What is the number of appeals filed and by how many parties to the Excise Commissioner and to the Tribunals in 1957-58 and 1958-59 ?

- (h) When the bottling system was introduced in Sibsagar and Dibrugarh Subdivisions ?
- (i) Whether the quantity sold decreased or increased after introduction of the bottling system ? (Reply to be given gallon-wise for 1958 in both Subdivisions of Dibrugarh and Sibsagar).
- (j) Whether Government will consider to amend the Act for settlement of liquor shops permanently instead of annual settlement with those lessees who are not found guilty of any malpractice ?
- (k) Whether Government is aware that the Governments of West Bengal and Bihar have arranged to settle liquor shops permanently by renewal of licence ?
- (l) Whether it is a fact that relatives of Government servants are not entitled to get any liquor shop?
- (m) If so, why?
- (n) Whether Government propose to amend the rule.

Shri HARESWAR DAS (Minister-in-charge of Excise) replied:

69. (a)—Yes.

(b)—The grievances are—(1) for annual settlement of Excise shops and for not making permanent settlement by automatic renewal of license specially in Dibrugarh Subdivision and Sibsagar District, (2) for the provision made in the Assam Excise Manual regarding disqualification of a lessee for having relationship with certain Government officers.

(c) & (d)—The Government have considered their first grievance and have decided to make settlement of Excise shops in Dibrugarh Subdivision and Sibsagar District for two years at a time.

Their second grievance has not been fulfilled, as this is not considered to be justified.

(e)—Government have no such information.

(f)—(i) Number of liquor shops :—

Dibrugarh	...	...	...	...	...	43
Sibsagar	...	...	...	...	...	16

(ii) Number of tenders received in 1957 and 1958 :—

					1957	1958
Dibrugarh	...	...	...	...	659	1,204
Sibsagar	...	...	..	...	218	350

(g)—Before Excise Commissioner :—

					No. of Appeal	No. of parties
1957-58	..	...	...	..	195	195
1958-59	...	...	..	...	151	151

Before the Appellate Authority :—

					No. of Appeal	No. of parties
1957-58	...	...	...	...	127	89
1958-59	...	...	..	...	52	40

(h)—In Sibsaigar District it was introduced from 1st April 1959 and in Dibrugarh Subdivision from 26th February 1959.

(i)—The quantities sold are shown below after and before the introduction of bottling system for the same period of both the years, which indicate that the sale decreased :—

		From 1-3-1958 to 31-8-1958	From 1-3-1959 to 31-8-1959
Dibrugarh Subdivision	..	1,26,860 L. P. Gallons	92,863 L. P. Gallons.
		From 1-4-1958 to 31-8-1958	From 1-4-1959 to 31-8-1959
Sibsagar Subdivision	..	32,128 L. P. Gallons	22,642 L. P. Gallons.

(j)—No. Government have already decided to settle the shops in Dibrugarh Subdivision and Sibsaigar District for two years at a time.

(k)—Government are not aware of this. The information is, however, being collected from those Governments.

(l)—Yes, relatives of those Government servants who are connected with settlement of Excise shops, supervision of Excise office and trial of Excise cases.

(m)—To check undue favouritism from such relationship.

(n)—No.

shri DURGESWAR SAIKIA (Thowra): অধ্যক্ষ মহোদয়, 69(b) প্রশ্নৰ উত্তৰত চৰকাৰে কৈছে “Yes, relatives of those Government servants who are connected with Settlement of Excise Shops, supervision of excise office and trial of excise cases.”

মই এই প্ৰসঙ্গত জানিব খুজিছো এই চৰকাৰী চাকৰীয়া সকলৰ সম্বন্ধীয়া মানুহৰ (relation) ‘একচাইজ মহল’ নিদিয়াৰ বহস্যটো নো কি ?

Shri HARESWAR DAS (Minister, Excise): বহুগ্য এই-টোৱেই হব পাৰে যে তেওঁলোকে relationৰ কাৰণে wrong manipulation কৰিব পাৰে আৰু মহল দিলে তেওঁলোকৰ কিবা দোষ হলেও সেই দোষ ধৰা নপৰিব পাৰে।

Shri DURGESWAR SAIKIA: মন্ত্রী মহোদয়ে কৈছে চোৰ ধৰা নপৰিব পাৰে, মই জানিব খুজিছো আন মহলদাৰ বা ঠিকাদাৰ আদিয়ে চোৰ নকৰেনেকি ?

Shri HARESWAR DAS: কৰিব পাৰে। চোৰ কৰাৰ পৰা যাতে বিবত থাকিব পাৰে তাৰেই এই ব্যৱস্থা।

Shri DWIJESH CH. DEB SARMA (Digboi): অধ্যক্ষ মহোদয়, মই চৰকাৰৰ পৰা জানিব খুজিছো কেৱল ‘একচাইজ’ Settlement ব লগত সম্বন্ধ থকা সকলৰ প্ৰতিহে এই নিয়ম প্ৰযোজ্য নে চৰকাৰী যি কোনো বিভাগৰ কাৰণেই এই নিয়ম প্ৰযোজ্য।

Shri HARESWAR DAS: একচাইজ ‘কেচ’ বিলাক বিচৰা সকলৰ বিলেটিভৰ ক্ষেত্ৰত হে।

Requisition of land in Mariachola Grant of Khumtai Mauza in Golaghat Subdivision

Shri NARENDRA NATH SARMA (Dergaon) asked:

70. Will the Minister of Revenue be pleased to state—

(a) When the Mariachola Grant of Khumtai Mauza in Golaghat Subdivision was requisitioned ?

(b) Whether it is a fact that the lands of the above mentioned grant were distributed to landless people of the Subdivision ?

(c) Whether it is a fact that these people have driven out by some Land Owners and occupied the lands by threat ?

- (d) Whether Government are aware that the local people specially landless people have suffered much for this ?
- (e) Whether Government will be pleased to take appropriate and immediate steps evicting these encroachers ?

Shri HARESWAR DAS (Minister, Revenue) replied:

70. (a)—In 1951.

(b)—Yes. Allotment was made to 51 Miri and 9 non-tribal Assamese families on the recommendation of Allotment Committee. Out of 51 Miri allottees, allotments of 6 families were cancelled in view of the fact that they were not found landless. The allotment of land thus cancel was allotted to other landless persons.

(c)—Before the Subdivisional Officer could give effect to his orders, some local people entered in to the requisitioned grant forcibly against whom eviction proceedings were started. Subsequently 16 landless non-tribal encroacher families were allowed allotment in the area.

(d)—The local landless people suffered a little as it took some time before the encroachers could be evicted after disposal of High Court appeals.

(e)—Actions are being taken to prosecute the trespassers under Section 10 of the Assam Land (Requisition and Acquisition) Act 1948

Shri NARENDRA NATH SARMA (Dergaon): How long will it take to evict the encroachers ?

Shri HARESWAR DAS: It will be done immediately. Section 10 of the Assam Land Acquisition Act has been brought into force to remove the encroachers.

Posts of Deputy Transport Commissioners

Shri HIRALAL PATWARY (Penery) asked:

71. Will the Minister-in-charge of Transport be pleased to state—

- (a) Whether it is a fact that three Deputy Commissioners (Transport) will be appointed according to Central Scheme ?

(b) Whether it is a fact that in many Departments the Government officers are promoted ?

(c) Whether Government proposes to fill in those posts of Deputy Commissioners (Transport) by promotion from the D.T.Os.?

Capt. WILLIAMSON A. SANGMA (Transport Minister) replied :

71. (a)—Government have not yet decided creation of any posts of Deputy Transport Commissioners.

(b)—Yes.

(c)—Does not arise in view of reply to Question (a).

Shri HIRALAL PATWARY (Panery): Are the Government considering to create some such posts ?

Capt. WILLIAMSON A. SANGMA: This is partially a recommendation of the National Transport Development Council and Government is actively considering the creation of such posts.

Shri HIRALAL PATWARY: When such posts will be created, will the Government take into account the question of promoting the District Transport Officers ?

Capt. WILLIAMSON A. SANGMA: If such posts are created and if there are suitable candidates for various posts, amongst the District Transport Officers, surely their cases will be taken into consideration.

Forcible Occupation of the Land Cultivators by the Proprietor of Moderkhat Tea Estate

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked:

72. Will the Minister of Revenue be pleased to state—

(a) Whether it is a fact that the then Deputy Commissioner, Lakhimpur, Shri N. K. Rustomji, asked the Police to enquire about the allegations of the cultivators about forcible occupation of land belonging to them by the proprietor of Moderkhat Tea Estate and about mutation of the same in the name or in the names of his relatives ?

(b) Whether it is a fact that one Sub-Inspector of Police of Dibrugarh Police Station enquired on 26th, 27th, 28th and 29th December, 1947 and on 6th, 7th and 8th January, 1948 and sent up 82 (eighty-two) cases against this tea planter ?

(c) Whether it is a fact that about 27 cases out of these 82 cases were tried in the Court of Additional Deputy Commissioner, Dibrugarh ?

(d) If so, what happened to these cases ?

(e) Whether the affected parties were informed of the results of these cases so long ?

Shri RADHIKA RAM DAS (Deputy Minister, Revenue) replied :

72. (a) & (b)—No such record is available.

(c)—It is not possible to trace out the cases unless particulars are furnished.

(d)—Does not arise.

(e)—Does not arise.

Shri DEVENDRA NATH HAZARIKA (Saikhowa): Whether any inquiry will be made and information relating to it will be communicated the questioner?

Shri RADHIKA RAM DAS : If particulars are supplied then we may make an enquiry. Without the particulars no enquiry can be made. The allegation is vague.

Shri BHUBAN CHANDRA PRODhani (Golakganj): Is it a fact that lands were forcibly occupied from the cultivators ?

Mr. SPEAKER: How this question can arise now ?

Shri DEVENDRA NATH HAZARIKA: On a point of information Sir, when a question is put by a Member on his own risk how can the Minister justify it as a vague ?

Shri RADHIKA RAM DAS: In a criminal case the number of the case, the names of the parties and the date of disposal should be given; otherwise, it becomes difficult to trace out a case. If all these particulars are supplied then we shall be in a position to find out the cases.

**Forcible occupation of Annual Patta Land in Barpathar
Konwar Gaon, Dibrugarh Subdivision by
Behating Tea Estate**

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked :

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

- (a) Whether Government are aware that plots of land at dag Nos.709, 710, 713, 716, 725, 730, 738 and few other plots of land covered by annual pattas in Barpathar Konwar Gaon in Jamira Mauza, Dibrugarh Subdivision were occupied by the Behating Tea Estate forcibly from occupant cultivators during 1953-54 ?
- (b) Whether it is a fact that the public protested against the lawlessness activities of this Indian Tea concern and applied to the Deputy Commissioner on 4th January 1954 for taking necessary action with copies to the Revenue Secretary and the Chief Secretary ?
- (c) Whether it is a fact that no action in the matter has yet been taken ?
- (d) Whether Government propose to evict this Tea concern from these annual patta land and waste land ?

Shri HARESWAR DAS (Revenue Minister) replied:

73. (a)—No. Government are not aware of any such thing.

(b)—There is no such record.

(c) & (d)—In view of reply at (a) and (b) above the question of action except in respect of annual dag No.730, does not arise. Deputy Commissioner has been asked to take necessary action in respect of annual dag No.730 which appears to have been let out by the pattadar.

Shri DEVENDRA NATH HAZARIKA: Will the hon'ble Minister in-charge of Revenue be pleased to inform us in whose possession these lands are at present ?

Shri HARESWAR DAS (Minister, Revenue): Dag Nos. 709, 710, 713, 716, 725 and 738 (some of them periodic and some annual) stand in the name of different persons and are in possession of those persons. But as regards Dag No. 730, this is an annual dag which is in possession of the garden. So, steps will be taken to cancel this patta.

Eviction of Cultivators from their Land in Longchual Village in Lahoal Mouza, Dibrugarh by the Proprietor of Moderkhat Tea Company

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked :

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

(a) Whether Government are aware that Shri N. Chakrabarty, Proprietor of Moderkhat Tea Company evicted cultivators from their land measuring about 200 bighas covered by dag Nos. 367, 502, 503, 514, 387, 504, 505, 321, 322, 323, 310 and others in Longchual village in Lahoal Mouza, Dibrugarh ?

(b) Whether it is a fact that the then Deputy Commissioner, Dibrugarh, Mr. F. A. S. Thomson, issued standing order on 31st July, 1926 that any mutation filed by Shri N. S. Chakrabarty would be rejected ?

(c) Whether Government propose to give protection to those cultivators by evicting this Tea Planter who have occupied these lands forcibly ?

Shri HARESWAR DAS (Revenue Minister) replied:

74. (a)—No. Government are not aware of any such thing.

(b)—There is no record to indicate that any such orders were passed.

(c)—Does not arise.

Shri DEVENDRA NATH HAZARIKA The answer to question 74(a) is in the negative. Will the Minister-in-charge be pleased to inform us whether this land has not been transferred from cultivators to non-cultivators ?

Shri HARESWAR DAS: That may be so, but there is no use in making any enquiry. If private persons sold their lands no good will come out of only enquiry.

Shrimati LILY SENGUPTA (Lahowal): উল্লিখিত প্রশ্নত যি মাটিৰ কথা কোৱা হৈছে সেই মাটি লৈ সদায় এটা সমস্যাৰ উদ্ভৱ হয়। এই মাটিৰ কথাত যাতে কোনো ক্ষুত নেথাকে তাৰ বাবে মন্ত্ৰীমহোদয়ে যথোচিত ব্যৱস্থা গ্ৰহণ কৰিবনে ?

Shri HARESWAR DAS (Minister, Revenue): যেতিয়া পট্টাৰ মাটি বিক্ৰি কৰে তেয়িলা চৰকাৰে একো কৰিব নোৱাৰে। যদি এক চনীয়া পট্টাৰ মাটি বিক্ৰি কৰে তেনে চৰকাৰে তাক নাকচ কৰিব পাৰে কিন্তু যদি ম্যাৰ্দি হলে চৰকাৰে একো কৰিব নোৱাৰে।

Eviction of the occupant cultivators from the lands at Hatkhola Goan in Moderkhat Mauza by a Tea Planter of Moderkhat Tea Estate

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked:

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

- (a) Whether it is a fact that land covered by Dag Nos.449, 506 and 507 amounting to 22 bighas 4 kathas and 6 lessas at Hatkhola Goan in Moderkhat Mauza belonged to Shri Jogendra Goswami, Pupeswari Goswami and others upto 5th March, 1947 ?
- (b) Whether it is a fact that the occupant cultivators were evicted by the tea planter of Moderkhat T. E. who managed to get mutation of these lands in the name of his son ?
- (c) On what ground the lands were transferred to non-cultivators ?
- (d) Whether heirs of these lands or joint pattadar are still alive ?
- (e) Whether Government are aware that the notice of mutation was neither received by the owners of land nor by the occupant cultivators ?
- (f) Whether Government propose to make enquiry into the matter ?

Shri RADHIKA RAM DAS (Deputy Minister, Revenue) replied:

75. (a)—It is not a fact.

(b)—It is not a fact that the occupants were evicted by the tea planter of Moderkhat T. E. The land was mutated in the name of Shri Uma Prasad Chakravorty, son of the Proprietor of Moderkhat T.E. in a regular mutation case.

(c)—On the ground of purchase.

(d)—Only Mahendra amongst the joint pattadars is now alive.

(e)—Notices were duly served in the mutation case in which the name of Shri Uma Prasad Chakravarty was mutated.

(f)—There is no such proposal.

Shri DEVENDRA NATH HAZARIKA (Saikhowa) : Whether it is a fact that without the consent of the joint pattadars this mutation was effected ?

Shri RADHIKA RAM DAS (Deputy Minister, Revenue) : Mutation was sanctioned in a regular mutation case. Unless the consent of all the pattadars are obtained no mutation can be effected.

Shri DEVENDRA NATH HAZARIKA : Is the Deputy Minister sure that notice was received by the joint pattadars ?

Shri RADHIKA RAM DAS : It is not possible to get the case records. It was done more than 12 years ago. But some records are available and from them it is found that mutation was done in a regular mutation case.

Shri DANDESWAR HAZARIKA (Morongi) : Is it not a fact that a purchaser who possesses more than 150 bighas of land cannot, according to the Ceiling Act, purchase more land ? Certainly the tea garden owners have more than 150 bighas of land. Will the Deputy Minister please enquire who it was effected ?

Shri RADHIKA RAM DAS : This was done in 1947, long before the Ceiling Act was enacted.

Unauthorised Occupation of land belonging to cultivators and Sarkari Land by the Proprietor of Moderkhat Tea Estate

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked:

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

(a) Whether it is a fact that the then Deputy Commissioner, Lakhimpur Shri N. K. Rustomji enquired personally on 20th December, 1947 on the allegation of forceful occupation of land belonging to cultivators and other Sarkari land by the proprietor of Moderkhat Tea Estate in Moderkhat Mauza ?

(b) Whether it is a fact that Shri N. K. Rustomji, the then Deputy Commissioner, ordered the then Sub-Deputy Collector, Dibrugarh Eastern Circle, *vide* his order No.9790-R, dated the 22nd December, 1947 to take immediate action (i) to call upon Srijut N. Chakravarty to vacate forthwith all Sarkari land and to show cause for unauthorised occupation and (ii) to cancel forthwith all annual Pattas where it was found that the land was not in actual possession of the Pattadars, etc. ?

(c) Whether it is a fact that Shri Altabuddin Ahmed, the then Extra-Assistant Commissioner, enquired personally on 28th October, 1947 and also the then Sub-Deputy Collector of that Circle made a spot enquiry on 15th November, 1947 ?

(d) Whether it is a fact that these two reports were contrary to what the then Deputy Commissioner found personally ?

(e) Whether it is a fact that Shri F. Rahman, the then Deputy Collector, was suspended on 13th June, 1948 in this connection ?

(f) Whether it is a fact that Shri N. K. Rustomji made the enquiry on complaints made by the public headed by Shri Moneswar Dutta ?

(g) Whether it is a fact that on transfer of Shri N. K. Rustomji, Shri J. Dumbreak, I. C. S., took charge of the district and action was taken on the aforesaid order No.9790-R, dated 22nd December, 1947 by the Subordinate Revenue Officers there ?

(h) Whether it is a fact that Section 144 was promulgated on Shri Moneswar Dutta and 4 others in the month of July 1948 which was delivered to them on 28th July 1948 with a view to suppress complaints from the cultivators and agitations amongst the cultivators whose lands were occupied by Shri N. Chakravarty ?

- (i) Whether it is a fact that after transfer of Shri N. K. Rustomji from Dibrugarh the Local Deputy Commissioner did not take any action on the said Shri N. Chakravarty ?
- (j) Whether Government propose to direct the Local Revenue Officers there to take immediate action in accordance with the order No.9790—R, dated 22nd December 1947 of the then Deputy Commissioner ?
- (k) Whether it is a fact that after transfer of Shri N. K. Rustomji, Shri Chakravarty, the Tea Planter, started again forceful occupation of land from cultivators in Moderkhat Mouza ?
- (l) Whether Government is aware that annual patta land belonging to one Haricharan Gogoi in Dikom Sessa Village in Moderkhat Mouza measuring 36 bighas was forcefully occupied by Shri N. Chakravarty in the year 1948-49 ?
- (m) Whether it is a fact that land covered by Dag Nos. 201, 202, 271, and 272, at Moderkhat which belonged to cultivators were also forcefully occupied by Shri N. Chakravarty in 1948-49 ?
- (n) Whether it is a fact that in this way he again occupied a large area of land belonging to cultivators and thereby rendered them landless ?
- (o) Whether Government is aware that the Subordinate Revenue Staff hesitated to take action against said Shri N. Chakravarty ?
- (p) Whether it is a fact that one leading woman of that area who won a case against Shri N. Chakravarty was shot dead at night in her residence in the year 1948-49 ?
- (q) Whether Government is aware that after this incident of shooting and the order of section 144 on persons of the cultivating community, the cultivators feared to make complaints to the authority ?

Shri HARESWAR DAS (Revenue, Minister) replied :

76. (a) (b) (c) & (d)—The available records do not indicate any such personal enquiry by the Deputy Commissioner or any other Officer nor is there any record to indicate such findings and orders of Shri N. K. Rustomji, the then Deputy Commissioner, Lakhimpur.

(e)—It is not a fact.

(f)—There is no such record.

(g)—There is nothing to indicate that Subordinate Revenue Officer omitted to take action on any order which the then Deputy Commissioner Shri N. K. Rustomji might have passed.

(h)—Mr. J. Dumbreak, the then District Magistrate, Lakhimpur passed orders under Section 144, Criminal Procedure Code on Shri Moneswar Dutta prohibiting him to hold any meeting or processions and make any speech in Grant lands and tea gardens. There is nothing to indicate that it was done to suppress complaints and lawful agitation amongst cultivators who might have any grievance against any particular tea planter.

(i)—There is nothing on record to indicate any such default in carrying out orders of Shri N. K. Rustomji after his transfer from Dibrugarh.

(j)—As there is no authentic record of such orders, the question of issuing any direction by Government for taking action in accordance with the alleged orders does not arise.

(k)—There was no such complaint.

(l)—It is not a fact.

(m)—If the dags referred to in the question are of village Dikom Sessa then the reply is in the negative.

(n)—There was no such complaint.

(o)—It is not a fact. The question of action against a citizen does not arise until there are grounds for it.

(p)—One woman Shrimati Bohogi, was murdered in 1948. Death was caused by pistol shots. There is nothing to indicate that the woman had any litigation with Shri N. Chakravarty at any time.

(q) Promulgation of orders under Section 144, Cr. P. C. and the criminal proceedings were taken up according to law. It is not a fact that any lawful order of a competent authority led to any fear among cultivators of the area which debarred them from filing lawful complaint.

Shri DEVENDRA NATH HAZARIKA (Saikhowa): In reply to (p), it has been stated "there is nothing to indicate that the woman had any litigation with Shri N. Chakravarty at any time". Will the Minister-in-charge enquire properly whether there was actually no litigation or this woman had been involved in a litigation with Shri Chakravarty ?

Shri HARESWAR DAS (Minister, Revenue): It is difficult to investigate now. Possibly 1948 records have been destroyed by now.

Further discussion on Short Notice Resolution regarding unprovoked Chinese aggression on Indian soil and Consequent deterioration in Indo-Chinese relations moved by Shri Mohi Kanta Das on 10th December, 1959

Shri DEVENDRA NATH HAZARIKA: Mr. Speaker, Sir, fundamental differences between the main resolution and the amendment, appears to me. In the resolution we "view with grave concern the unprovoked Chinese aggression on Indian soil and consequent deterioration in Indo-Chinese relations", while the amendment is silent about aggression and is concerned with the deterioration of Indo-Chinese relations only. If we accept the amendment, Sir, I fear a person in China will get the chance to interpret that due to aggression by India relations have deteriorated. The amendment does not say that China has committed any aggression. Now, if aggression has been committed then how Longju in Kameng Division, which was an Indian outpost, has been captured by the Chinese ? Sir, we also found that the Communist Party of India hesitated to accept the McMohan Line as the boundary between China and India. However, we are glad that in response to public agitation they have accepted this recently. Still they are silent about the occupation of Longju in Assam and Ladakh in Kashmir. Also a large area of land on our side of the McMohan Line is in occupation of the Chinese. Sir the Chinese in their map had shown a large part of North East Assam as Chinese territory. This mistake was pointed out by the Government of India and the reply from the Chinese was that that was an old map. We were waiting for the Chinese Government to rectify it, but instead of rectifying it they have committed aggression on the Northern border of India. The Indian map clearly indicated that the McMohan Line was the northern boundary of India. The Chinese Government did not raise any objection but they accepted it. Now we find that after a silence of over a long period they try to come forward and occupied certain portion of India we cannot understand the idea behind it. India did not want to enter into war with any nation, but when an aggression is committed by a friendly country then if we remain silent it may happen that it will not be possible to resist ourselves.

You know Sir, that the North Eastern Frontier is divided into five divisions—the Kameng Division on the Northern part of Darrang District, the Subansiri Division on the Northern part of North Lakhimpur subdivision, the Along Division and the Lohit Division on the Northern and North-Eastern part of Dibrugarh subdivision. All these areas were in ancient times in Kamrupa and the kings who ruled Kamrupa in ancient times had their sovereignty over these areas and also we could know that the different tribes living in Kameng Division as also in Subansiri Division claim that they are the descendants of Nagasur, Bhagadatta, Bana, Bhaskar Barman, Bishnupa and other kings who ruled over ancient Kamrup. We also know Sir, that a number of the population in the Plains of Assam claim to be the descendants of those ancient kings. Similarly if we discuss about the people living in Along Division mostly the Abors, we will find that they are akin to those of our plains tribals the Miris their dialects are also almost similar. And if we discuss about the Mishmis Sir, we will find that these people claim to be descendants of Vismaka an ancient king whose capital was at Kundil in Lohit Division of NEFA. Similarly a large number of the people of Upper Assam also claim to be the descendants of that king. Sir, if we analyse in this way then we will find that the inhabitants living in this North Eastern Frontier Agency are the kith and kins of the people living in the Plains of Assam. It is only the administrative difference or administrative reasons of the past that separate us. Again Sir, before the Britishers came all these territories on the North Eastern Frontier Agency occupied sovereignty of the Ahom Kings and they were very friendly and when the Britishers came to Assam they of course could not conquer and occupy them and they almost maintained their independence. Sir, the map obtained during the British days might have created some suspicion that the North Eastern part of Assam might have be the real part of India. That is a great mistake. If that argument is put forward then I fear that there might be many other difficulties, and looseness will come in.

Sir, over two thousand years the Chinese had got no influence over these territories. Not to speak of their having political influence, I fear that they never have any cultural influence even. The cultural influence that spread to China over these areas originated in India. That should not create an impression that China has got any cultural influence in these areas. Sir, as I said already, this McMahon Line was also accepted by the Chinese Government to be the recognised boundary between India and China even as far back as in the years 1910 or 1913 and even after the last 12 years of Independence of India also they did not raise any objection, but now if we find that they are trying to come forward to do so for their reasons. If for their internal reasons they committed aggression, then Sir, we cannot accept it and in India it is but natural that all the Indian people will be united to resist such aggression. Sir, as you know, the foreign policy of India is a peace loving policy and we as a nation are not war mongers although my friend Shri Bora alleged yesterday in his speech that war mongers here are raising this slogan. When there is a real danger, when a foreign country is invading certain portion of our country if we call it to be simply a border dispute, it will be minimising the importance of the case. Sir, we will be failing in our duty if we do not alert our people for the eventuality that might come. Sir, in a time of such eventuality we should keep our head cool and our heart stout and strong and should keep our people free from any rumours or any misunderstanding. And also we should stand behind the Government whoever may be in power to resist any foreign aggression.

In view of these things Sir, I find it quite reasonable that a Resolution had been moved by Shri Mahi Kanta Das expressing our united support to the stand taken by our Prime Minister and that the nation is assured that we are ready to sacrifice ourselves to defend our mother land. I hope that every political party that might be in India should try to understand the gravity of the danger and will be prepared to rise to the occasion.

With these words Sir, I request my hon. friend Mr. Bora, mover of the amendment to withdraw it and to stand united in support of the Resolution moved by Shri Das.

Shri GAURI SHANKAR BHATTACHARYYA (Gauhati) :
Mr. Speaker, Sir, I welcome the surge of emotion that has been expressed here by the different members of this House. A healthy community like ours ought to react in such a robust manner in such a national situation. I have no doubt that every hon. member here is an honest patriot and whatever expression he has made he has made out of honesty and out of his robust patriotism. I can safely give the compliment to everyone of the hon. Members here whatever may be my difference with any one of them on the method of solution. As the poet said :—

“Breathes there the man with soul so dead who to himself hath never said”.

This is my own my native land ? If there breathes any, go search him well for him no minstrel raptures swell.

But while giving this compliment of patriotism to all my friends I most humbly submit that the solution that is sought to be brought is different when looked from different angles and I shall try with all humility to place my point of view in this matter.

Sir, as I have, surging emotion is a national asset. We should also remember that having reacted in this way we should turn this energy and enthusiasm in the right and constructive direction. But as Prime Minister Nehru has said in the Rajya Sabha day before yesterday, what troubles him is the turn of this enthusiasm into wrong channels, into effervescent channels which do not last. “Sometimes cries are raised which I have fought against all my life when they were raised in other countries and I am not going to accept any cries being raised in India because they happen here and because I am Indian. I dislike zingoism whether in America, Russia or China or in India. I do not want my country to be involved in zingoism. It becomes ridiculous to talk in that way”. These are not my words, these are the word of our Prime Minister given in the Rajya Sabha debate day before yesterday. Let my friend Shri Mohi Kanta Das and other friends who have sponsored this resolution ponder over these words of Pandit Nehru.

On the the 9th December Pandit Nehru has posed the issue like this : “The fact is, two great nations are facing each other on a tremendous frontier and both are pretty strong. How are they to live ? Are they to live in permanent hostility or should they find some way of acceptance, if not as friends, at least as people who tolerate each”. That is the question which has been posed by Panditji.

From the account given by Prime Minister Nehru to the Lok Sabha on the 16th November last we find that both Premier Chou-en-Lai and Prime Minister Nehru are in quest of such a mutually acceptable way out. Mr. Chou-en-Lai in a communication to Prime Minister Nehru has suggested that both sides should withdraw 20 Kilometers from the MacMohan line in N.E.F.A. and on either side of a line which marks the existing areas under the control of either party. He had also suggested that the two Prime Ministers should meet in the immediate future. On 16th November 1959 Pandit Nehru sent a reply to this note welcoming this gesture and at the same time showing certain practical difficulties in Chou-en-Lai's proposal and suggesting alternative proposals.

Referring to his reply to Mr. Chou-en-Lai's latest proposal Mr. Nehru said that the approach made in our letter is a fair and reasonable one. It is an honourable one. It is an honourable one for our country and I would repeat, it is an honourable one for China unless you are bent upon war and you want drum-beating and strong language all the time. I think, that is a wrong and dangerous policy. War is a dangerous policy. If war is thrust upon us, we have to defend ourselves. If war is thrust upon us, we shall fight with all our strength. That is a different matter. We shall however, try to prevent war with every means in our power because it is a dangerous thing". These again, are words of Pandit Nehru, Shri Mohi Kanta Das and others should ponder over these observations of Pandit Nehru.

Let my friend Shri Mohi Kanta Das and the other sponsors of his resolution study the amendment moved in Lok Sabha on the 25th of November 1959 by Shri Minoo Masani, Shri Asok Mehta and others. (Shri Mohi Kanta Das—that is not the point). On that day, turning to Shri Masani Shri Nehru said, "Mr. Masani smiles because he thinks differently; he likes war and he thinks that some other people, his friends in other countries will come here and half defend India". Let my friends read the whole issue which appeared particularly in the Hindusthan Standard of November 26.

My friends have found fault with us because we have not branded China as unprovoked aggressor and have not lined up with them binding down Prime Minister Nehru and the Government of India with the condition that there must be no negotiation with China for a peaceful settlement of the border dispute before they vacate Longju which we claim to be within two miles on our side of the imaginary McMohan Line and which the Chinese claim to be on their side of the said line. (*A voice: Imaginary?*). Let us, Sir, face certain stark realities. McMohan Line has uptill now remained in the map only unoccupied, uninhabited, unsurveyed, and undemarcated on the spot. The whole problem arose to its present dimension soon after the rebellion in Tibet and the appearance of Dalai Lama in India. Our Prime Minister considers Chou-en-Lai's gesture as friendly but when the latter suggested demilitarization of 20 Kilometers on either side, this offer was found to be impracticable, when in fact the whole frontier has practically remained undemarcated. This is reasonable stand and these facts could be presented to a fair and impartial tribunal.

Let my friends pose for a moment and think. Let them also see whether giving a pre-condition and dateline falls in line with the policy pursued by Shri Nehru or with that of the Bharatiya Jana Sangha. I find my friend Shri Mohikanta Das' speech and the latest resolution of the Bharatiya Jana Sangha falls in the same line. Let him, therefore, think whether he represents the Congress or the Bharatiya Jana Sangha.

We are charged of having a soft corner for the Chinese because the Government there is a Communist Government. Well, I have no hesitation to say and declare that we have nothing but love for any country be it China or Pakistan, Russia or America ; we have nothing but love for any people in this wide world. But because a Communist Government is ruling China, there is, of course, an emotional factor for me, to be specially interested in the policy pursued by them. I sincerely expected the Chinese Government to behave better with us than they have done during the last few months. I expected the Chinese Government not to misunderstand us because of the traditional hospitality offered by India to the Dalai Lama though he misused that hospitality. I would have been the happiest man if the Chinese Government would have come forward even unilaterally to repair the bond of friendship between the two countries. I sincerely hope that if the 600 million people of China take the lead in rehabilitating and revitalising the fraternal bond with the 400 million strong people of India, the slogan of 'Hindi Chini Bhai Bhai' will again vibrate and revibrate in India and China. This I hope not from a position of weakness but of strength. If China is strong, we are also strong ; if China is a country of six hundred million people, we are also four hundred million strong. If the two countries come together in friendship, they can make wonders ; if the two countries go to war, there will be devastation not only in India and China but in the whole world. I do emotionally appeal to the Chinese Government to appreciate more realistically than they have been appreciating uptill now this aspect of the matter. To quote Shri Nehru, "These two great countries, these two powerful States of India and China are grouping forward and are facing each other in an armed way in anger". Shri Nehru continued, "People think, I am afraid of China, I am afraid of nothing of that kind, but I am afraid only of our Nation losing grip of the fundamentals they have believe in". I repeat, I am also not afraid of any war between India and China but I am afraid of my friends Shri Mohikanta Das and others losing grip of the fundamentals. These fundamentals are Nehru's nay India's policy of peace, friendship with all nations, non-alignment with power-blocs and avoidance of Military pacts, Shri Das had said that India is at war with China. But Shri Nehru, unlike Shri Das, says something else. He says, "By a strange turn of the wheel of fortune or fate we, who have stood for peace are faced with the possibility of even a war. I do not think a war will come. I am speaking about the possibilities only. I do not think the world or any country will be foolish enough to jump over the precipice into a war. But I do say that there possibilities some into our mind. Some people imagine that it is due to our policy of Panch Sheel and non-alignment. Any other policy would have brought war and at a time when we would not have the privilege, which we undoubtedly have today because of our policy, of wide friendship which we enjoy". He further said. "We want the friendship of all nations—great and small—with whom we may not agree on many matters, but with whom we want to remain in firm friendship." This is the line of Shri Nehru. But does the Resolution and the speech of Shri Das toe that line ? Shri Das has stated that P. S. P. and the Jana Sangh have given a fine account of themselves. Shri Biswanath Upadhyaya, P. S. P. Member stated in support of the resolution the other day that he saw war everywhere, as it were, he saw everywhere everything going red, and then he asked, "What are we going to do, what are we doing here ? Simply talking and talking ; Is this democracy ? What are these tall talks about ? There is war in the country and so on. Therefore, do away with the Prime Minister, do away with Democracy and all these tall talks ! This is the substance of his speech. And what is the next

thing to do ? Hand over the country to a Military General as they have done in Pakistan and some other countries. So, this resolution is purported not to the strengthening of democracy but Military dictatorship. (Disturbances in the House). Shri Ram Nath Das, however, reacted rightly when he said that we should not talk of war very lightly. Because, if a war would come, he said, Assam would first be affected. Assam should, in the circumstances, unite, we should do everything in our power to see that the catastrophe could be averted. That is what he said. This to my mind is the right approach to the problem now facing us. At the same time we should make ourselves strong and fit for any emergency from whatever quarter it may come. And we can make ourselves fit to meet such emergency effectively only by national unity on the basis of certain basic principles. What are these principles ? The principles are those which Shri Nehru in conjunction with Prime Minister Chou-en-Lai enunciated and which were confirmed at the Bandung Conference. Unless and until we can unite the people with goodwill and hope and with a stout heart, all these tall talks may be quite fit for the Ban Stage at Tezpur, but will never be of any help for resolving any difficulty. We are talking here of national and international situation. If the war starts, it will not end in brandishing of a few clubs. In this atomic age, in this age of guided missiles, in this age of Hydrogen bombs, war means devastation and therefore, the Government of India and Pandit Nehru have all along been following a policy of peaceful settlement. We want a peaceful solution of the problem not because we are now in a dispute with China. I may refer to a speech delivered by me on 23rd August, 1958 when there was a similar dispute between India and Pakistan. Even though Pakistan had been occupying a part of Kashmir and certain places in the district of Cachar I said that we should see that the dispute was settled by peaceful negotiation and not by return of guns. We should settle all disputes in a civilized way and for that was most important to create an atmosphere whereby the proposed meeting of the Prime Ministers of Pakistan and India might be successful. At that time we did not make any pre-condition. We did not say, first return the portion of the territory occupied in Kashmir and other places and then come for a peaceful negotiation. So, what step Pandit Nehru will take, let him decide. If he thinks that he should make a pre-condition, let him make it. If Pandit Nehru think that there should be some re-adjustments, why should we impose a pre-condition if we really believe in the policy of Pandit Nehru ? If we have confidence in him that he will do good, why should we try to give a pre-conditioning ? He has got the wisdom and capacity to tackle the situation. We can give him support without imposing any condition. (Interruption), Pandit Nehru also says about Longju. That is well and good and we have never said that he should not say that (Interruption). We did not say that Nehru should withdraw his version. We did not say that he should make this condition or that condition. If hon. Friends read the amendment, they will find that we have not imposed any condition on the Prime Minister. We know that for a House like this it is not possible to give certain pre-conditions to the Prime Minister of India. I believe that my hon. Friends in their sentiment will not lose sight of the fact that Pandit Nehru himself has said that certain adjustments may be possible and adjustments may be necessary for the sake of natural boundary. A place may fall on the other side of the Mc Mohan Line but even then it may be necessary for the sake of natural boundary. For the sake of natural boundary it may be necessary to make certain adjustments. Recently we have seen that five villages which were in our possession for years had to be handed over to Pakistan.

I am not going into the merits and demerit of the question. Pandit Nehru himself said that we were in possession of these villages wrongly. Whether his statement is correct or incorrect, I am not going into that. But the fact remains that these five villages were under our occupation for years together and these were within our territory. These villages had to be given to Pakistan since the boundary had remained undemarcated. The war mongers say that we are not going to discuss this matter peacefully, we are not going to hear you and we are not going for any negotiation. Is it an attitude of peace, is it the democratic method of solving the problem? (shouting from Congress benches). Pandit Nehru has not taken that stand. His attitude is that conditions should be created for a peaceful solution of the dispute. A thing can be approached from different angles. I do not think that my Friends are willing to hand over the country to the hands of the military. The approach leading to Military dictatorship does not seem to be at all patriotic. As Pandit Nehru said, when patriotism turns into this sort of expression it is not patriotism but jingoism. We do not support jingoism. Let the jingoist go outside and face the people. In Nowgong election the Congress in its election campaign laid emphasis on this Chinese issue. They wanted to bring war psychosis in that. But the people have given their verdict. I give you this friendly challenge. Let the Chief Minister resign from his Chief Ministership and come as a Congress leader to any district head-quarter in the Plains districts of Assam on this point. Let him come only as a Congress leader and not as the Chief Minister.

Shri BIMALA PRASAD CHALIHA (Chief Minister): Mr. Speaker, Sir, I have not been able to follow on what issue the hon. Member is speaking.

Shri GAURISANKAR BHATTACHARYYA (Gauhati): I am speaking on Indo China question. A resolution had been brought to this House yesterday and on that we have brought an amendment and we are debating on that issue. We want to go with the amendment motion and let the Congress come with the resolution they have moved.

(Shouting from Congress Benches)

Shri DEBESWAR SARMA (Minister, Education): Mr. Speaker, Sir, on a point of order. Here and now I offer my resignation to the Leader of House and I request him to accept my resignation. The hon. Member has given a challenge on Indo-China issue.

Mr. SPEAKER: Order, order.

Shri GAURISANKAR BHATTACHARYYA: So, you are to decide whether you are for peace or war. If you are for war then you may support the resolution moved by Shri Mohi Kanta Das and others. But if you are for a peaceful solution, if you want to follow a policy of peace as enunciated by Shri Nehru then there is no other way out but to support the amendment which we have moved.

With these few words, Sir, I support the amendment motion.

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Industries etc.): Mr. Speaker, Sir, the debate focusses in this period of history one of the most important topics in the world. The debate is not on an ordinary affairs. The question of loyalty to the nation is involved. The Communist Party of India has taken the extraordinary responsibility of differing with the Prime Minister of the country and the Ruling Party of the country in projecting dissentient note which was voiced across the world and which seems to support the Chinese stand rather than the Indian stand. How far they are justified in this only history will tell. But at the present moment it seems to us that they have taken a grave responsibility. I tried to search out the pages of history and I admit I have not been able to find out a similar difference created by the national party going against the Government in the matter of national security with regard to defence of the country. Normally, the procedure for defence of a country, Sir, in few of national danger, parties sink their differences, and face the danger unitedly, the Prime Minister or the Government determines the stand and other parties follow. But, here in this case, the Communist Party of India followed a different policy. Now, they come forward with the statement that they are the only supporters of the Prime Minister (*Applause*) and that the Congress Party is not supporting the Prime Minister. Whether this is correct or not, is a question to be judged. I will draw the attention of the House to the statement made by Mr. Dang, the leader of the Communist Party immediately after the debate in Parliament. When the press people approached him and asked "What is your idea about this?" his reply was "Well, we support the core of the Prime Minister's speech." Now, what is this core? According to the Communist Party this core is that "let there be peaceful negotiation between the Prime Minister of India and the Prime Minister of China to settle the border dispute." On this question, there is no doubt there is no difference between the Prime Minister of India and the Communist Party of India and the Congress Party. But there is a difference between the other parties of India and the Prime Minister on the question of military alliance with some of the West. Some of the parties in the country have been advocating military alliance. As hon. Member opposite was saying, Mr. Masani and his group are advocating a war psychosis, that this time it is very necessary that the Government do align itself with some power blocks because if war came, they said, 'how shall we defend ourselves?' China is a mighty country, not only in respect of its population but also in areas. But we are not prepared for war.

Maulavi JAHANUDDIN AHMED (Bilasipara): Is China prepared for war?

Shri KAMAKHYA PRASAD TRIPATHI: China has been waging war already, China has been waging undeclared war in Tibet. To say that China is not prepared for war is wrong. China fought Korean war and attacked Quemoy and Matsu. Therefore, to say that China is not prepared for war is incorrect. As a matter of fact India never prepared for war. It is true that we find ourselves a little unprepared in this emergency. Naturally there is a reaction on the part of the people. People say "what shall we do, let us align ourselves with some power blocks. That is not an extraordinary behaviour. In fact, India is the only country in the world to-day without alignment. People have been talking about the Panch Sheel. Is China following Panch Sheel? China has been always aligned with Russia. To say that Panch Sheel is being followed by China is absolutely wrong. India is the only country in the whole world with no military

alignment. Therefore, this policy of non-alignment, our Prime Minister follows in spite of the request which came from Mr. Masani and his group. In spite of danger we still stick to our policy of non-alignment. If anybody says that he wants to fight for India, I think he is only behaving like an ordinary human being. What did our Prime Minister say in the All India Congress Committee Session? But there are people who are offering to sacrifice themselves on the altar of all over India there is a reaction. Prime Minister said that he was proud of the people for their readiness to fight for their country. When the students wrote letters in blood and sent them to the Prime Minister saying "we are ready to fight for our country" it does not mean that somebody is war mongering. But there are some people who said that war may come and it means the highest sacrifice for us. Any nation or for that matter any individual which lacks loyalty to the country is not fit for freedom. Therefore, if any individual at any time says, "I want to fight and save my country", it should be a thing of pride and not a thing of shame, not a thing which should provoke a shivering in the minds of some Communists that we have some war-mongers. Well then I say that I am proud of this reaction in the whole country. I hope that if the Communists are ready loyal to this country they can also be proud of this (*applause*). Many of the communists are loyal and they feel proud for this excepting a few. Well Sir, what is this resolution they have put in? They have put in a resolution which shows that there has been no unprovoked aggression that it is a small border incident. Is it a small border incident? What our Prime Minister said only yesterday? The Prime Minister said that this is not a small border incident between India and China. This is one of the greatest event in the human history, for if India and China cannot settle the border dispute peacefully what will happen no body knows.

Therefore, the attempt to belittle this incident is the Communist tactics when our country is in this predicament they say that this is a border incident. Look to what Chou EnLai says on this prior. He says that this is a minor incident in the thousands of years of history between India and China and in the same breath our communist Friends say "this is a minor border incident". Is it not the same phrase as used by Mr. Chou En Lai? So the Communist Party of India has taken the same stand word for word as China has taken, as if China is right and not India. It is an extraordinary attitude of the Communist Party of India and therefore, a suspicion has been created about their loyalty and they shall have to show that this suspicion is incorrect. How they would do so, it is for them. But I tell them on behalf of the people of India that they have created a suspicion in the minds of the people. This suspicion they themselves also created in 1942 by going against the national movement and they have never been able to regain their prestige. They have committed the same blunder this time also. Whether it is a blunder, wilfully done or not, I do not know. I would therefore request them to think themselves Indian nationals and refrain from behaving in this way.

Now, thousands of sq miles of Indian territory has been grabbed by China. Is it a minor border incident or a fracas? Is it like the five villages taken away by Pakistan? Literally, thousands of square miles have gone, and it is not a matter of little significance. Now I say, after all if you come and ask for a land in peaceful manner, I will give you the land. For instance Bhutan asked for a plot of land and the Government of Assam and then the Government

of India agreed to that request of Bhutan. Did Bhutan occupy the land by force? They did nothing of the kind. This is how peaceful negotiation takes place. Peaceful negotiations do not take place by attacking and killing our soldiers and by occupying our territory forcibly. Now you say, let us have peaceful negotiation and friendly bargaining. This is not a way for that. There has been a blatant aggression on Indian territory—there is no doubt about it, and if any body thinks that this may be settled without war may be he may prove wrong. We must always hope that it shall be settled without war. But at the same time we must be prepared as the Prime Minister of India said, "We have to become a nation in arms". These are the words of our Prime Minister.

Sir, there is no paper in China which reports the troop movements but in India every troop movement is reported. Take a paper from China and also a paper from India and you will find that in Indian papers the troop movements are reported but that is not the case with Chinese papers. There is no doubt that China is preparing for war all the time but there is no communist in China to speak against the Chinese Government, as the Communist Party in India speaks against in Indian stand. Therefore, we have to prepare. Now these people want that we should not prepare. These people want that we sing a lullaby song like a child being fed and patted "baby sleep, sleep, sleep", so that when the Chinese come they find us like Rip Van Winkle and such over us and promote communism in this country. That is not the way in which you can promote Communist Government in this country. You can establish Communist Government by the normal process *viz*, by ballot box. But perhaps you do not believe in the ballot box. Instead you seem to depend on foreign country to come and assist in establishing you in Government here. But that is not the way in which this country shall change Government. It shall change Government only through ballot box.

Now, Sir, they are very angry and that is why they are saying that there is no unprovoked Chinese aggression. Not only that Sir, they say that they support Prime Minister Nehru only in respect of peaceful non-alignment. Actually we believe in non-alignment. Naturally people may think that we are going to have alignment with America. But naturally it is not only America but every country in the world that is interested in India's freedom. In the modern world no country is independent because it can fight and retain its independence. A country is independent because other countries desire that country should be independent. This is also true. Otherwise how Switzerland can be independent country. Can Switzerland defend herself even for 7 days against Germany, or France? It cannot. However I say in the modern world for independence alignment is not necessary. Therefore, we hope and I say believe that although India is not aligning, India shall remain free, and we hope that every country in the world shall be independent whether it is aligned or not.

Sir, I myself had a chance to visit China when you yourself were there. Either of us has many Friends in China. But I do not support the Chinese action as my Friends on the other side are doing that thinking they must support the Chinese otherwise they may lose the Friends. What the Communists have done? Look at Russia. Russia is also a Communist country, but Russia has given strength to Prime Minister Nehru; whereas; the Communist Party in India has given strength to the Chinese Prime Minister. (Shame shame, from the Congress Bench).

Shri PHONI BORA (Nowgong): This is not what Prime Minister Nehru said. It is your view.

Shri GAURISANKAR BHATTACHARYYA (Gauhati): There are many people who are basking under the Sun of Nehru.

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Industries): The Communist Party of India is looking under the moon-light of Prime Minister Nehru. Now Sir, I must say that the statement issued by Russia has been a real strength to the Prime Minister because they are not aligning themselves with the Chinese in this matter, whereas the statement made by the Communist Party of India, which being a National Party, has given great weakness to the Prime Minister.

They should clearly state that these are the points on which they can support our Prime Minister and these are the other points on which they cannot support our Prime Minister Nehru.

Shri GAURISANKAR BHATTACHARYYA: On this issue we support him, but we cannot support him blindly.

Shri KAMAKHYA PRASAD TRIPATHI: I am not talking about 5 years Plan here. I can challenge the Communist Party that they have not offered any support to our Prime Minister Nehru in this predicament. I agree that Mino Masani has not supported. I, therefore, say that in the matter of non-alignment the Communist Party is with us. But on other points on the material point? Non-alignment is a negative point in the present circumstances. On positive points they have said "oh let there be negotiation". They have kept silence with regard to Longju. Even in the last Resolution there is no mention of Longju.

Shri GAURISANKAR BHATTACHARYYA: We have got a copy of the Resolution.

Shri KAMAKHYA PRASAD TRIPATHI: Therefore, I say Sir, that so far as the question of aggression is concerned, Prime Minister Nehru said "this is aggression". They say "this is not". So whether we believe our Prime Minister or Shri Gaurisankar Bhattacharyya.

Shri GAURISANKAR BHATTACHARYYA: You better believe Mohi Kanta Das.

(There was disturbance)

Mr. SPEAKER: Order, order.

Shri KAMAKHYA PRASAD TRIPATHI: Sir, I hear about Argumentum ignorantium and Argumentum baculum. Shri Bhattacharyya is trying to use argumentum ignorantium by mentioning in Mohi Kanta Das.

Now Sir, the great objection have been taken by the Communist Party with regard to the pre-condition of vacating the territories occupied by the Chinese before any negotiation can be resumed. Is it the same stand as the Prime Minister? Prime Minister said that vacation should come first. It has not said what does the Communist Party says "No, vacation is not necessary". There is a basic difference in policy between Prime Minister and the

Communist Party. If they are honest they cannot slur this over. It would have been right for them to follow the same policy with the Prime Minister. It is very clear, Sir, that pre-conditions are great deterrant and may lead to failure of the negotiation. Prime Minister insists on pre-conditions,—Communist Party of India should clearly say that pre-condition is not acceptable and therefore, we do not support the Prime Minister. Therefore, they should have said that we do not support the Prime Minister and now they say they are with the Prime Minister. Is it honest, Sir? I had great respect for this Party and the way in which they work. But I really have lost respects for intellectual performance this time—I did not expect an intellectual party like the Communist Party of India to behave in this way. They have betrayed the intellectualism.

(Hear, hear shame. shame from the Congress Benches) Well, Sir, I hope that my friend will be a little honest to the people of this country, and stand for the cause of the country. Their resentment against using of the words “anti-national” in the Resolution has been very clear. Is it because they want to protect the anti-nationals?

Shri GAURISANKAR BHATTACHARYYA (Gauhati): Because we do not consider Shri Mohi Kanta Das as anti-national.

Shri KAMAKHYA PRAŚAD TRIPATHI (Minister, Industries etc.): In the Communist Party ideology there is Dictatorship. No body can go against the Party. No statement can be issued against the party. They have an iron grip upon individuals. In Democracy naturally there is more freedom for anti-national elements. Therefore, my friend Mr. Bhattacharyya should have said look in Communist countries they have grip on the anti-national; we have democracy so let us at least prohibit the anti-nationals. They should have said like this. But they say please omit the word “anti-national”. They want to protect the anti-nationals. Is it not protecting anti-national? That is the meaning of this Resolution. The Communist Party of India would never have suggested to withdraw the words ‘anti-national’ from the Resolution. I have not been able to follow why they have submitted this substitute Resolution. If they are really with us they should accept the Mc Mohan Line, but they say they do not accept the Mc Mohan Line. What will be the consequence, my friends know.

Sir, you and I were in China. We saw Chinese Maps. They say that Darrang is also a part of China. Now the significance of saying that we do not accept the Mc Mohan Line is that you accept the Chinese Map—you mean that Darrang is in China. This is the first stand taken by the Communist Party of India. This was most unfortunate that the Communist Party of India took this stand and implied that Darrang might be a part of China. But when public pressure was applied and the country was getting too hot for them they met within closed doors, and under shower of brick-bats they accepted the Mac Mohan Line; but they have not said that Longju shall be vacated. Now Mr. Chou En Lai said “let us move 12½ miles on either side and then negotiation will be made.

Maulavi JAHANUDDIN AHMED (Bilasipara): On a point of information—may I know whether the Chinese have accepted 20 kilometres beyond the Mc Mohan Line from the present position?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Industries etc.): The Chinese made an offer which has not been accepted by the Prime Minister.

Maulavi JAHANUDDIN AHMED (Bilasipara): What was the offer and which side should withdraw 12½ miles, and from where ?

Shri KAMAKHYA PRASAD TRIPATHI: Yes from occupation point. For centuries and centuries the traditional border of India happens to be the Himalayas. Now the Himalays are very steep on our side and sloping on the other side. If we withdraw 12½ miles away they remain at the top and we remain at the bottom.

Here if we withdraw it will be absolutely impossible to defend India. Now Prime Minister Chou-En Lai who is a military General knows the strategic position of the area and offered a proposal by saying—'please withdraw a little to the south' and he knows fully well that once we withdraw to the south we will lose the Himalayas forever. Our friends the C. P. I., who naturally support Chou-En Lai in all matters of relevance against our Prime Minister say 'yes, let us withdraw a little to the south'. This is very unfortunate. We will not withdraw to the south and no country in the world has the right to oust us from our position. Therefore, we say that we shall not withdraw or negotiate on that basis. Of course in the course of our negotiations on the existing position, if we find that we are agreeable to concede a little, then surely we can do that but the most important point now is that they have occupied by force a portion of our territory and so long this forced occupation remains no negotiation can be possible. That I think is the most honourable course in the world. Is there any more honourable course than that ? Now, my friends say 'Let us withdraw a little to the south and then negotiate'—I say that is the most unfortunate attitude and I do not think any honest country in the world including China and Russia would do that. No independent country who honours its independence would enter into negotiation when a portion of its territory was occupied by force unless like other satellite countries in eastern Europe who think that it is better for them to be satellite rather than independent. Therefore, in this matter I would have expected the Communist Party of India to be more honorable in their approach. If a man differs from me I have every respect for him, but if a man differs from me and tries to show that he is not differing I have no respect for that man because in that case he would only try to hoodwink me. It is due to this intellectual dishonesty that the present Communist Party of India has not been able to produce a single outstanding leader. Until and unless the Communist Party could produce real honest leaders who will say what they actually mean and not try to hoodwink the public by false propaganda, it will never grasp the heart of India.

Well Sir, in this circumstances I feel that the resolution which we have proposed is the only right resolution and that the amendment they proposed is not the right one. This resolution is not a sign of weakness of the foreign policy of India as some of my friends seem to think, it is a policy which the world has recognised and is trying to follow. The very significance of President Eisenhower's coming to India is that the world is moving along the principle of Panchsheel. The idea of co-existence which is one of the cardinal aspects of Panchsheel is coming into the practice. Sir, I was myself a victim of attack in the international Labour Organisation by my following the principle of Panchsheel. I was attacked from the right, I

was attacked from the left.... (Shri Gourisankar Bhattacharyya : And so you have decided to veer to the right ?).... Sir, I do not see any logic in that, if you do not agree with the left, you veer to the right or if you do not agree with the right you veer to the left, of course I agree that when you are in the midst of interpolation you sometimes make illogical remarks and on that consideration I pardon my friend for making this illogical remarks.

Now Sir, my friend said yesterday that the Secretary of the Communist Party in Assam said that all this trouble with China started since the Dalai Lama came down to the plains of India. Is this true ? I can say....

Shri PHANI BORA (Nowgong): On a point of clarification Sir, what I said is this. That after the coming of the Dalai Lama some people took advantage of the situation and tried to make these difference between these two great countries.

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Industries etc.): Anyway, but it is known to all Sir, that in 1954 the Chinese occupied Ladakh and after that, *i. e.*, in 1955, 1956 and 1957 we have the best of relationship with China and everywhere *Hindi-Chini Bhai bhai* was the only slogan of the day. But even then, inspite of this seeming friendship China surreptitiously took possession of some of our land by taking advantage of that area which is most difficult for proper supervision. I have never heard of such a history of friendship. Sir, the history of friendship between India and China is unparalleled in the world. At the great risk of being misunderstood by the entire world India has been advocating the cause of China in the comity of Nations. Everywhere in the international forum we have been advocating the cause of China and while we are doing that, while the slogan of *Hindi-Chini bhai bhai*, was ringing in our ears, our China friends rose and stab us in the back by taking away a portion of our land. Is there anything parallel in the world to that ? I call it a perfidy and a treachery. It is most astounding and it is against all international decurum, it is against all international behaviour. This is what China was doing in 1954. The Dalai Lama came to India only the other day and you will remember I had to receive him at Misamari. So I say this incident between India and China is not after the Dalai Lama came to the plains of India but long before. And therefore I am most surprised because I was under the impression that the great notion of China is as great and as big as honour as it is great in its territory and population, but now I find it is small in its honour as it is great in its territory and in its population. We hope that better sense would be drawn upon them sooner or later and that we will be able to discuss these matters in a responsible way in the Comity of Nations.

Sir, this sort of double talk policy by our Communist friends in India is responsible in bringing about this unfortunate difference between these two great nations. I know the leaders went to China but they could not even impress the Chinese leaders. The Chinese leaders retorted by saying 'you represent only a very small minority, a very small percentage of the India people, you are not the real working class so we are not going to hear you'. So these Communist friends are not honoured even in China, I don't know where are they honoured !..... (*Laughter.....*). Sir, our friends are comparing this affairs with the Pakistan incidents. They are completely wrong. Pakistan never said as the Communist Party of India is saying. They have been firing at our people and we are firing back.

But then there are negotiations on now for settlement of our differences. Now, as a result of these negotiations we are going to concede five villages to Pakistan but these villages will be conceded as a result of negotiation and not as a result of forced occupation. They occupied Takergram but we do not concede Takergram to them and they are going to give it back to us. Therefore we must insist on vacation as a pre-condition and if they vacate our territory in that case there is bound to be negotiation. We have already declared that we are agreeable to minor adjustments. Sir, it is extra-ordinary in that no country in the world you will find can agree to minor adjustments before negotiation. Minor adjustments are the out come of negotiation. This has been possible only because India is a country following the principle of non-alignment. Therefore, Sir, we have taken a most reasonable view. We are not war-mongering. We are at one with the Communist Party that the whole thing will be settled with the most peaceful means possible. I demand that if the Communist Party is national, they shall declare that there has been an aggression. They shall declare that anti-national elements must be dealt with strongly.

I am very much surprised that they have attempt of tempering of the Railway line at (Harisinga). Why should the Communist Party think that they have done it, unless they have done it (*Laughter*). Shri Gaurishanker Bhattacharyya. We consider Shri Mohi Kanta Das to be a nationalist, but a mis-guided one. Even without being anti-national some people may be disrupt.

I am given to understand that all sorts of rumours are being floated against the military at Tezpur. Now, Sir, what is the practice and behaviour of an independent country during the times of war? During the times of war a soldier is the most prized citizen and he is regarded as a national hero and every facility is given to him. But in the face of such a danger, if in our country people start propagating against the soldier, what will then come out of it? Is it not anti-national to propagate against soldier? I believe that no reasonable citizen and no real independent citizen can spread rumours against the army and still desire freedom. Some anti-nationals have done it. (Shri Mohi Kanta Das they can still put the word now—(*Laughter*)).

***Shri HARESWAR GOSWAMI (Rampur):** Before I speak on the resolution I want to pay my respectful homage to those nine soldiers who gave their lives in defending the territorial integrity of India. I also convey our heartfelt sympathy to those ten flowers of India who were put to harassment by the Chinese army in course of this event. Sir, I am glad that this resolution has been moved and that, Sir, you have ruled out all objections. There is no rule in our Assembly Rules or in the Constitution which prevents us from discussing a matter that concerns our life and death. Sir, so far as Longju is concerned, it is in N.E.F. A. and N.E.F.A. is within the geographical map of Assam. If we have a right to discuss Takergram although that was a question of defence and foreign policy, we have equally a right to discuss Longju. The House has a right to express its feelings over an issue like this. Sir, I have gone through the resolution and I accept wholly every word of it. (*Applause*). I do so although I feel

that it could have been strongly worded but strong words do not cut ice. We have to consider the whole situation; we have to consider the fundamental and basic policies we have been pursuing these years. One such fundamental policy is that we shall not tolerate aggression from any quarter, whether it is America, Britain, Russia or China. We shall not compromise in the matter of aggression.

My second point is that we have been pursuing a policy of non-involvement and that policy we shall pursue whatever may happen in the meantime. If it ever happens that we have to take to armed conflict and seek help from friendly countries that matter may be considered. So long that does not happen we have to declare our faith in non-involvement and friendly relations with other countries. Sir, we have learnt from the warnings of history that India succumbed many times before not so much due to external aggression but due to internal weakness. We have learnt from history that there are Trojan horses, Fifth Columnist amongst us who consider the cause of other people greater than the cause of our own country (*Applause*). Particularity in this case we know how we lost our freedom not because we were militarily weak but because our own men invited enemies from outside. Therefore, the people of Assam should remember often, every moment that we shall not tolerate any anti-national element, any disruptive or destructive forces amongst our midst. We should make it clear to all that we have no room, no scope, no opportunity for those who act against the interest of integrity of India. Sir, the expansionist acts of China now threaten the territorial integrity of India and it serves as rude shocks to us. Because we were traditional friends and allies of China all throughout our history. We know, in China there were war-lords, and the war-lords were all the time busy fighting protracted wars for their own sake. But we thought that this types of things would not happen after China got rid of the old regime, and we are sadly believed in our expectations. The present regime in China inherits from their ancestral heritage the germs of the same old war-mongering instincts, the expansionist policy of their forefathers. Sir, the sustain campaign of villification, the threatening attitude against India's territorial integrity, the treacherous occupation of our border areas are acts of hostility against a neighbouring country contrary to the traditional policy of friendliness and good neighbourly relationship that has been persistently followed by India not only in the matter of her relationship with the neighbouring countries but with all the nations of the world. If it is not a deliberate aggression of our country, then, Sir, I confess I do not know what it is. I do not think that all these acts of hostilities are the product of misunderstanding on the part of China as regards the actual boundary line of our country. I, therefore, want to assert that it is in pursuance of a calculated policy of expansionism and, therefore, a deliberate aggression of a friendly country. Sir, in 1950 Tibet was taken over by China as a result of capitulation. Then our Prime Minister used to say because it was stated at that time that the occupation of Tibet was only 'liberation' when did they come to liberate? And even to-day, if we do not put ourselves on the alert, they may come to liberate us too. Since the aggression of Tibet, warning was sounded to India and to the South-East Asia. When there was an attack on the Suez three years ago, then Sir, a part of our country, Ladakh was invaded, and we did not have any information about it. Then there was no Tibetan issue of this nature when the big roads were being constructed on the other side of Ladakh area and on the other side of the homeline, all these war preparations and this aggression were going on apace. If that is so, then can we conceive that we are wrong in calling these Chinese acts

as aggression? Is it not a part of two greater Communist strategy? If we mistake on that, if we fail to see through the game Chinese expansionists that it is nothing different from the international Communism, then we shall not be able to take proper steps to resist the Chinese aggression. Sir, the area which have been occupied are not more grasslands or mountainous terrains, but part of the areas which have been included in the Chinese Map. The very fact of their inclusion in the Chinese Map should serve as warning to us of the aggression that was to follow. If that areas consisted of 38 sq. miles, well, then it is 1/38th part of India. All these 38 sq. miles are not grasslands. When we go into these areas, Ladakh, Barubatta, Allmora and Langju, we will require no logic to convince us that these are definitely within the Indian territories and we have full sovereignty over them. Now what should have been the duty of a friendly country in the event of any misunderstanding, real or imaginary, regarding the boundary of a certain area or areas? A friendly country would call for a meeting, sit round a table and would have discussed the matter and tried to arrive at an amicable settlement. But did China cared to take resort to any such thing? Shri Bhattacharyya has himself said that for a friendly country it is the bounden duty to have sat round the table, discuss the matter with a view to resolving the disputes. I hoped China would do the same thing. But China cared not to do any such thing. If not, then should we follow one standard as regards China and another standard for other countries? Should we apply one standard for Russia and China and quite a different standard for America or any other country? We have not been able to appreciate that type of double-dealing, and yet that is the policy of the Communist Party in India so far as this issue is concerned. While I say this, Sir, I also feel that it is not possible for a man who has not suffered anything for attainment of India's independence, it is not possible for him to understand the value of independence. Those who have suffered immensely during the independence struggle, who have lost their friends had relatives who underwent all sort of difficulties and hardship, they can only properly appreciate at what tremendous sacrifice independence was won. Therefore, Sir, we place immense importance on every inch of our land, our country. Every inch is to be preserved even at the cost of the lives of 40 crores of our people. Therefore, when we find that there is regular aggression, when we find that the Chinese have really come within the soil of India, when they have occupied posts link Longju, Ladakh, Barubatta and Allmora, even then some would want to make us believe that there is no aggression, then I must say that those friends belong to the other side of the line and do not belong to this country (Voice—hear, hear.) Then I must say that my hon. friends are on the other side of the line (Applaus). When Sir, Tibet was invaded, that moment we could foresee the danger and therefore, we wanted our Government to be very strict as not to accept the occupation of Tibet as a *de jure* or *de facto* occupation. On that capitulation of Tibet to-day the Chinese expansionists, the Chinese aggressors have come to our territory also. To-day they are drunk with the feeling that they are militarily strong and economically stronger than their neighbours. Therefore, Chinese threat to India is not only a threat to India. It is a threat to all the small countries of South East Asia. It is a threat to peace to South East Asia. This imbalance in their military and economic powers can be that their victory in Tibet has led them to think that they can go without any challenge from any quarter. Therefore, we have to take a stand not only for ourselves but also for the whole South East Asia as well as for peace and that stand must be a determined one. We want peace, but that peace must not be at all cost. We must first try to pre-

serve the territorial integrity of India and we must maintain the self-respect of the Indian people. Sir, in this connection I quote what Mahatma Gandhi said. He said that non-violence did not mean that we should be coward, He said "I do believe that where there is a choice between cowardish and violence I would advice violence. I would rather have India resort to arms in order to defend her honour than that she should in a cowardly manner become or remain a helpless witness to her own dishonour. I would risk violence chosing times rather than the emasculation of a whole race. I do not say eschew violence in your dealings with robbers or with nations that may invade India". That is the policy that our Father of the Nation enun- ciated. We want to live in peace with all others. If that peace means sur- rendering of our honour and indepedence, we will resort to arms like people at arms and wilt fight and shed our last drop of blood to defend the integrity of India. This feeling should be created in every nook and corner of the State. After all our people were for a long time in slavery and therefore, they may not be aware of the implications of the Chinese aggression. It was stat- ed here yesterday that Nowgong by election showed the correctness of the Communist Party's policy. I know that that Congress and the P. S. P. were badly defeated. But that does not mean that the Communist Party's policy is right. There are so many factors that come in an election. I do not think that the Communist Party won the election on that point (*Applause*) I would have accepted the verdict of the people if they voted in favour of the Communist on that issue. Our people are not aware of the implications of the Chiness aggression. We have to make them aware if we want our people to be at arms and to have resolution to resist the aggression at any cost. We have to make them aware of the task before us and we have to mobilise our resources. We must be united behind our Government so that we can defend our country. We want our Govern- ment to fight and our Government is determined to fight. (*Applause*). Sir, as I said, we have to make a determined effort to fight this aggression. There are people who are trying to mislead others and are not placing the fact before them.

Now, let us consider Chou-En-Lai's letter to our Prime Minister. What was that? So far as N. E. F. A. is concerned they are ready to withdraw $12\frac{1}{2}$ miles from the Mc Mohan Line and so far Ladakh is concer- ned, they are ready to withdraw $12\frac{1}{2}$ miles from the present occupation which is 40 miles within India.

***Shri FAKHRUDDIN ALI AHMED (Minister, Finance)** : May I make the position clear? In both cases, they have suggested withdrawal of $12\frac{1}{2}$ miles from the present occupation and not from the Mc Mohan Line.

***Shri HARESWAR GOSWAMI (Rampur)** : There are two areas. So far as N. E. F. A. is concerned they want to withdraw $12\frac{1}{2}$ miles from the Mc Mohan Line and in Ladakh.

***Shri FAKHRUDDIN ALI AHMED** : In both cases $12\frac{1}{2}$ miles from the occupation. It is clearly stated in the Prime Minister's letter in reply to Mr. Chou-En-Lai's letter, that "in your letter, you have suggested that the Armed Forces of China and India should withdraw 20 kilometres from the lines which they occupy at present".

***Shri HARESWAR GOSWAMI(Rampur)** :So, my point is that if they withdraw 12½ miles in Ladakh then also they will remain in our territory. They have occupied 40 miles and if they withdraw 12½ miles within our territory. They want to create a buffer zone by a slice of Indian territory. They have already taken away our God Siva and Goddess Parvati. They want to cross the Himalayas, the natural frontier which has been there for ages by usage and international treaties. They want to obliterate by a single stroke of pen by saying that "you withdraw 12½ miles" from Mc Mohan line and we will also withdraw 12½ miles". Can it be an honourable term of peace? I agree with the Prime Minister in rejecting that offer. There can be only one condition to the negotiation that "you must vacate the entire Indian territory and go back to your frontier. Then only we will discuss the issue. In that case the *status quo* would be maintained so far as this position is concerned. The Communist Party within India, first of all, do not want to recognize that this is an aggression by China. What is aggression? If somebody comes and occupies my house, shall I not say it is trespass? And in the international language shall I not call it aggression? In that case, there was no aggression during the First and Second World Wars. As a matter of fact, we the Indian people are very patient. In any other country, no one would be tolerated so much there would have been fighting by this time. But in India, because it is due to the teachings of Mahatma Gandhi, we want to follow a policy of peace and we are not using arms. We want to settle the dispute round the table. In any other country either the people would have been forced to fight or the Government forced to resign. But here that did not happen because of our tolerance. So far as the present aggression is concerned, they do not say that it is an aggression, they do not want to say that China has committed an aggression in India. Towards the middle of their resolution, it is stated that "we will fight aggression not in the Mc Mohan Line." Perhaps they will fight it in Kanya Kumari. But so long the Mc Mohan line, is there and so long they do not come to Kanya Kumari, we do not call it aggression. I do not know whether after crossing Kanya Kumari they will call it aggression. Therefore, this is a party which has been propagating all the time that there is no aggression in our country. Such a party would have been banned in any other country. In some other countries, if individuals say like that, they would have been sent to the gallows. But here in our country, we follow democracy with intelligence. Therefore, we tolerate anything. We allow people to go on saying that there has not been aggression. To say that our people are a bad type of people because they do not accept the negotiation to withdraw 12½ miles is a very wrong statement. In any other country this type of behaviour is not allowed. We know the history of the Communist Party. During the War, I was a friend of the Soviet Union Society of which my friend Mr. Ahmed also wanted to be a friend in 1941 just before the freedom movement. I wanted that China, India and Russia, these three countries together should maintain peace in the world and that did not stop me from calling an imperialist war that did not stop me from fighting a national war against the imperialists. So, I do not bother much for what one is doing, I hold that the national allegiance is the most important. In that way we found that this Party even during the times of struggle did not country that an independent country would be their independent country and that if China takes it they do not worry. Such an attitude we cannot accept.

Secondly, there are subversive activities going on near the border by telling the people in the border of the interior that "we have come to liberate you, we are bringing cheaper goods to you....." This is a campaign for ideological propaganda. Therefore, we have to be alert. After all it is not a war but just a jet coming or a bomb falling. We have to be very careful of the ideological campaign. Therefore, Sir, I want we should be alert of the situation. I am not one who wants war. I have seen the horrors of war I want to live in peace, I want to live in a place where hundred and a thousand flowers will bloom. Therefore, when I want these things to happen, I also want that our feeling should be expressed very precisely to the people and how we are going to defend ourselves. For that it is all the more necessary to have a discussion in the House to strengthen the hands of the Prime Minister. There may be strangling in some quarters but there should be a determination to root them out for their anti-national activity. As a great democratic country, we could have banned these people, I have full faith in the intelligence of our people in their patriotism as I knew them 1942 movement. Sir, as I say we want negotiation. The Prime Minister's policy is dual policy. One is negotiation by means of settling matters round the table and not just surrendering the outsider's whims. On the other hand, it is a policy of strengthening of our country's stand. War now-a-days is a total war, a total mobilisation. Solidarity on the part of the people is most needed. It is our duty to create that solidarity, that unity amongst our people so that our Prime Minister may know that the whole country is behind him and in this matter he may place his card on the table and rightly as a pre-condition of negotiation. I do not know how Chou En Lai can ever thought that in our own territory our armed police cannot patrol. We cannot say. Is it not affecting the sovereignty of the country? In my own territory in my portion of land allow the armed patrol to go on, if peace can be maintained. Let it be known that we shall not fall back upon this agreement. Secondly, Sir, it is essential that the status quo has to be restored. They must vacate from our territory, they must go away. Unfortunately when our nine soldiers were killed and ten were arrested and later on given back as if it was a gift that they were giving to us. Is it a gift that they are giving to us. They have killed 9 of our soldiers, they have taken away 10 soldiers and put them to harassment still we were so very silent, so meek that we did not do anything. Now we want that you go back to your position and we remain in our house. Our Prime Minister has committed himself that if it is a question of minor adjustment he is ready and I am also, Sir, in one with him that if it is a question of one small part here and there them he can do so. But we shall not compromise to aggression. We shall not consider a thing under threat of war, under the threat of gun.

Lastly Sir, I have found the substituted Resolution I do not know why this resolution has been moved. While I went through it very minutely I found a subtle move of misleading again as if we could not guess the policy of the Prime Minister and they are the devotees of the Prime Minister. They are the best followers of the Prime Minister and what they will say is only what the Prime Minister has said. Sir, the Prime Minister has said unequivocally that this is an aggression. They have not said in their substituted Resolution that it is an aggression. Unfortunately, Sir, to-day while the Chinese aggression is not finding favour in Soviet Russia Czechoslovakia or any other Communist countries. This is finding favour here within India with the Communist party, and they are not bold enough to say that this is an aggression. Secondly what they are insisting on is to

accept Chou En Lai's offer. What does it mean making a move for 12½ miles? It will go to Chinese and after that we will lose the best frontiers lose the best defence. We know what appeasement is. In Czechoslovakia when the lands were occupied how appeasement involved the whole world. Appeasement cannot stop at a particular point. Therefore, there can be no appeasement, no compromise.

Lastly Sir, I want that even now the Communist Members who are my best friends individually, personally I would request them to reconsider their position to accept this Resolution. If there is no inhabitation in their mind, that this country is their country, if they feel for the independence of this country let them accept this resolution. This resolution will not bring war, this will not involve us in conflict with China. This resolution will make us prepared to fight any eventuality and ultimately if war comes it will make us ready for that. Let them accept that. I still appeal to them and that will show their bonafide and prove their allegiance to this country. With those words Sir, I accept the Resolution and oppose the amendment.

Shri DEBESWAR SHARMA (Minister, Education): Mr. Speaker, Sir, I was not prepared to speak on the Resolution to day but I thought that I would get a chance on the next day. I take my stand and thank you for giving me a few minutes for special purpose. The leader of the Communist Party Shri Gaurisankar Bhattacharyya threw a challenge to the Congress Party and to the State as well this morning, and in all humility, Sir, permit me to say that I have accepted this challenge. I have addressed this letter.....

Shri GAURISANKAR BHATTACHARYYA (Gauhati) : Mr. Speaker, Sir, I did not challenge Mr. Sharma.

Shri DEBESWAR SHARMA : I have addressed this letter to the Leader of the Assembly Congress Party and to the President, Assam Pradesh Congress Committee. "Sir, you heard the challenge the Communist leader Shri Gaurisankar Bhattacharyya threw on the floor of the House five minutes ago that he is prepared to face any election on the plains District Headquarters of Assam on the issue of the resolution and the amendment. I think Sir, we should accept the challenge and it must not go unaccepted, and so I now hereby tender my resignation of the seat in the Assembly from Jorhat to you and to the President of the Pradesh Congress Committee and the leader of the Assembly Congress Party, and I am prepared to contest any Communist for this seat (*Applause*).

I do not want to put hard condition to the Communist. I want to make the position easy at Jorhat. There is a Communist Party. The Communist Party members are in the Municipality and also in the Panchayat. They have some strength there. So let us accept this challenge. I accept this.

Shri GAURISANKAR BHATTACHARYYA : As already said, I have thrown friendly challenge to the Chief Minister and if he is prepared I can accept and Mr. Sharma is not the Chief Minister.

Shri DEBESWAR SARMA : Let Shri Gaurisankar Bhattacharyya please himself and if he wants to resign, well and good. He is a valiant fighter and a lawyer of standing and repute. If he wants to oppose any other here, this humble self will oppose him.

Shri GAURISANKAR BHATTACHARYYA (Gauhati) : As already said, I am prepared to resign and face election at Gauhati against the Chief Minister or anywhere (*Disturbance*).

Shri DEBESWAR SARMA (Minister Education) : The Communist Party has got weakness of consistency. A few minutes ago the leader of the Communist Party threw a challenge.....

Shri GAURISANKAR BHATTACHARYYA : I invited the Chief Minister to contest. (*Disturbance*).

Mr. SPEAKER : Order, order please.

Shri DEBESWAR SARMA : I was just saying that it is no surprise at what is coming from the Communist leader. If I remember a right only during the last year another pretty senior member, a respectable member of the Communist party said something and when it was challenged it is on the record he said "we did not say that or mean it.

Shri GAURISANKAR BHATTACHARYYA : I object to it. I stand by what I said over this.

Shri DEBESWAR SARMA : However, I vacate the seat and let the Communist leader also vacate his seat and come. I am prepared to that. Sir, can the Communist leader throw a challenge on the floor of the House and go with his challenge unaccepted ?

Mr. SPEAKER : But the misfortune is that I cannot give a verdict on this challenge and counter challenge. So it is better that we should proceed with the resolution.

Shri DEBESWAR SARMA : Many of the youngest Members of the House may not recollect, as the Leader of the Opposition said, as to what was the conduct of the Communist Party during the last Great War.

Adjournment

The Assembly was then adjourned till 10 A.M. on Saturday, the 12th December, 1959.

R. N. BARUA,

Secretary, Assam
Legislative Assembly.