

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

The Assembly met in the Assembly Chamber, Shillong, at 10 A.M., on Saturday,  
the 29th March, 1952

PRESENT

The Hon'ble Shri Kuladhar Chaliha, B.L., Speaker, in the Chair, the ten  
Hon'ble Ministers, two Deputy Ministers and eighty-nine Members.

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**QUESTIONS AND ANSWERS**

(To which answers were laid on the table)

**UNSTARRED QUESTIONS**

**Kala-azar stricken Plains Tribal people in Pachim Banbhag and Pub  
Baska Mauzas**

**Shri DHARANIDHAR BASUMATARI** asked :

17. (a) Will the Hon'ble Minister in-charge of Medical be pleased to state whether Government is aware that the plains Tribal people of some villages in Pachim Banbhag and Pub Baska Mauzas are now badly suffering from *Kala-azar* and many of them died of this fatal disease ?

(b) What has been the number of such casualty and what steps have Government taken to combat the same ?

**The Hon'ble Shri RUPNATH BRAHMA** replied :

17. (a) & (b)—The area was surveyed twice by the Public Health Department personnel in October, 1951 and in February, 1952. In course of survey undertaken in October, 1951, only 27 *Kala-azar* cases were detected, of whom 24 were already receiving treatment at the Dwarkuchi Local Board Dispensary. During the second survey, only six cases were detected. Sixteen *Kala-azar* cases are now under treatment.

There was no record of any death of *Kala-azar* patients in these dispensaries nor any information of death of *Kala-azar* patients was received on enquiry from the Gaonburas in course of the surveys.

The patients have been advised to receive treatment at Dwarkuchi Local Board Dispensary which is within five miles of this area and equipped for treatment of *Kala-azar* cases.

**Shri DHARANIDHAR BASUMATARI**: Question 17(b)—May I inform the House that about 7 to 8 deaths have occurred due to this fatal disease ?

**The Hon'ble Shri RUPNATH BRAHMA**: The reply is quite clear. So far we have received no such information of death.

**Shri DHARANIDHAR BASUMATARI:** About the last part of the reply, Sir, that 'the patients have been advised to receive treatment at Dwarkuchi Local Board Dispensary which is within five miles of this area and equipped for treatment of *kala-azar* cases', so far as I know, Sir, the Doctor who is deputed there is not qualified, and as such the Doctor says he cannot inject the *kala-azar* patients.

**The Hon'ble the SPEAKER:** As you know all these information, you need not ask for these information.

**The Hon'ble Shri RUPNATH BRAHMA:** That is an altogether new Question, Sir. Necessary action has been taken now to authorise the Doctor to treat *kala-azar* patients when they are found suitable after training by the District Medical Officer.

**The Hon'ble the SPEAKER:** How is it relevant ?

**The Hon'ble Shri RUPNATH BRAHMA:** It is altogether a new Question, Sir.

**Shri DHARANIDHAR BASUMATARI:** My Question is, Sir, will Government depute qualified Doctor there ?

**The Hon'ble Shri RUPNATH BRAHMA:** The Doctors are already there, and we have opened Dispensaries in the neighbourhood of the place at Atiguri, Domna, Tarabari within the radius of five to seven miles.

**Shri MAHENDRA HAZARIKA:** অধ্যক্ষ মহোদয়, মাননীয় মেডিকেল মন্ত্রীয়ে জানেনে যে মগাঁও জিলাৰ লাওঁপানী অঞ্চলত প্ৰায় ৪-৫ খন গাঁৱত কলাজৰে বহুত মানুহক আক্ৰমণ কৰিছে ?

**The Hon'ble Shri RUPNATH BRAHMA:** It is a new Question, Sir.

**Shri KARKA CHANDRA DOLEY:** অধ্যক্ষ মহোদয়, যোৰা বছৰ পশ্চিম বৰভাগ আৰু পূব বাক্সা মৌজাত কলাজৰত কিমান মানুহ মৰিল জানিব পাবোনে ?

**The Hon'ble Shri RUPNATH BRAHMA:** ছাপা কৰা উত্তৰত দিয়া আছে ।

**Shri KARKA CHANDRA DOLEY:** গভৰ্ণমেণ্ট এই বিষয়ে বিশেষ চেষ্টা কৰা নাই যেন লাগে ।

**The Hon'ble Shri RUPNATH BRAHMA:** যথেষ্ট চেষ্টা কৰা হৈছে । আৰু গাওঁবুঢ়াৰ পৰা জানিব পৰা গৈছে যে কোনো মানুহ মৰা নাই ।

**Shri KARKA CHANDRA DOLEY:** গাওঁবুঢ়াৰ কথা বিশ্বাস কৰিছনে ?

**The Hon'ble Shri RUPNATH BRAHMA:** অ বিশ্বাস কৰিব কোনে হেতু নাই ।

**Cotton College Hostels and grant of higher salary to over-seas Scholars now serving in the Cotton College**

**Shri Sriman PRAFULLA GOSWAMI** asked :

18. (a) Are Government aware of the congestion in accommodation in the Cotton College hostels and the hardships caused to students thereby ?

(b) If so, will Government be pleased to state whether they have any programme to remove such congestion and to improve the conditions of the hostels by making better arrangements for housing and sanitation ?

19. Will Government be pleased to state whether they propose to consider the question of giving higher salary to the over-seas scholars now serving in the Cotton College, in view of their high qualifications and the very low salary that they are now getting ?

**The Hon'ble Shri OMEO KUMAR DAS** replied :

18. (a)—Yes.

(b)—The question is being looked into.

19.—Yes, the matter is under consideration of Government.

### Development of the Plains Tribal Areas

**Shri DHARANIDHAR BASUMATARI** asked :

20. (a) Will the Hon'ble Chief Minister be pleased to state whether the Government of India have sanctioned any amount for the development of the plains tribal area under Article 275 of the Constitution of India ?

(b) If not, when we may expect to get the same ?

21. Will the Hon'ble Chief Minister be pleased to state whether the Government of India have approved the scheme for the development of the Hills and Plains Tribal areas sent by the State Government last year ?

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

20. (a)—The Government of India have not so far sanctioned any amount for the development of the areas inhabited by the Plains Tribal people.

(b)—A comprehensive scheme for the development of these areas has been submitted to the Government of India for inclusion in the State Five-Year Plan. The Government of India have also been requested to make available to the State Government the necessary amount required for the implementation of the instalment to the Plan during 1952-53. It is difficult to say when and what amount would be sanctioned by the Government of India for this purpose, though every effort is being made by the State Government to expedite a decision.

21.—Government of India have approved a scheme for the development of the autonomous hill tribal areas. The Schemes have been in operation since 1950-51 and are being vigorously pursued.

**Shri DHARANIDHAR BASUMATARI**: With regard to 20(b)—When may we expect to get the amount from the Government of India, Sir ?

**The Hon'ble Shri BISHNURAM MEDHI**: It is very difficult to say, Sir. We are putting all kind of pressure on the Government of India to let us have the money. Failing that, we have allotted some money from the State revenue for the development of the plain tribal areas.

**Adjournment Motion re fast undertaken by Shri Baldev Thakur on account of ruthless eviction operation conducted by Darrang Police**

**The Hon'ble the SPEAKER:** I have received notice of an Adjournment Motion.

**Shri HARESWAR GOSWAMI:** Mr. Speaker, Sir, I beg leave to move that the Assembly do now adjourn to discuss a definite matter of urgent public importance and recent occurrence *viz.*, the fast undertaken by Shri Baldev Thakur, Secretary, Bhurbandha Primary Congress Committee, as from the 24th March, consequent upon the ruthless eviction operation conducted by the Darrang Police Battalion since 9/10th March.

I have received a telegram regarding this operation on 14th of March and then received a letter, dated 24th March from the said Secretary, Baldev Thakur, on 27th March wherein he stated that he has undergone fast from 24th March. That news item came in the *Assam Tribune* on 25th March "that nearly 600 families of the Bhurbandha Reserve were rendered homeless as a result of what is alleged to be eviction operations by the Darrang Police on the 9th and 10th March last. Mr. Baldev Thakur, Secretary of the Bhurbandha Primary Congress Committee has resorted to hunger strike since yesterday".

Sir, I have taken the earliest opportunity to come to this House because on 26th and 27th March the Assembly was not in session and on 28th you did not allow me to move the Motion. So, Sir I have availed of the first opportunity to move this Motion for leave to move the Adjournment Motion.

**The Hon'ble Shri MOTIRAM BORA:** I have also seen in the paper. More than that I have got no information that Baldev Thakur has gone on hunger strike. I have tried to ascertain the facts. But, Sir, Bhurbandha is a very interior place and it is very difficult to get all the information. If a statement is wanted on the subject, I can give that.

**The Hon'ble the SPEAKER:** Why have you taken this action ?

**The Hon'ble Shri MOTIRAM BORA:** These people are not in Bhurbandha. The fact is that some people have been evicted from Bura Chapari in Darrang district for unauthorised occupation of some grazing reserves there and that has been done under the law.

**The Hon'ble the SPEAKER:** That is an ordinary procedure of law ?

**The Hon'ble Shri MOTIRAM BORA:** Yes, Sir.

**The Hon'ble the SPEAKER:** I find that under the Settlement Rules people who resort to unauthorised occupation of grazing reserves or other lands can be ejected by the Deputy Commissioner and here, I think, they have followed that procedure. If under the ordinary procedure of law they have been ejected from those places which they occupied without any authority then there is nothing to say. I understand, the Deputy Commissioner has authority under the Land Revenue Manual to eject those people. I also understand that there was a resolution some years ago when both the Congress and the League parties agreed that there should be no unauthorised occupation of land and if there be any, those people should be ejected. As such, they have only acted under ordinary procedure of law. If the ejection was by the Subdivisional Officer, he or they can go to the Deputy Commissioner for redress of their grievance and if they have been ejected by the Deputy Commissioner, there is the High Court where they can appeal. As such, this is nothing but a matter of law which should take its normal course.

There is only a limited scope for the hon. Mover, that is the fast undertaken by Baldev Thakur. But these matters are so interconnected, namely the fast and the ejection, that it is impossible to differentiate them. As such, I consider that the fast is the consequence of the ejection and, therefore, I think that in taking the ordinary procedure of law, no one can bring an Adjournment Motion and I disallow this Motion.

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**Result of the Election of Members to the Assam Roads Communication Board**

**The Hon'ble the SPEAKER:** The following hon. Members are hereby declared elected to the Assam Roads Communication Board:—

1. Shri Khagendranath Nath.
2. Maulavi Mahmud Ali.
3. Shri Bimala Kanta Borah.
4. Shri Sriman Prafulla Goswami.
5. Shri Sashadhar Ghosh.
6. Mr. Emonsing Sangma.
7. Shri Karka Chandra Doley.
8. Shri Ranendra Mohan Das.

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**Consideration of Amendments to the Assam Motor Vehicles Rules, 1940**

**The Hon'ble Shri SIDDHINATH SARMA:** Mr. Speaker, Sir, I beg to move that the amendments to the Assam Motor Vehicles Rules, 1940, be adopted.

The object of the first amendment is to drop the word 'Royal' occurring before the word 'Mail' in the 3rd line of sub-rule (b) of rule 165.

The object of the second amendment is to grant licenses to those drivers who possess a medical certificate in the form F-A to show that he is qualified in the use of a first aid box, and those drivers who have already driving licenses, they will have to give a qualification certificate within a year. The form of the medical certificate is given in the list.

**The Hon'ble the SPEAKER:** Are there any amendments to these amendments?

**The Hon'ble Shri SIDDHINATH SARMA:** No, Sir.

**The Hon'ble the SPEAKER:** Then the amendments are deemed to have been adopted.

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**Consideration of the Report of the Public Accounts Committee on the Appropriation Accounts for the year 1948-49**

**The Hon'ble Shri MOTIRAM BORA:** Mr. Speaker, Sir, I beg to move that this Assembly do proceed to consider the Report of the Public Accounts Committee on the Appropriation Accounts for the year 1948-49.

**Shri GAURISANKAR BHATTACHARYYA:** Mr. Speaker, Sir, I beg to make certain observations on the Report of the Public Accounts Committee on the Appropriation Accounts for the year 1948-49.

I have gone through the report and the findings of the Committee. I am very sorry to say that as a matter of fact this is not a report on the appropriation accounts, but it is a document of misappropriation of public money, because if we come to page 5 of the report we find some very serious allegations and remarks about the working of the Home Guards. Here it is stated :

“ In the long discussion that ensued on this item the Committee expressed grave anxiety and concern over the serious financial irregularities revealed in Audit. The local audit of the accounts which was fixed for August 1950 had to be deferred at the request of the Commandant General due to his inability to produce records. Subsequently an Audit party sent in December 1950 had to be withdrawn because practically no accounts were available. Essential records, *viz.*, cash book and contingent registers had not been maintained although withdrawal from treasury upto the end of November 1950 amounted to Rs.26,89,000. Detailed contingent bills for over 18 lakhs drawn in advance during the period from March 1948 to January 1949 have not yet been submitted to audit. Chief Secretary explained that this unsatisfactory maintenance of accounts by the Commandant General was immediately taken up by him as Controlling Officer immediately after he assumed office. One of the difficulties with which he was confronted was the failure of the Commandant General to reply to any correspondence”. So, from all these, it appears that the Commandant General of the Home Guards did not keep and submit proper accounts, not for a small sum but a huge amount of public money amounting to over Rs.26 lakhs. The Committee went to commend that “the practice of appointing a non-official who is required to handle large sums of public money was regarded as most unsatisfactory and the Committee suggested that in future if a similar organisation is to be created, the financial control should rest with permanent salaried officials”. This reveals the seriousness of the matter and we should like to know from Government what steps have been taken against this Commandant General and whether any criminal proceedings have been drawn up against this gentleman for mishandling public money. We find again at page 6, “Further, in addition to the 18 lakhs outstanding unadjusted there was another sum of 9 lakhs outstanding for the next year.” Then again we find in the middle of the second paragraph, “It was recommended by the Committee that the Hon’ble Chief Minister should be requested to address the Commandant General pointing out the latter’s responsibility for expediting the completion of these accounts and asking for his full co-operation failing which the latter would be made personally liable for the unaccounted for money. The whole thing should be done within 2 months from the date the Accounts Officer takes up his work”. We do not know whether the Accounts Officer has taken up his work and whether two months have elapsed after that, and if so, what steps Government has been pleased to take on this point ?

Then, Sir, at page 9, we find another serious allegation under 30.—Miscellaneous—Motor Spirit and Tyre Rationing Scheme. The Committee stated, “in regard to the excess of Rs.60,080, Secretary, Transport, admitted that this was a mistake through oversight”. So, by oversight a sum of Rs.60,080 has not been properly accounted for !

Then again, in next paragraph, we find, “the long-standing question of posts irregularly created in the Assam Transport Organisation was examined further and the Committee recommended that sanction should be accorded in consultation with the Finance Department, etc.” So, the Committee had no other alternative than to give sanction to the irregularly created posts !

Then again, with regard to item 24, "In regard to an advance of Rs.8,35,435, on account of 25,000 spindles for a Cotton Mill project which has now been abandoned, Secretary, Transport, explained that he tried to recover the amount from the Agents, but they refused". So here also we find that not less than a sum of Rs.8,35,435 remains unrealised.

Then, Sir, in item 35 we see, "The Committee however, considered that explanations furnished in some cases were meaningless and uninformative" ; that is to say, the Public Accounts Committee were not furnished with proper explanations.

Then, Sir, at page 10, regarding State Transport, we find, "Mr. Hardman observed that the acquisition of these vehicles at a nominal price from an Organisation which had been wound up with a loss tended to obscure the financial working of the Organisation ; the real capital assets being employed were far greater than shown in the accounts with consequent reduction in the charges on account of interest and depreciation". In the next paragraph we find, "The Committee then further considered the expenditure of Rs.1,02,275 appearing at paragraph 3 at page 17 of the Public Accounts Committee's Report on the Appropriation Account for 1947-48. Secretary, Transport said that the Public Works Department had examined the buildings and considered the expenditure to be reasonable. Secretary, Finance, remarked that a copy of the Public Works Department's report along with a copy of the letter in which the officer expressed his regret for proceeding with the work without obtaining necessary financial sanction, should be sent to Finance Department". This shows that when something is done irregularly only an expression of regret is made ! But that irregularity was with regard to a big sum of public money.

Then, Sir, we find at page 11, sub-note (1), "In view of the seriousness of the irregularities in the accounts of the Mass Literacy Campaign it was considered that the accounts of the Deputy Inspectors of Schools should also be audited and accordingly these were included in the programme for 1949-50". So not only in State Transport, but even in the Education Department the same sort of keeping accounts is seen ! Then we find at page 12, second paragraph "With regard to the disposal of outstanding audit objection, Director of Public Instruction could not furnish any information but promised the Committee to furnish the same later". We do not know whether that promise has been fulfilled. We would like to be enlightened on this.

Then, with regard to the Textile Department, at page 14 we find, "The Committee were satisfied that Government have recognised that the scheme for direct purchase of cloth and distribution through Trading Co-operatives had proved a failure and in view of this they thought it unnecessary to criticise in details the working of the scheme, etc." So the big scheme of procuring cloth and distributing through the trading co-operatives had failed and a big sum of money was wasted.

**The Hon'ble Shri MOTIRAM BORA :** There was no waste.

**Shri GAURISANKAR BHATTACHARYYA :** Yes, I am reading the relevant portion.

The total loss was not likely to exceed 6 lakhs. As the loss is not likely to exceed 6 lakhs, it may be too small for the Hon'ble Minister but it is too big for our poor State.

Then let me turn to page 15, paragraph 20 of the last years' Report. "The Provincial Textile Commissioner said that he actually showed a loss of Rs.18 lakhs and not Rs.21,87,667. He explained that this loss included un-reconciled accounts. Deficits occurring in certain places were offset by excesses elsewhere.

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The case required further examination." So the loss of a sum of Rs.18 lakhs is admitted. It is admitted that the amount was un-reconciled.

Then it is said, "As regards the unrealised amount of Rs.34,000 from the Mauzadars, the Committee were surprised to learn that distress-warrants against Mauzadars had been returned with report that they have no assets." Are they paupers that Government should let them go ?

Then at page 16 it is said, "The Committee viewed with considerable disfavour the action of the Public Works Department in totally disregarding the decision of the Cabinet Committee that Public Works Department's action was tantamount to flouting the Cabinet Committee's decision. Although the Cabinet Committee decided in December 1949 to limit the expenditure to Rs.63 lakhs the Public Works Department merely went on incurring expenditure without reference to the limit of about Rs.82 lakhs which the Department considered was the irreducible limit."

The Comptroller observed that the Public Works Department ought not to have incurred expenditure thus. Here there is another irregularity.

Then coming to page 19, we find : "The Commissioner of Excise explained that in the absence of relevant papers which were deposited in the office of the Deputy Commissioner in connection with the investigation of certain irregularities, the Honorary Prohibition Commissioner could not furnish necessary information in time." Here again the Honorary Prohibition Commissioner failed.

Then coming to page 20, under paragraph 30, Miscellaneous K—2—Expenditure on issue of free rations to Government servants—"In regard to an excess of Rs.5,20,574, the Committee considered that this was the cumulative result of inaccurate estimate by local officers and inadequate control over expenditure by all concerned." So, the inaccuracy is not only in one case. It is all pervading covering "all concerned."

I have given only a few examples. This itself shows how our public funds are being kept and spent. Naturally the Public Accounts Committee have made very serious and cogent remarks.

We find in page 2 that "The Committee expressed concern at the slow progress in the disposal of audit notes and stressed that these should be disposed of as early as possible but not exceeding a year and for this purpose the Comptroller also agreed to give details of pending notes so that these could be traced and disposed of by the Controlling Officers without further delay." We do not know if the Government have acted upto this recommendation. From even a cursory glance at the report, it is abundantly clear that quite a large sum of money have been misappropriated or badly spent and badly accounted for and Government owes an explanation to this House and to the people of the State for that.

With these words I resume my seat.

**Shri HARESWAR GOSWAMI:** The Report of the Public Accounts Committee on the Appropriation Accounts of the Government of Assam for the year 1948-49 reveals a very bad state of affairs in the State of Assam both in the sphere of administration and also how we have been dealing light-heartedly with the finances of this poor State. We have a deficit Budget and we find much of the money has been squandered away. My Friend has dealt with certain aspect of the whole Report. Certain things have been expressed but no conclusive decision was taken on certain aspects. Mr. Bhattacharyya has spoken how in one year about Rs.27,00,000 was unaccounted for under the head—'Home Guard'.



Again instances are seen at page 3 of the Report wherein we find that a sum of Rs.25,000 was fraudulently taken away by some unknown person from the Imperial Bank. Then loss due to deterioration of stock with distributing agents is given in page 3. It is said, "Out of the total loss of Rs.13,65,234 an aggregate amount of Rs.7,35,842 has been written off by the Government after due consideration." What is that consideration not known? "The question of writing off Rs.23,532-2-6 p. is under consideration of Government. The balance is under scrutiny". Then at page 4 we find loss on account of standard cloth. This was, I suppose, during war years. The loss amounts to Rs.21,87,667. It is a very long pending matter and really it is difficult to conceal why such a long time should be taken to account for the whole loss.

Then at page 9, Capital Outlay on Industrial Development. It is said, "In regard to an advance of Rs.8,35,435 on account of 25,000 spindles for a cotton mill project which has now been abandoned, Secretary, Transport explained that he tried to recover the amount from the agent but they refused. Negotiations have been carried on with several firms for disposing of these spindles but the terms offered by the Government that interest at 2 per cent. on the capital invested would have to be paid is considered to be unattractive. The Committee suggested that the Department in consultation with the Finance Department should endeavour to dispose of these spindles on the best possible terms without further delay." We do not know what happened to that Rs.8,35,435.

Then we find at page 11—withdrawals from treasury in advance of requirements and then unauthorised retention in private Banks. "The Director, Public Instruction said that 3 Deputy Inspectors were involved in this case and action has been taken against them. As number of such cases was larger than previous years, the Public Accounts Committee strongly felt that departmental proceedings should be taken in all these cases and suitable disciplinary action taken. The Director of Public Instruction was then asked to submit a full report containing the names of the Deputy Inspectors concerned, amount involved, the name of the Bank with which the money kept and the action taken by Director of Public Instruction against them for consideration of the Committee. The Director of Public Instruction on the 3rd day placed before the Committee a statement showing 12 cases of deposits in unauthorised banks and action which had been taken to recover the amount." This is a serious matter and should be quickly dealt with.

Then again, with regard to irregular expenditure: we find here at page 11, "With regard to unauthorised expenditure on sweets and tea, the Committee demanded that recoveries should be made from the officers concerned. Secretary, Finance, reported that he has already ordered for the recovery". We find here that these departments are also spending money which have not been actually sanctioned.

Then again, on Textile at page 14, we find: "The Committee were satisfied that Government have recognised that the scheme for direct purchase of cloth and distribution through Trading Co-operative had proved a failure and in view of this they thought it unnecessary to criticise in details the working of the scheme. The Textile Commissioner estimated that the total loss was not likely to exceed 6 lakhs. In regard to Insurance Agents, he explained that quotations had been called from 2 companies and as the rates were similar, the one with stable financial position had been accepted"—these are serious matters where we have incurred loss of 6 lakhs of rupees. Sir, we would not have incurred this loss if we had looked into the matter more carefully.

Then again at page 15 regarding demurrage charge we find: "In regard to demurrage charges amounting to Rs.1,52,269 the Provincial Textile Commissioner explained that this was partly due to large consignment arriving in

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Calcutta. At the same time it was necessary to secure the countersignature of the railway receipt from the Textile Commissioner in West Bengal.

In many cases delays of 10 days or more occurred in completing the documents required to be furnished in Bombay with the result that wagons arrived before the document. All these factors contributed to the demurrage charge"—this is also a very serious matter, Sir. I think this huge loss on demurrage charges also could have been avoided if we had been careful enough in selecting our agents. We have our Trade Adviser in Calcutta, I do not know what is his function, whether his function is only to receive high officials there or to look into these matters. As I say, Sir, if we had been more careful in this matter also, I think, this sum would not have been incurred as loss.

Then Sir at page 18, paragraph 18—Unsecured loan to Assam Apex Bank, we find—"Finance Secretary said that recently a paragraph of the Agreement has been inserted to the effect that anything belonging to the Bank as part of the Assets would be pledged to Government as security for the loan. The deed has been registered. The Registrar said that recently the Bank had shown some profit....."—here also we find that this Government has given a huge sum of money—I believe it is about 60 lakhs or something like that, I stand to correction if the amount is higher or lesser—but there is every possibility that we may lose a heavy sum on this Bank. Therefore, Sir, we should see that sufficient guarantee is obtained by the Government against such loans.

Sir, this Report is a very revealing one, it shows how we are handling our finances and how we are spending our money. So unless we take this Report very seriously and also pay attention to its recommendations, I feel that the mistakes can be committed again and the poor finances of our Province will dwindle more and more.

**Maulavi MD. UMARUDDIN:** Mr. Speaker, Sir, the Report of the Public Accounts Committee on the Appropriation Accounts of the Government of Assam for the year 1948-49 is only some sort of a commentary on certain other documents which are referred to in the various pages of this Report. Therefore, Sir, unless all the other original documents are in the possession of the House, it is very difficult to understand fully the implications of the comments and recommendations of this Committee as contained in the Report. Therefore, Sir, it is the duty of the Government to furnish along with this Report the original documents pertaining to it so that this House could fully appreciate the significance of these remarks.

Sir, before I proceed to discuss item by item the features of this Report, I should like to make a few general observations with regard to the tendency of the Government as evinced in the administration of the finances of the State. Sir, when the Congress Party came into power in the year 1945-46, they were strong supporters of the State trading system, nationalisation of industries, nationalisation of transport, etc., and actually as soon as they came to power they undertook these ventures. But in the long run we find that all these enterprises have cost the Government very heavily. That is why, Sir, in my speech on the Budget for the year 1952-53 I have particularly drawn the attention of the House to the various schemes still pursued by this Government despite paucity of funds. Sir, you will have noticed that as soon as the Congress came to power in 1945-46 they practically changed the whole scheme of distribution of cloth. During those days, Messrs. Shaw Wallace

were the Supplying Agents of the Government of Assam, but as soon as the Congress Party came to power, Messrs. Shaw Wallace was disbanded and the distribution of cloth, etc. was taken up by the Government themselves.

Now, Sir, we find to our shock and surprise that the whole scheme had proved a failure and has cost Government considerable amounts of money ; we are the more surprised, Sir, to see that Messrs. Shaw Wallace is now back in the picture again. Messrs. Shaw Wallace has been invoked to take over cloth supply again.

**The Hon'ble the SPEAKER:** May I know from the hon. Member to what page of the Report he was referring to and on what item ?

**Maulavi MD. UMARUDDIN:** Yes, Sir, I am referring to Textile at page 14, where it says,—“The Committee were satisfied that Government have recognised that the scheme for direct purchase of cloth and distribution through Trading Co-operative had proved a failure and in view of this they thought it unnecessary to criticise in details the working of the scheme...” ; then again in paragraph 4 it says—“The Provincial Textile Commissioner explained that by the time terms of agreement were settled with Messrs. Shaw Wallace and Co., of Calcutta, the Scheme had closed down...” and that after some money had been lost. Then again, I remember that in the year 1948-49 cloth was purchased by this Government and this cloth was sent to the various districts and kept in storage. But for want of capital the newly created Trading Co-operative Societies could not lift the cloth with the result that there was a tremendous accumulation of stock in various districts. After some months Government realised that if the cloth was not lifted, it will involve a colossal loss, and then they allowed some private dealers to lift the cloth and to sell it in the open market ; the result was that we had an open black market. We see here one instance that the Trading Co-operatives have proved a failure and caused a tremendous loss to the public exchequer.

Similarly, Sir, I would draw the attention of the House to the State Transport Organisation at page 9—latter part—and page 10. In this connection, on the other day in dealing with a Cut Motion on State Transport—Capital Outlay for purchase of motor vehicles, etc., I drew the attention of the House to one fact, *i.e.*, regarding the profits that was made from this Organisation, and said that with the experiences gained by Government it would have been better if they would have been cautious in undertaking such enterprises and that all the profits that were supposed to be earned by the State Transport was not true. In the pages, I have referred to above, regarding purchase of vehicles,” Mr. Hardman observed that the acquisition of these vehicles at a nominal price from an Organisation which had been wound up with a loss tended to obscure the financial working of the Organisation ; the real capital assets being employed were far greater than shown in the accounts with consequent reduction in the charges on account of interest and depreciation. It was then suggested by the Committee that accounts of the State Transport should be scrutinised by the Committee commercial audit section of the Comptroller in order that normal commercial audit practices are adopted in presenting the accounts. It was noted by the Committee that in respect of Shillong-Gauhati Road, no account was taken of the monopoly fees in working out P. and L. account which were received when the transport contract was settled with a private organisation ;” and so on.

I say that even now if the Hon'ble Minister-in-charge of Transport does not give us a statement and balance sheet of account showing how the profit has accrued, this House cannot appreciate the fact whether there was actually any profit or not. Because there can be tricks in accounting. We must see that

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actual capital employed is not only shown but also interest which would accrue on this block capital so that we may know that there is a net profit accrued to the State Transport. It is not quite unlikely that the House may be lured into passing grants with the promise of large profits when there may not be any profit at all in the long run. The task of running a commercial enterprise by Government is a difficult one. If the Government really want to make money on it, the whole department should be changed into a commercial organisation in charge of men with sufficient experience, qualification and knowledge in accounting and business. A Government department is hide-bound and has to work under certain rules and those rules should be strictly adhered to. But in business such rules should be elastic—giving extra-ordinary powers. It is not possible to run a commercial organisation by the ordinary rules of Government. We are here as custodian of public money. Government by a large majority may have some grants passed, but it must be realised that this is the hard earned money of the poor we are spending. Therefore, I appeal to the hon. Members of this House that we should not spend money wrecklessly but we have to see that every pice of this poor State is well spent. We have been clamouring for more funds—we have been approaching the Central Government with a begging bowl for money. We, of course, want more money, but for that we should not go on spending on luxurious and Utopian schemes and squander our resources in this way.

With regard to the nationalisation of industries, Government made a beginning ; everybody knows that towards this end they commenced with the appointment of administrative, and technical personnel but it has not been possible for Government to nationalise any of the industries. For this scheme of nationalisation of industry, a good deal of money was spent on experts and ultimately, might be on the intervention of the Central Government, the schemes for the establishment of cotton mill, textile mill and other mills were abandoned. The Government by contemplating to launch one of these schemes spent money amounting to Rs.8,35,435 on account of 25,000 spindles for a Cotton Mill project which had been abandoned. We were anxious that these mills were started so that our people could have derived benefit from them. This large sum of money was invested on spindles. I do not know the date of purchase of these spindles.

**The Hon'ble Shri BISHNURAM MEDHI:** It was never purchased. An order was placed.

**Maulavi MD. UMARUDDIN:** I mean to say that this money was paid. That is enough. It has been clearly stated in this Report with regard to the advance of Rs.8,35,435 on account of spindles and Secretary, Transport, explained that negotiations had been carried on with several firms for disposing of the spindles, but the terms offered by Government are not attractive to these firms. This clearly shows that advance was paid. Unless, they purchased the spindles how can they sell them to somebody now ? It was Government's responsibility in incurring this large sum of money. Government ought to have taken precaution in doing so. A good deal of State's fund had been mishandled for want of tact and judgment and at the same time, the co-ordination of the various departments, their supervision and expenditure had been absolutely unsatisfactory, and unless, Government take steps to tighten control and ensure better and efficient supervision, things will take a dangerous turn.

Further, I want to draw the attention of the Hon. House to page 14—Public Health—Post-War Development Schemes. Here it has been stated that the surrender was actually Rs.1,21,00,000 and not Rs.1,22,52,868 as wrongly shown due to an error of calculation. It is very difficult to understand as to what the surrendered amount was and how such a huge sum had to be surrendered

without being utilised. I would like the Hon'ble Minister-in-charge to explain this particular item as to how this great sum of 1 crore 21 lakhs of rupees was provided for and ultimately surrendered. This is a very serious matter. Sir, we are really anxious to finance all nation-building projects, but we do not like ultimately to surrender amounts for our failure to utilise them, for one reason or another, and then to allow the amounts to lapse to the Central Government.

I would like to say something, Sir, with regard to the management of our Treasury. From the point of view of administration, this is an important matter. The Chairman of the Public Accounts Committee, at page 19 of the Report, "observed that things would improve with the appointment of a Commissioner. Secretary, Finance, explained that the cause for deterioration was the pre-occupation of the Treasury Officers with Magisterial and other duties and inexperience of the Officers and Subordinate staff in matters relating to account. The District Officers had, however, been warned that in the event of their failure to do their duties properly they would be held personally responsible for irregularities detected in future. Finance Secretary also requested the Comptroller to report specific instances to enable him to take suitable disciplinary action." Sir, I do not know how the appointment of a Commissioner would improve the working of the Treasury. The Commissioner has nothing to do with the working of the Treasury, nor shall he be able to relieve the pressure of work on a Treasury Officer. I emphasise that the Commissioner has absolutely nothing to do with the working or management of the Treasury.....

**The Hon'ble the SPEAKER:** Then who is to supervise the management of the Treasury ?

**Maulavi MD. UMARUDDIN:** The Treasury management is under the District Officer.

**The Hon'ble Shri BISHNURAM MEDHI:** I may enlighten the point, Sir. Our idea is that by the appointment of a Commissioner it will enable him to ascertain if the Deputy Commissioners and Subdivisional Officers regularly inspect the Treasury as required by rules. He is required also to supervise the efficient running of the Local Boards and Municipalities and if he finds any defect anywhere, he may take action immediately to bring them into proper order.

**Maulavi MD. UMARUDDIN:** I know very well about the management of the Treasury having at my credit many years of experience as Treasury Officer, but I cannot think what can be the duty of the Commissioner in this respect. The Commissioner cannot in any way relieve the pressure of work on the Treasury Officer, nor can he help the Treasury Officer by his inspection. The administration in respect of the Treasury is a difficult matter. Sir, you will find that most of the Magistrates who are appointed as Treasury Officers have absolutely no knowledge of treasury affairs. Of course they are to pass some accounts examination, but they must have the technical knowledge in the management of the Treasury. Besides doing work as a Treasury Officer, a Magistrate is also required to do magisterial and other official duties. It is only by experience from mistakes only in the management of the Treasury that the Treasury Officers learn things. I am saying this from my personal knowledge, Sir. The present management of the treasury affairs is most unsatisfactory and therefore, Sir, the whole policy of the treasury management must be changed. The pressure of work of a Treasury Officer is so heavy that he practically finds very little time to devote to his other duties. The changing of the present policy in this connection is an imperative one. Sir, there was a

proposal that the Treasury affair should be handed over to the Comptroller or to the Finance Department for its efficient running, as in the case of Shillong where actually the treasury work is being done by the Imperial Bank. In connection with the treasury work, Sir, no useful purpose will be served by appointing a Commissioner while he has got very little to do with it. The main thing is that the whole treasury administration requires a change. I suggest that the whole administration in this connection should be handed over either to the Comptroller or to the Reserve Bank, as is the case in Shillong where it is done by the Imperial Bank. The present policy of treasury administration is such that when it is run by inexperienced hands, hundreds and thousands of objections do come from all sides. If the Treasury affairs are taken over either by the Comptroller or by the Reserve Bank, such objections would not be there, and the administration would be much better.

With these words, Sir, I hope the Members in the Treasury Bench would take these matters into their serious consideration and would try to improve matters.

**The Hon'ble Shri MOTIRAM BORA:** Sir, at the outset I must express my thanks to the hon. Members who have made some general observations with regard to certain facts in the matter of administration of accounts and that more care is necessary in that respect. I quite admit the necessity of care and Government is giving attention to it as best as it can. This Government is always doing whatever is possible in that direction, and will try to implement all the reasonable suggestions that have been given and as far as possible for better administration of financial matters.

Now, Sir, after the above general observations I come to specific points raised by the hon. Members one by one. So far as the Home Guard organisation is concerned, a lot of things have been said by my hon. Friends today, specially in regard to the expenditure incurred by the organisation and its irregularities. Sir, this matter came up for discussion in the course of the general debate on the Budget as well. Several hon. Members spoke about it during that time, and I also made certain observations in my concluding speech. I then said that the whole matter was not finalised yet. The accounts are being reconstructed by a competent Accounts Officer sent from here. The recommendations of the Committee were that it is possible to reconstruct the accounts and this can be done by a competent officer deputed by the Comptroller. It is a fact that the accounts were not kept in the way as they should have been done. The organisation was a non-official one and as such probably the accounts were not kept in proper order and form. The accounts are there, but the Comptroller says that they are not kept in proper form.

**Shri HARESWAR GOSWAMI:** Sir, do we take it that vague accounts were kept there ?

**The Hon'ble Shri MOTIRAM BORA:** That is not correct, Sir. The fact is that the accounts were not kept in the way they should have been kept according to the auditor.

**Shri GAURISANKAR BHATTACHARYYA:** At page 16, Sir, we find that no accounts were available.....

**The Hon'ble the SPEAKER:** Will you please resume your seat ?

**The Hon'ble Shri MOTIRAM BORA:** The documents and accounts were there, but they were not kept in the proper form. When a competent Accounts

Officer, who has been deputed to reconstruct the accounts, finalises the work, we shall be in a position to know the actual fact. The vouchers are there, the books are all there. A competent officer has already been deputed and he has already started his work. So, Sir, it is premature to give any decision on this matter at this time. When the accounts are prepared, it will be possible to know whether there is any loss to Government. Sir, after the accounts have been prepared, they will come to the Comptroller, Assam, it will then come to the Committee, and in due course it will be placed before the House. So it is not proper to say now that there has been gross irregularities committed by the Commandant General. Sir, this Government will never help any delinquent officer, be he a Commandant General or however eminent a person he is, if he is found at fault.

**Shri GAURISANKAR BHATTACHARYYA :** The guilty man will be punished ?

**The Hon'ble Shri MOTIRAM BORA :** Yes, Sir. However high that officer may be, Government will not hesitate to take proper action against him if and when he is found to be at fault.

**Shri GAURISANKAR BHATTACHARYYA :** On a point of explanation, Sir, it is stated in the Report that essential records have not been maintained. So, how will it be possible to get hold of the records to reconstruct the accounts ?

**The Hon'ble Shri MOTIRAM BORA :** Sir, the records are there, but they are not maintained in the proper form. As a matter of fact the documents and other books and registers are there, which may be scrappy, but it is not impossible to reconstruct the accounts by a competent officer deputed by Government as I have already stated. The matter is still under investigation so to say, as the Accounts Officer has taken up the work of reconstructing the accounts from the various records and when the accounts are prepared, they will automatically come before the House in due course, and action will be taken if the officer is found at fault after that.

**Maulavi MD. UMARUDDIN :** Sir, at page 5 of the Report it is stated, 'essential records, viz., cash book and contingent registers had not been maintained although withdrawal from treasury upto the end of November 1950 amounted to Rs.26,89,000'. Sir, we all know that Cash Book is the most important document ; so if there is no Cash Book how can he reconstruct the accounts ?

**The Hon'ble Shri MOTIRAM BORA :** Sir, the Register, and the Account Books are there, but they were in a different form and they were not maintained in the form in which they are maintained in the different Government Offices. It may not be impossible to make an account from the records that have been maintained. That is why, Sir, the Committee recorded that with a view however to reconstruct the accounts of the organisation, Comptroller should be requested to spare an Accounts Officer to assist the Commandant General. The Committee's recommendation was accepted by the Government and an Accounts Officer has been deputed accordingly. Therefore it is premature to state categorically whether there has been any loss to Government. Everything will be brought before this House in due course.

As regards the Honorary Prohibition Commissioner affairs, to which a reference has been made by my Friend, Srijut Bhattacharyya, what happened is this that some amount was misappropriated by the Head Assistant in-charge of that Organisation. The matter was referred to the Police who took up a case. In the meantime the Head Assistant died. He is suspected to have committed suicide. The papers were seized by the Investigating Officer and were placed before the

Auditor. Later on it was ascertained that there were no laches on the part of the Honourary Prohibition Commissioner. Sir, we had tried our best to recover the amount from his property, but we found that the Head Clerk has not got sufficient property from which the money could be recovered. So far as the Prohibition Commissioner is concerned, Sir, there are no laches on his part. It is only a case of misappropriation by the Head Clerk.

About the third point—the affairs of cheque for twenty-five thousand rupees in which the cheque was cashed at the Imperial Bank, Calcutta. Sir, some persons were put before the court of law in this connection. They were tried in Shillong and were found not guilty and were acquitted. After that we are trying to recover the amount by instituting a civil suit. I can assure the hon. Members that there will be no relaxation in our efforts to recover the money. As a matter of fact we are going to sue the Imperial Bank of India for recovery of this amount. Now something was said by my hon. Friends regarding spindles and the matter of a cotton mill in Assam. So far as this matter is concerned, I can assure the House that no loss has been sustained by Government up till now. The spindles are there and so there is no loss up till now. My hon. Friends want to know how we are going to dispose of the spindles. I can tell them that at the time of disposal we shall take good care to see that there is no loss. No final decision with regard to the disposal of the spindles has been taken by Government as yet, and all the suggestions given by the hon. Members will be taken into consideration at the time a final decision is arrived at. So, I say, Sir, that there has been no loss with regard to the spindles (*A Voice*—Whether money has been paid for their purchase). Yes, but the spindles are there quite new and we shall recover the money by disposing of them. Where is the question of loss at present?

Then, Sir, it was mentioned by my hon. Friends that a loss of a sum of about Rs. 6 lakhs was sustained on account of textile business and they have criticised Government for going into this business. Sir, I do not like to say anything about the merits or demerits of Government going into this business because this happened 4 or 5 years ago, but I can assure the hon. Members that it has been ultimately found out that Government sustained no great loss on this account. The loss mentioned by my hon. Friends was only an estimated one which Government might sustain, but there has been no great loss as a matter of fact.

**Maulavi MD. UMARUDDIN :** May I refer the Hon'ble Minister to page 15 of the Report, where it is stated "The Provincial Textile Commissioner said that he actually showed a loss of Rs.18 lakhs and not Rs.21,87,667. He explained that this loss included unreconciled accounts. Deficits occurring in certain places were offset by excesses elsewhere. The case required further examination". There is mention of loss here and there is also mention of loss at page 14 under Textile. These are matters on which we want to be clear. I would like to know what these statements really mean and what are their implications.

**The Hon'ble Shri MOTIRAM BORA :** We would have incurred a huge loss because the prices had suddenly gone down, but ultimately the situation was saved somehow and to a great extent because the stocks lying with us were purchased by some traders and with the money thus made available by them we could recover grant and no great loss was sustained. In the next year's report of the Committee this will come out that really we sustained no great loss.

Then, Sir, some of my Friends said that some Mouzadars were responsible for causing loss to Government to the tune of about Rs 34,000 in connection with the standard cloth business. Necessary action is being taken against the Mouzadars concerned to recover the money, My Friends can rest assured that I shall do whatever is possible to recover the money from the Mouzadars. In this connection,



I should also state that the loss which we sustained has been to a great extent made up by a grant from the Government of India. The Government of India kept some amount of money from the earnings in deposit for such kind of contingencies and they have given us some grant from that to cover our losses on account of standard cloth business. Moreover, Sir, this did not take place in our time ; it took place when the League Ministry was in office.

**Maulavi MD. UMARUDDIN :** The Government of India promised to bear the loss incurred on account of normal factors. But there were abnormal factors also. I want to know whether the loss was caused due to normal factors such as falling of prices, etc., or due to abnormal factors, *viz.*, embezzlement, negligence and mishandling of stocks.

**The Hon'ble Shri MOTIRAM BORA :** Mostly normal factors and therefore we are getting money from the Government of India to make up the loss to a great extent. Anyway though there may not be profit in standard cloth business, the loss apprehended, will come down very substantive.

Then, Sir, some hon. Friends raised the question of the working of the treasuries. My Friend, Mr. Umaruddin, stated that the treasury business should be entrusted to the Imperial Bank of India. I cannot off hand say whether it would be wise on our part to do so. The Imperial Bank is not a national organisation. But I can say this much that the matter is being examined. He also wants to know how by the appointment of the Commissioner we can improve the situation. Sir, we expect that by the appointment of the Commissioner the tone of administration will improve and consequently the administration of the treasuries will also improve. That is what I meant.

Sir, something was said about some Deputy Inspectors mishandling public funds. Three Deputy Inspectors were concerned in this matter. Action is being taken against them. The amount is not very big. As a matter of fact, I am trying to recover the money from the persons concerned and I am passing necessary orders.

Something was said about the Transport organisation that Government sustained a loss of about Rs.2,90,000 and that action taken by the Government is not what it should have been. Sir, the loss was sustained not by the State Transport, but by the Assam Transport. It is a different organisation. This was incurred in this way. Some services were rendered to some persons including some influential persons by the Assam Transport. But the money that was to be paid by them for services rendered to them was not paid by these officers and persons. I am now contemplating to start civil cases against some of these persons. The Government Pleader of Shillong was instructed to try to recover the money by issuing pleaders' notice against selected persons. We are trying to recover the money by legal and appropriate means. This happened in the time of League Ministry also.

From what I have said above, it will be clear that Government is doing all that is possible to avoid loss. We are taking appropriate steps in this connection. From appendix A it will be seen that this Government have already taken action according to the suggestions given by the Committee. What action is being taken by the Government is already stated there. All that is possible by the Government to be done, will surely be done. These are things which happened some years back. I hope the hon. Members of this House will be satisfied with what I have stated.

**Maulavi MD. UMARUDDIN :** What about the amount of 14 lakhs as surrender money ?

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**The Hon'ble Shri MOTIRAM BORA :** There may be some mistakes in the figure. I am making enquiry and shall let you know afterwards.

Sir, a few words about Public Works Department and the criticism against that department. The Public Works Department could not think that the Government of India would stop the post-war grant all on a sudden. They started the work in anticipation of that grant and reasonably hoped that the money would be supplied. But all on a sudden the post-war grant was stopped and they exceeded the amount that was sanctioned in the meantime. We are now trying to impress on the Public Works Department that they must not do things like this in future. They must not think that the Government would sanction the amount incurred without authority. I can assure the House that such irregularities are not likely to be much in future and necessary steps are being taken. With these words, Sir, I think I have dealt with all the points raised by the hon. Members and I hope I have been able to meet all the points.

**Maulavi MD. UMARUDDIN :** I have not heard anything about Co-operation at page 18, Appointment of officers before the College was started ?

**The Hon'ble Shri MOTIRAM BORA :** That was not raised by you during the course of your speech. One point more regarding the Apex Bank. Whether the money given to the Apex Bank is secure or not ? The Manager of the Apex Bank is a Government Officer. The Government is taking steps to see that the money is secured as far as possible. It, more or less, is a co-operative organisation. We are trying to see that our money is secured. As a matter of fact, the money was given by the Government of India for the spread of co-operative movement in this Province. We are trying to see that the money is really secure as far as possible.

**Shri HARESWAR GOSWAMI :** What is the kind of security you have kept as against the money advanced ?

**The Hon'ble Shri MOTIRAM BORA :** Suppose the Apex Bank lends money to a tea garden, it is lent on or on hypothecation of crops. It is an adequate security. Therefore, it will be seen that the Government is taking all possible care as regards the security sum in this matter of a co-operative organisation also.

**The Hon'ble the SPEAKER :** If they advance Rs.50,000 they take security for one lakh.

**The Hon'ble Shri MOTIRAM BORA :** Government have been giving money for advancement and encouragement of co-operative work. So some risk may be necessary ; otherwise how can we encourage the formation of co-operative societies ? So far as this Government is concerned, we are taking all possible steps to avoid any loss.

**Shri HARESWAR GOSWAMI :** On a point of information, Sir, what is the total amount advanced to this Bank ?

**The Hon'ble Shri BISHNURAM MEDHI :** About 44 lakhs, Sir ; with the full approval of the Government of India for the spread of co-operative movement in Assam, this amount was advanced to this Bank by this Government.

**The Hon'ble Shri MOTIRAM BORA :** I think, Sir, I have met all the points raised by my hon. Friends in the opposite and I have nothing more to add. With these observations Sir, I resume my seat.

**The Assam Appropriation Bill (II), 1952**

**The Hon'ble the SPEAKER:** I have here one message from His Excellency the Governor regarding the Assam Appropriation Bill (II), 1952—

“Under the provisions of Article 207 of the Constitution of India, I, Jairamdas Doulatram, Governor of Assam, recommend the introduction in the Legislative Assembly of Assam, the Assam Appropriation (No.II) Bill, 1952, and also the consideration of the said Bill by the said Assembly”.

**The Hon'ble Shri MOTIRAM BORA:** Mr. Speaker, Sir, I beg to introduce the Assam Appropriation Bill (II), 1952, and to move that the Bill be taken into consideration.

**The Hon'ble the SPEAKER:** The motion moved is that the Assam Appropriation Bill (II), 1952, be taken into consideration.

(The motion was put as a question before the House and adopted).

**The Hon'ble Shri MOTIRAM BORA:** Sir, May I make a suggestion? If there is no objection on the part of the House, I want to move for consideration of the Bill clause by clause now.

**The Hon'ble the SPEAKER:** Has the Hon'ble Minister leave of the House to do that?

(Voices from Opposition Benches.—No objection).

**The Hon'ble Shri MOTIRAM BORA:** Sir, I beg to move that the Assam Appropriation Bill (II), 1952, be taken into consideration clause by clause.

**The Hon'ble the SPEAKER:** The question is that clauses 1, 2 and 3 of the Assam Appropriation Bill (II), 1952, do form part of the Bill.

(The question was adopted).

The question is that the title and preamble do form part of the Bill.

(The question was adopted).

The question is that the Schedule do form part of the Bill.

(The question was adopted).

**The Hon'ble Shri MOTIRAM BORA:** Mr. Speaker, Sir, I beg to move that the Assam Appropriation Bill (II), 1952, be passed.

**The Hon'ble the SPEAKER:** The motion moved is that the Assam Appropriation Bill (II), 1952, be passed.

(The motion was put as a question before the House and adopted).

**The Assam Finance Bill, 1952**

**The Hon'ble Shri MOTIRAM BORA:** Mr. Speaker, Sir, there are no amendments to this Assam Finance Bill, 1952. The Bill has already been introduced and it was to be taken into consideration clause by clause now. So I beg to move that the Bill be passed.

**The Hon'ble the SPEAKER:** The question is that clauses 1 and 2 of the Assam Finance Bill, 1952, do form part of the Bill.

(The question was adopted).

The question is that the Title and Preamble of the Assam Finance Bill, 1952, do form part of the Bill.

(The question was adopted).

**The Hon'ble the SPEAKER:** The question is that the Assam Finance Bill, 1952, be passed.

(The question was adopted).

**The Assam Opium Prohibition (Amendment) Bill, 1952**

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** Mr. Speaker, Sir, as there are no amendments to this Assam Opium Prohibition (Amendment) Bill, 1952, I beg to move that the Bill be passed.

**The Hon'ble the SPEAKER:** Now, the question is that clauses 1 and 2 of the Assam Opium Prohibition (Amendment) Bill, 1952, do form part of the Bill.

(The question was adopted.)

The question is that the Title and Preamble of the Assam Opium Prohibition (Amendment) Bill, 1952, do form part of the Bill.

(The question was adopted.)

The question is that the Assam Opium Prohibition (Amendment) Bill, 1952, be passed.

(The question was adopted).

**The Assam Maternity Benefit (Amendment) Bill, 1952**

**The Hon'ble Shri OMEO KUMAR DAS:** Mr. Speaker, Sir, I beg to move that the Assam Maternity Benefit (Amendment) Bill, 1952 be taken into consideration clause by clause. There are no amendments to this Bill, Sir.

**The Hon'ble the SPEAKER:** The motion moved is that the Assam Maternity Benefit (Amendment) Bill, 1952, be taken into consideration clause by clause.

(The motion was put as a question and adopted.)

The question is that clauses 1 to 3 of the Assam Maternity Benefit (Amendment) Bill, 1952, do form part of the Bill.

(The question was adopted.)

The question is that the title and the preamble of the Assam Maternity Benefit (Amendment) Bill, 1952 do form part of the Bill.

(The question was adopted.)

**The Hon'ble Shri OMEO KUMAR DAS:** Mr. Speaker, Sir, I beg to move that the Assam Maternity Benefit (Amendment) Bill, 1952, be passed.

**The Hon'ble the SPEAKER:** The motion moved is that the Assam Maternity Benefit (Amendment) Bill, 1952, be passed.

**Shri HARESWAR GOSWAMI:** Mr. Speaker, Sir, my objection to the passing of this Bill is that the rate that has been given to women workers during the period of 12 weeks is not according to the Minimum Wages Act. Sir, the Minimum Wages Act is not the basic wage that a man or woman is entitled to, it includes also the dearness allowance. Here the sum of annas 11-6 is only a basic wage, dearness allowance has been totally forgotten. The dearness allowance should also be included in this sum because during this period of 12 weeks she cannot earn her own living and this dearness allowance has been granted to a worker for the abnormal situation in the cost of living; but if this dearness allowance is divided to a woman worker then she may find it very hard to meet her requirements and will be placed in a hard position. Moreover, in this 12 weeks, she has got to spend extra expenditure for medicine, etc. Therefore, it is essential that she is given the dearness allowance.

Further, this period of 4 weeks before delivery and 6 weeks after delivery, should be extended to 6 weeks before delivery and 8 weeks after delivery.

With these words, I oppose the motion moved by the Hon'ble Minister.

**Dr. HOMESWAR DEB CHOUDHURY:** Mr. Speaker, Sir, by sub-clause (2) of clause 2 of the Bill, the word "maximum" has been sought to be deleted. I want to add.....

**The Hon'ble the SPEAKER:** You cannot add anything now at this stage of the Bill.

**Dr. HOMESWAR DEB CHOUDHURY:** The maximum ought to be 12 weeks, which should not only be given in case of plantation labour, but should be applicable to all factory workers.

**The Hon'ble the SPEAKER:** You will please speak generally.

**Dr. HOMESWAR DEB CHAUDHURY:** মাননীয় অধ্যক্ষ মহোদয়, Assam Maternity Benefit (Amendment) Bill, 1952 বুলি তাৰ আৰত বিলখনৰ যিটো Amendment অনা হৈছে, তাৰ Title অনুযায়ী Scope বৰ কম। নাম হৈছে Assam Maternity Benefit কিন্তু অলপ কাম হব কেৱল Plantation অৰ্থাৎ অসমৰ চাহ বাগিছা-বিলাকত কাম কৰা দুই চাৰিটা তিবোতাৰ।

অধ্যক্ষ মহোদয়, মই এই Bill ৰ বিৰোধীতা কৰিবলৈ ওলোৱা মানে উক্ত তিবোতা সকলক এইখিনি সুবিধাৰ পৰা বঞ্চিত কৰা নহয়, তেওলোকক বেচি সুবিধা দিবলৈকেহে বিৰোধীতা কৰিবলৈ ওলাইছো।

মহোদয়, এই বিলত, অকল চাহ বনৰা তিবোতাসকলকে নধৰি, অন্যান্য কল-কাৰখানাত কাম কৰা তিবোতাসকলকো ধৰিব লাগিছিল। এই ফালৰ পৰা এই বিলখন অসম্পূৰ্ণ।

ইয়াৰ উপৰি এই বিলত যিখিনি সুবিধা দিয়া হৈছে, সেইটো প্ৰসবৰ আগত ৬ সপ্তাহ আৰু পিচত ৬ সপ্তাহ দিব লাগিছিল। আৰু এই ১২ সপ্তাহ হস্পিটেলত বন্ধাৰ ব্যৱস্থা, আৰু প্ৰসবৰ ৬ সপ্তাহৰ পিচত কামলৈ যোৱাৰ ব্যৱস্থা হ'ব লাগিছিল। তেতিয়া হলে প্ৰসবৰ সময়ৰ বহু বোগৰ আৰু মৃত্যুৰ পৰা বহু তিবোতাক বক্ষা কৰিব পৰা গ'ল হেতেন। আৰু, এই বনুৱাসকলৰ কথমপি জীৱিকা নিৰ্বাহ হয়, মতা তিবোতা হালৰ পুৰা দিনৰ মজুৰীৰেহে। এই বিলৰ জৰিয়তে যিখিনি পাব, সি যথেষ্ট নোহোৱা কাৰণে অভাৱৰ তাৰনাত বহুতে মনে মনে হলেও অনিয়মানুবন্ধিতাৰ আশ্ৰয় লবলৈ বাধ্য হ'ব, অৰ্থাৎ এই নিৰ্দিষ্ট সময়ৰ আগতেই কামলৈ পঠিয়াই দিব। গতিকে এই বিলখনেৰে যি সুবিধা দিবলৈ বিচৰা হৈছে, সি অকপটে দিয়া হোৱা নাই যেন লাগে। গতিকে এনেকুৱা বিল এখনৰ প্ৰয়োজন নিচেই কম।

অধ্যক্ষ মহোদয়, এনেকুৱা বিল এখন উপস্থাপিত কৰাৰ আগতেই হয়তো ওচৰাওচৰি ২৩ খন বাগিছা বা কাৰখানাৰ মাজে মাজে একোখন Maternity বা কাৰণে ভাল Hospital পাতি চৰকাৰৰ তত্ত্বাবধানত ৰাখি, সেইবিলাকৰ খৰচৰ ব্যৱস্থা কৰিব লাগিছিল মালিকসকলৰ দ্বাৰা কাৰণ বৰ্তমানে সেই তিবোতাসকলৰ চিকিৎসাৰ কোনো সুবন্দোবস্ত নাই। বনুৱাসকলৰ টকা পইছা নোহোৱাত উক্ত তিবোতাসকলে কোনো চিকিৎচাই নাপায়।

এনে বকয়ৰ প্ৰকৃত কামবিলাকলৈ আওকান কৰি, এনেয়ে আজি এখন বিল, কালি এটা শুধৰণী অনাৰ একো লাভ নাই। তদুপৰি, এই বিলৰ যি Amendment বৰ্তমানে অনা হৈছে, তাত অন্যান্য কল-কাৰখানাত কাম কৰা তিবোতাসকলৰ কাৰণেও এটা ব্যৱস্থা কৰিব লাগিছিল।

ইয়াকে উল্লেখ কৰি মই এই Amendment Bill ৰ বিৰোধীতা কৰিছো।

**The Hon'ble Shri OMEO KUMAR DAS:** Mr. Speaker, Sir, I am surprised on the move taken by my hon. Friend, the Leader of the Opposition, Mr. Goswami. If he sincerely felt the cause of women workers then he ought to have come before the House with amendments which he has now proposed. Instead of doing so, he has come at this stage of passing of the Bill to oppose it. His opposition will mean that the previous Act would remain in force. In that case, I question him, how can he serve the interests of the women workers? He has mentioned that this rate of annas 11 and 6 pies is below the rate fixed under the Minimum of Wages Act. I have to bring to your notice, Sir, that this benefit is meant to be a sick allowance, and that this she gets in addition to the usual food concessions to which she is entitled to.

Then, regarding the period, he ought to have brought in an amendment at the proper time, but instead of bringing in any amendment, he has now made suggestions in order to oppose the passing of this Bill.

With these words, I request the hon. Leader of the Opposition not to press his objections and thus help us in passing this Bill. This fresh Bill provides to correct a lacuna which was detected afterwards in the enforcement of the Bill.

**The Hon'ble the SPEAKER:** The question is that the Assam Maternity Benefit (Amendment) Bill, 1952, be passed.

(The question was adopted.)

**The Assam Tea Plantations Compulsory Savings Fund Scheme  
Bill, 1952.**

**The Hon'ble the SPEAKER:** The next item is the consideration of the Assam Tea Plantations Compulsory Savings Fund Scheme Bill, 1952, clause by clause.

**Shri GAURI SANKAR ROY:** Mr. Speaker, Sir, I beg to move the following amendment to the Assam Tea Plantations Compulsory Savings Fund Scheme Bill, 1952 :—

“That in the Explanatory note above the Preamble, the ‘full stop’ at the end shall be deleted and the following words shall be added at the end of the sentence :—

‘to educate them in the art of thrift.’”

**The Hon'ble Shri OMEO KUMAR DAS:** I have no objection to accept this amendment.

**The Hon'ble the SPEAKER:** The question is that in the Explanatory note above the Preamble, the “full stop” at the end shall be deleted and the following words shall be added at the end of the sentence :—

“to educate them in the art of thrift”.

The question was adopted.

**The Hon'ble the SPEAKER:** The question is that the Explanatory note above the Preamble, as amended, do form part of the Bill.

The question was adopted.

**Shri GAURI SANKAR ROY:** Mr. Speaker, Sir, I beg to move the following :—

“That in sub-clause (3) of clause 1, for the words and figures ‘with effect from the thirtieth day of March, 1952,’ the words ‘at once’ shall be substituted”.

**The Hon'ble Shri OMEO KUMAR DAS:** I have no objection to accept this amendment.

**The Hon'ble Shri BAIDYANATH MOOKERJEE:** May I be permitted to speak a few words, Sir, in this connection? In view of the suggestion that I offered the other day that before any motion is moved no amendment can be moved, I think, Sir, the Hon'ble Minister in charge of this Bill should move the motion that such and such Bill be taken into consideration clause by clause; and then, Sir, the question of amendment to the individual clauses will arise.

**The Hon'ble the SPEAKER:** Quite right.

**The Hon'ble Shri BAIDYANATH MOOKERJEE:** In that case Sir, I think that the motion for amendment of my hon. Friend will be moved after my Hon'ble Colleague moves his motion for consideration of the Bill.

**The Hon'ble the SPEAKER :** But he has already moved his motion.

**The Hon'ble Shri OMEO KUMAR DAS :** I think, Sir, it would be rather awkward to do that after having the amendment accepted.

**The Hon'ble the SPEAKER :** Then the amendment is accepted.

**The Hon'ble Shri OMEO KUMAR DAS :** Yes, Sir, I have no objection to accept it. I have done so after my previous consultation with the Legal Remembrancer.

**The Hon'ble the SPEAKER :** Now the question is that in sub-clause (3) of clause 1, for the words and figures "with effect from the thirtieth day of March, 1952," the words "at once" shall be substituted.

The question was adopted.

**The Hon'ble the SPEAKER :** The question is that clause 1, as amended, do stand part of the Bill.

The question was adopted.

The Assembly was then adjourned till 1 P. M., for lunch.

(After lunch)

**The Hon'ble the SPEAKER :** Amendment No.3. Shri Gauri Sankar Roy.

**Shri GAURI SANKAR ROY :** Mr. Speaker, Sir, I beg to move that in item (a) of clause 2, for the word "eighteenth" the word "sixteenth" shall be substituted.

**The Hon'ble the SPEAKER :** The amendment moved is that in item (a) of clause 2, for the word "eighteenth" the word "sixteenth" shall be substituted. The Hon'ble Mr. Das ?

**The Hon'ble Shri OMEO KUMAR DAS :** I have no objection to accept this, Sir.

**The Hon'ble the SPEAKER :** The question is that in item (a) of clause 2, for the word "eighteenth" the word "sixteenth" shall be substituted.

The question was adopted.

**Shri GAURI SANKAR ROY :** Mr. Speaker, Sir, I beg to move that for item (e) of clause 2, the following shall be substituted:—

"(e) 'labourer' means any person who is a permanent labourer employed in a plantation in any kind of work, manual or otherwise, in connection with a plantation and who gets wages, directly or indirectly from the employers, but does not include an artisan or a member of the clerical, medical or similar staff.



*Explanation.*—The term ‘permanent labour’ will have the same meaning as defined in Rule 2(b) of Schedule II of the Rules framed under the Industrial Employment (Standing Orders) Act, 1946 by the Governor of Assam”.

**The Hon’ble the SPEAKER:** What is the meaning of the word ‘indirectly’ Mr. Das ?

**The Hon’ble Shri OMEO KUMAR DAS:** Labourers engaged through labour contractors. Of course it is not in practice in Assam Valley, but it may be in practice in Cachar to use such labour contractors.

**The Hon’ble the SPEAKER:** The amendment moved is that for item (e) of clause 2, the following shall be substituted:—

“ ‘labourer’ means any person who is a permanent labourer employed in a plantation in any kind of work, manual or otherwise, in connection with a plantation and who gets wages, directly or indirectly from the employers, but does not include an artisan or a member of the clerical, medical or similar staff.

*Explanation.*—The term ‘permanent labour’ will have the same meaning as defined in Rule 2(b) of Schedule II of the Rules framed under the Industrial Employment (Standing Orders) Act, 1946 by the Governor of Assam”.

(The amendment was put as a question and adopted.)

**The Hon’ble the SPEAKER:** The question is that clause 2, as amended, do form part of the Bill.

The question was adopted.

**Shri PURNANANDA CHETIA (Deputy Minister):** Mr. Speaker, Sir, there is another important matter consequential to the amendment moved by Shri Gauri Sankar Roy. That is when the 4th amendment is accepted, in that case under clause 3(1) the words ‘residing and’ in the fifth line will have to be deleted.

**The Hon’ble the SPEAKER:** That you can do. What is the substitution ?

**Shri PURNANANDA CHETIA (Deputy Minister):** I want deletion, Sir, and not substitution.

**The Hon’ble Shri BAIDYANATH MOOKERJEE:** A formal amendment will have to be moved, Sir.

**The Hon’ble the SPEAKER:** Yes.

**Shri GAURI SANKAR ROY:** Mr. Speaker, Sir, I beg to move that in clause 3(1) the words ‘residing and’ occurring in the fifth line shall be deleted.

**The Hon’ble the SPEAKER:** The amendment moved that in clause 3 (1) the words “residing and” occurring in the fifth line shall be deleted.

(The amendment was put as a question and adopted.)

**The Hon’ble the SPEAKER:** The question is that clause 3, as amended, do form part of the Bill.

The question was adopted.

**The Hon'ble the SPEAKER:** The question is that clauses 4 to 14 inclusive of the Bill do stand part of the Bill.

(The question was adopted.)

The question is that the Schedule of the Bill do stand part of the Bill.

(The question was adopted.)

The question is that the Title and Preamble of the Bill do stand part of the Bill.

(The question was adopted.)

**The Hon'ble Shri OMEO KUMAR DAS:** I beg to move that the Assam Tea Plantations Compulsory Savings Fund Scheme Bill, 1952, as amended, be passed.

**The Hon'ble the SPEAKER:** The motion moved that the Assam Tea Plantations Compulsory Savings Fund Scheme Bill, 1952, as amended, be passed.

**Shri HARESWAR GOSWAMI:** Mr. Speaker, Sir, when this Bill was introduced in this House and was taken up for consideration, for some pressing work elsewhere, I was not present and did not have the opportunity to speak on the Bill. Even at this late stage I stand here to oppose the very Bill and would request the members of this Hon'ble House to oppose this Bill.

Sir, the whole idea of compulsory saving originated in the year 1919 with no less a person than an Economist of Lord Keynes's stature. Then the question arose how to finance the war and Lord Keynes came out with this famous proposition of compulsory saving. Sir, today we find the idea has been vulgarised, today we find that it has been introduced in such spheres where it ought not to have been introduced. Sir, we can think of compulsory saving only when there is scope for saving, but here we find that there is no scope to save. The Statement of Objects and Reasons reads thus:

"The recommendations of the Minimum Wages Committee set up by this Government are going to be implemented with effect from the 30th March 1952. By this, a labourer will get in his daily wages, an increase varying from two annas to four annas. As the habit of saving is not common among labourers and as consumer goods are scarce, this added income may result in inflation".

I do not agree with this. First of all I do not agree because the very principle of the Minimum Wages Act has been violated by the provision of this Bill. Minimum wages mean minimum in the form of wages to keep body and soul together and carry on with such things which are essential for daily life.

Secondly I do not think that inflation is on the increase. On the other hand the phenomenal fall of prices during the last few weeks shows that we are in for a period of depression. I do not know whether depression has actually set in, but from the money market and some other sources we find that there is price recession and it might increase. In that case there is no scope for saving by these poor people. Whatever the labourers would get under the Minimum Wages Act will only enable them to carry on from hand to mouth. So I do not agree that whatever they save on that score will crease the inflation.

Thirdly I do not think that the minimum wage fixed is sufficient to give a labourer a fair deal. What is the minimum wage? After all a labourer gets only twelve annas as his basic wage *plus* six annas as dearness allowance and seven annas as food concession. This Bill does not say that it will not come into operation when the dearness will not be there and when the food concession will not be there. It means that if this Bill is to be passed into Act and if it remains in operation, even from twelve annas the labourer will be forced to save something. That is very unfortunate, Sir. As a matter of fact all people who are interested tea garden labourers have been demanding that their minimum wage should not be less than Rs.1-4, but today we find that the basic minimum wage has been fixed at annas twelve *plus* annas six as dearness allowance *plus* annas seven as food concession. So I contend that the money given in the shape of basic wage does not fulfil our demand and is not sufficient to keep the labourers in body and soul.

Fourthly, in a scheme for compulsory saving, there are two sides—(I) Saving and (II) is how we invest the money saved. It is not the question of saving but it is also a question of how to utilise the money that will be saved. In the Railway also there is the system of saving, but that is not compulsory, it is voluntary. Had it been said that the saving in this case would be voluntary and there would be no element of compulsion, then I would have no objection. But, Sir, in this particular case nothing is said about that. I do not agree that those people who have nothing to save, who live from hand to mouth and whose conditions are most miserable are in a position to contribute to this fund. In the case of Railway, Re. 1 is saved by the workmen from their monthly salary and that amount is paid to the Fund which is being utilised by the Railway—a National Industry. They do not object to that because the Railway has been nationalised. The labourers feel enthused to save because they know this will be spent on national purposes and therefore they would try to save. But here we find that nothing has been mentioned as to how this fund will be utilised; there is no mention how this money in the fund will be invested. Is it for helping the planters in the difficult days to come? Sir, we are not here to allow such things. Even clause 3 has not been able to give any idea as to how this scheme will operate. What will be the amount demanded from the labourers in the shape of compulsory saving? Nothing is mentioned about this. Therefore I do not agree that the time is opportune to ask labourers to save money. Their income is so limited that there is no scope for any saving. I oppose the Bill because of its compulsory nature. I would have agreed had it been on voluntary basis, had a well planned propaganda been started that the labourers should save whatever they can from their wages. Therefore I oppose this Bill. I consider if this Bill is passed it will be a mean of another type of tyranny and oppression on the labourers and their standard of living will not be improved but will go down.

**Shri GAURI SANKAR BHATTACHARYYA:** Mr. Speaker, Sir, I stand to oppose this Bill. I oppose it on two fundamental principles. The first principle is the question of saving. Nobody denies that when a man has something to save he can and should save, but when we ask workers to save to speak of other organisations like the Communist Party, the Socialist Party or the Red Flag Trade Unions, even the Government sponsored Indian National Trade Union Congress have all along said and demanded that for the very existence of the plantation labour at least Rs.2-4-0 is the minimum necessity. I think, there has all along been a strong demand both on the Government as well as on the employers for fulfilment of this demand of minimum wage of Rs.2-4.

Now taking everything into consideration, *i.e.*, their basic wage, dearness allowance, grain concessions, hospital facilities, etc., the tea garden labour does not get more than Rs. 1-10 per day. That means it falls far short of the minimum demands of even the Indian National Trade Union Congress and I think the Government and the hon. Members on the other side of the House will not by any stretch of imagination call the Indian National Trade Union Congress leadership a very revolutionary leadership or the Indian National Trade Union Congress an organisation which makes exaggerated demands?

**The Hon'ble the SPEAKER:** Has your attention been drawn to clause 9?

**Shri GAURI SANKAR BHATTACHARYYA:** Yes, Sir, I have read clause 9. Now, Sir, so far as saving is concerned, the question is whether a labourer has the means to save, whether he has got sufficient to spare. If he has got sufficient to spare then, of course, he should be asked to save. If we look even to the Report of the British Medical Mission which came to India in the year 1943 and whose report was published in the year 1944, we see that this British Medical Mission itself has opined that the wages in various forms that were being drawn by tea garden labour in Assam was not sufficient even to keep a mouse in a living condition! And that Mission expressed surprise how with this ration a human being could live. It is no doubt true that the wage of labourers in terms of money has increased since 1943, but if we look to the purchasing power of the money, we see that the real wage of a worker has not increased at all. So, if we press the labourer for saving, that will mean saving only from his barest necessities. Accordingly, Sir, we cannot by any principle on earth support the idea of taking away a morsel of food from the famished and starving labourer and therefore this saving principle is objected to.

Then, secondly, comes the principle of compulsion. Whereas this Government has failed to compel the Indian Tea Association, a British organisation of tea planters, to do justice to our Indian workers, this Government is going to bring compulsion on the workers and is going to take away something which they have got after so much wailing, suffering, petitions and struggles. This compulsion on the workers has got a very sinister significance. If this is allowed to go, then the very right of trade-unionism, the very right of free citizenship will be gradually denied to these workers and so, I submit, that this compulsion is an unnecessary interference by the State against the workers.

Thirdly, Sir, the objects of this Bill have been stated (1) to check inflation and (2) to educate the workers in the art of thrift. So far as inflation is concerned, to lay the blame on the increased wage of the workers is nothing but a wrong understanding of political economy. Any student of political economy knows very well that this small and meagre income of the tea garden labour is not, and cannot be, the cause of inflation. This may be a very minor contributory factor to the whole problem but this is not the creator of inflation in our country. If the Government are really keen on checking inflation, if they are really keen on bringing a normal and balanced economy in the country, there are other important measures to be taken and not cutting the belly of the workers!

Then, Sir, about thrift. It is not by taking away a morsel of food from the mouth of the starving workers that they are to be taught thrift. If thriftiness is to be fostered, it should be fostered by raising the educational and cultural level of the workers. It is often said that workers take to liquor. Though it has not been stated on the floor of the House by the Hon'ble Minister that he has introduced the Bill for that purpose, it is evident that one of the underlying purposes is to check the workers' habit of taking liquor. Well,

Sir, this is very wrong conception and the only parallel to it can be drawn to the Britishers' claim that India was a white-man's burden to them. The workers cannot be taught thriftiness and teetotalerian habits by means of legislation. If the workers are given decent human living, if they are given the opportunity of having better education and culture and if by the raising of their standard of living they are made to feel that they are equal and honourable citizens of the State, only then they can be taught the art of temperance and thrift. To-day, the tea plantation labourers are treated by many people as sub-human beings and the workers themselves labour under an inferiority complex because of their poverty, backwardness of culture and not getting the minimum necessary things for living. So, I submit that this Bill does not in any way solve the real problem. Unless and until the workers are equipped and encouraged spontaneously to feel the necessity of saving, no amount of compulsion can make them thrifty and no amount of compulsion can raise them from their present condition. Therefore, Sir, with all the emphasis at my command, I oppose this Bill.

**The Hon'ble Shri OMEO KUMAR DAS:** Mr. Speaker, Sir, I am no surprised at the attitude of the Opposition shown by my hon. Friend Mr. Goswami. Both he and Mr. Bhattacharyya have brought in many arguments. I will not deal with all the arguments that they have placed before the House. Some of them are not relevant to this Bill. Mr. Goswami has stated that he was not present in the House when this Bill was brought before the House. Sir, you requested the members of the Opposition to speak on the Bill several times but the Leader of the Opposition left the Chamber when the Bill was introduced. I am surprised to find him stating that he was not present in the House when the Bill was introduced. I appreciate the value of some of his arguments. I must say that I do not propose to take my stand on prevention of inflation as an object for introducing this Bill. The other day I was telling the House that I would like to take my stand on educating the plantation labourers in the art of thrift. The plantation labourers are ignorant and illiterate and they are accustomed to spend their cash in liquor. This increased cash earnings may be abused.

**The Hon'ble the SPEAKER:** What is the increased of Excise Revenue? It has increased by 300 per cent. You are to draw your own inference.

**The Hon'ble Shri OMEO KUMAR DAS:** Yes, Sir, Excise Revenue has increased during these years. Mr. Goswami has mentioned about the fixation of the wage. The Minimum Wage Committee which was set up by the Government took into consideration many factors. They were faced with difficulties about the data. The Committee gave careful consideration to the question whether minimum wage should be expressed wholly in cash or partly in cash and partly in kind. The Government realise the difficulty of the employers when the wage is expressed partly in cash and partly in kind. When the requirements about the food is assured to the labourers they may abuse this privilege by absenteeism.

Sir, Mr. Goswami has stated that he would not have agreed to this Bill if there had been no element of compulsion. I am glad that he has agreed to the principle of savings. But he only disagrees to this Bill because of the idea of compulsion. I have already explained why I have to agree to the principle of compulsion. I gave serious consideration to this question. I have already stated that the tea plantation labourers are illiterate and ignorant. And they are accustomed to spend their earning in liquor shops. Besides this, their food habit is such that they want cereal ration to the extent of 25 ounces per day per

consumption unit. The All-India Ration has been reduced to 12 ounces of cereal ration. Only half of this is expressed in rice. But they are accustomed to taking only rice. Thus with increased cash earning they may go out to supplement the ration issued from the garden store with rice. Thus they may fall into the traps of the middlemen. I do not know whether Mr. Goswami will like to find the bulk of their earnings go into the pockets of the capitalists and hoarders. Sir, I do not propose to discuss about the minimum wage fixed. I have already mentioned that the Committee set up by Government had to face many difficulties about the data. There was no cost of living index and no family budget enquiry. Our Statistical Department was conducting an enquiry into the cost of living index. But it will take time to complete this enquiry. But on the other hand the statutory data for fixation of the wage will be over if we do not go ahead. As such we had to use the available data at hand. Mr. Deshpande, Director of Labour Bureau conducted an enquiry some years ago. The Committee for fixation of wages took into consideration this materials for this report. I already stated Sir, while introducing this Bill that I take my stand on these factors, *viz.*, scarcity of rice. Lastly I bring to the notice of the hon. Member that no wage policy could be regarded as just unless it encourages the increase of national income.

**Shri HARESWAR GOSWAMI:** Does this Bill do so ?

**The Hon'ble Shri OMEO KUMAR DAS:** Yes Sir, one anna saving would mean a saving of nearly 90 lakhs of rupees. Mr. Bhattacharyya has argued that these savings would be utilised for financing the plantations. I am surprised at this. How can he assume that labourers' savings will be utilised for such finance ? Sir, I beg to bring to your notice that clause 3(1) of the Bill which provides that the State Government may, by notification in the official Gazette, frame a Scheme to be called the Assam Tea Plantations Compulsory Savings Fund Scheme for the establishment of a savings fund for the adult labourer employed in plantations and specify the plantations to which the same shall apply.

In view of these facts I do not think there is any purpose in raising objections to this Bill which will be to the interest of the plantation labourers ; because we want to save the labourer from the clutches of the exploiters and thus to give him economic freedom. I think Mr. Goswami cannot disagree with me when we propose to enact for achieving his economic freedom. With these words I press my Motion for the acceptance of the House.

**The Hon'ble the SPEAKER:** The question is that the Assam Tea Plantations Compulsory Savings Fund Scheme Bill, 1952 be passed.

(The House divided with the following result.)

Ayes

Noes

- |   |                                     |
|---|-------------------------------------|
| 1. The Hon'ble Shri Motiram Bora.             | 1. Maulavi Mehrab Ali Laskar.       |
| 2. The Hon'ble Rev. J. J. M. Nichols-Roy.     | 2. Mr. Maham Singh.                 |
| 3. The Hon'ble Shri Rupnath Brahma.           | 3. Md. Sahadatali Mandal.           |
| 4. The Hon'ble Shri Ram Nath Das.             | 4. Shri Tamizuddin Prodhani.        |
| 5. The Hon'ble Shri Omeo Kumar Das.           | 5. Md. Umaruddin.                   |
| 6. The Hon'ble Shri Mahendra Mohan Choudhury. | 6. Maulavi Md. Pahar Khan.          |
| 7. The Hon'ble Shri Baidyanath Mookerjee.     | 7. Maulavi Mukhtar Ali.             |
| 8. The Hon'ble Shri Siddhinath Sarma.         | 8. Dr. Homeswar Deb Choudhury.      |
|   | 9. Shri Radha Charan Chaudhury.     |
|   | 10. Shri Hareswar Goswami.          |
|   | 11. Shri Gaurisankar Bhattacharyya. |
|   | 12. Shri Dandiram Dutta.            |
|   | 13. Shri Ghana Kanta Gogoi.         |

Ayes

- |   |                                   |
|---|-----------------------------------|
| 9. Pu R. Dengthuama.                      | 40. Shri Davidson Bhabora.        |
| 10. Pu R. Thanhlira.                      | 41. Shri Mohi Kanta Das.          |
| 11. Pu Ch. Saprawnga.                     | 42. Shri Biswadev Sarma.          |
| 12. Shri Ramesh Chandra Das Chowdhury.    | 43. Shri Kamala Prasad Agarwala.  |
| 13. Maulavi Mahmud Ali.                   | 44. Shri Bijoy Chandra Bhagabati. |
| 14. Maulana Abdul Jalil.                  | 45. Shri Gahan Chandra Goswami.   |
| 15. Shri Ram Prosad Chubey.               | 46. Shri Pratap Chandra Sarma.    |
| 16. Shri Raghunandan Dhubi.               | 47. Shri Mahendra Hazarika.       |
| 17. Shri Raichand Nath.                   | 48. Shri Bimala Kanta Barah.      |
| 18. M. Moinul Haque Choudhury.            | 49. Mrs. Usha Barthakur.          |
| 19. Shri Gauri Shankar Roy.               | 50. Shri Lila Kanta Bora.         |
| 20. Mr. A. Alley.                         | 51. Mohammed Idris.               |
| 21. Mr. Joybhadra Hagjer.                 | 52. Shri Rajendranath Barua.      |
| 22. Shri Nihang Rongpher.                 | 53. Shri Chanoo Kheria.           |
| 23. Shri Khorsing Terang                  | 54. Shri Mal Chandra Pegu.        |
| 24. Mr. Harison Momin.                    | 55. Shri Debeswar Rajkhowa.       |
| 25. Mr. Emerson Momin.                    | 56. Shri Harinarayan Baruah.      |
| 26. Mr. Emonsing Sangma                   | 57. Shri Rabin Kakoti,            |
| 27. Mr. Aaran Sangma.                     | 58. Shri Girindranath Gogoi.      |
| 28. Shri Hareswar Das.                    | 59. Shri Ananda Chandra Bezbarua  |
| 29. Shri Hakim Chandra Rabha.             | 60. Shri Purnananda Chetia.       |
| 30. Shri Akshay Kumar Das.                | 61. Shri Hem Chandra Hazarika.    |
| 31. Shri Mahadeb Das.                     | 62. Shri Karka Chandra Doley.     |
| 32. Shri Baikuntha Nath Das.              | 63. Maulavi Faiznur Ali.          |
| 33. Shri Sriman Prafulla Chandra Goswami. | 64. Shri Ramesh Chandra Barooah.  |
| 34. Shri Prabhat Chandra Goswami.         | 65. Shri Indreswar Khaund.        |
| 35. Shri Dharanidhar Basumatari.          | 66. Shri Jadunath Bhuyan.         |
| 36. Shri Mohendra Nath Deka.              | 67. Shri Manik Chandra Das.       |
| 37. Shri Radhika Ram Das.                 | 68. Shri Jogakanta Barua.         |
| 38. Shri Purandar Sarma.                  | 69. Shri Harihar Chowdhury.       |
| 39. Shri Sashadhar Ghosh.                 | 70. Shri Dalbir Singh Lohar.      |
|   | 71. Shri Jadab Chandra Khakhlari. |

The question was adopted.

**Resolution for consideration of the Memorandum submitted to the Finance Commission by the State Government**

**Shri BIMALA KANTA BORA:** Sir, I have a Resolution in my name. It is a very important Resolution. I think it will be better if this is taken up before we come to item No.9 of today's business.

**The Hon'ble Shri BISHNURAM MEDHI:** We have no objection if it is taken up now. It is a very important matter. I hope the hon. Members opposite will have no objection to take it up now.

**The Hon'ble the SPEAKER:** What is the view in the opposition side? I can give more time to you on the food debate. So, I think, the Resolution can be taken up now.

**Shri HARESWAR GOSWAMI:** It will be difficult for us, Sir, to participate in this discussion today. One thing can be done. I suggest that the hon. Members opposite be allowed to speak today and we are allowed to speak on the 31st.

**The Hon'ble Shri BISHNURAM MEDHI:** Yes, that can be done. It will not be possible to finish the food debate in one day. So, some Members in our side can take part today and then the debate will be resumed on the 31st.

**Shri HARESWAR GOSWAMI:** The time for food debate should not be curtailed, Sir.

**The Hon'ble the SPEAKER:** It is a combined programme for the 29th and 31st and I do not think that the time will have to be curtailed. I think the Resolution of Mr. Bora can be taken up now.

**The Hon'ble Shri BAIDYANATH MOOKERJEE:** Sir, may I know that the Motion standing in my name will be taken up on Monday?

**The Hon'ble the SPEAKER:** Yes, as I understand from the Opposition side.

**Shri BIMALA KANTA BORA:** Mr. Speaker, Sir, I beg to move—

“That this Assembly do now proceed to consider the Memorandum submitted to the Finance Commission by the State Government and express its full support and approval to the principles suggested therein for the distribution of revenues and determination of grants.

This Assembly is further of the view that the divisible pool of income-tax should be raised to 60 per cent. and that this State's share of that pool should be fixed according to the principles suggested in the Memorandum at 4.6 per cent. and that the grant in lieu of the share of jute export duty under Article 273(1) of the Constitution should be determined on the basis of the restoration of the original 62½ per cent. as provided under the Niemeyer Award, and that in view of the general backwardness of the State and particularly of the extreme backwardness of the Tribal areas of the Hills and the Plains, further accentuated by the disruption of the economic structure resulting from the Partition and natural calamities like Earthquake and floods, and the pressing urgency for the development of the backward areas and the rehabilitation of the shattered economy of the State, the grants-in-aid payable under Article 275, be fixed at a sum not less than Rs.5 crores a year.”

Sir, this is a very important Resolution and it has some added importance in view of the fact that the Finance Commission is coming to visit Assam some time in May next and in view of the slender resources of our State. If we cannot press our claims properly and if we cannot convince the Finance Commission about the justice of our case, probably our case will go by default for ever. For the last several years, both from this House and from the platform outside, it has been repeatedly said that Assam has not got justice in the matter of allocation of grants. In every Budget Session and Budget speech we find that there is a demand for justice in this matter. But we have up till now received no justice. Now the Constitution provides a Finance Commission and this is coming here shortly. I think this will be the last chance for pressing our claim before the Commission and get our justice. Therefore, Sir, there is a great importance in this Resolution.

Sir, ours is a poor State and it is in an undeveloped stage. Besides that, it has been faced with various natural calamities and as such we have not been able to make any development in our country. Therefore, Sir, we should give



great importance to this Resolution. It is a very simple Resolution. It seeks to give its support and approval to the suggestion made by the Government to the Finance Commission. It is needless for me to make a detailed speech, because the facts are clearly stated in the Memorandum. Sir, there is a feeling abroad that we have not got the justice from the Government of India in the matter of allocation of the grants and revenues. The Hon'ble Finance Minister in course of his last Budget speech has clearly stated that we have got a deficit Budget and that the deficit can never be covered unless we get our due share of grant from the Government of India. The Budget must be a balanced one. A balanced Budget shows the financial stability of a State. We have been getting a deficit Budget for the last few years. Unless it is covered, we are absolutely undone. This Resolution will strengthen the hands of the Government in our attempts to get our due share as submitted in the Memorandum to the Finance Commission. The claims and demands made in the Memorandum should not be considered to be the demands of the Hon'ble Ministers alone. We should all unequivocally say that it is the demand of one crore of people whom we represent here. In that case the Finance Commission will realise the gravity of the situation and give due consideration to the Memorandum. The claim should not only be backed by the Ministers alone, but it should be backed by all section of the House, whatever party it may belong. It should not be made a subject of party politics. We shall have to rise as one man and tell the Finance Commission in one voice that it is an united demand and that it should be conceded.

Sir, my Resolution consists of three parts. First part says that the divisible pool of income-tax should be raised to 60 per cent. and that the percentages of allocation of income-tax should be raised to 4.6 per cent. Sir, it is known to all here that we have not been getting justice in the matter of allocation of income-tax from the Government of India since the beginning of Sir Niemeyer's Award. Under the Niemeyer's Award the Province of Assam was given 2 per cent. of the divisible pool as her share of the income-tax and later on raised to 3 per cent. by Government of India. Our claim is that the divisible pool should be raised to 60 per cent. Sir, the present 50 per cent. pool does not give us the due share. I will also refer to the basis of distribution and allocation of income-tax. At present we find that one of the basis on which the allocation is made is the place of collection of income-tax. We all know that a great part of the income-tax on incomes accruing in Assam is collected in Calcutta and other places outside this State. We therefore do not get our proper share on that principle. The money is earned in Assam, but collection is made somewhere else. Therefore, our Memorandum has rightly suggested that some other principles should be adopted in allocating the share of income-tax. Sir, we have a large number of troubles some of which are man-made and some God-made. In order to meet these troubles, we must get our legitimate share of the income-tax. Density of population cannot also be a guiding factor in this case. The density of population in our State may not be so high as in some other States, because our population is scattered all over the State, and geographical situation of the State is such that it is necessary to spend a considerable amount of money in running the administration in the various parts of the State which comprises a considerable area of hills. All these factors will have to be taken into consideration, before the allocation is made. A formula has been suggested in the Memorandum to meet this point which is considered to be most reasonable. The total share to which the State will be entitled under the system of distribution proposed in this Memorandum will be 4.6 per cent. of the divisible pool and it will come to about Rs.245 lakhs.

The second part of the Resolution is about the share of the net proceeds of the export duty on jute products. There also we have a long standing grievance against the principle of distribution. After the introduction of the Government India 1935 Act, it was provided that 50 per cent. or more of the net proceeds of the export duty on jute or jute products should be distributed to the jute growing

areas in proportion to the amount of jute grown therein. On the recommendations of Sir Otto Niemeyer this percentage was raised to 62½ per cent. After the partition of India the provincial share of the jute duty was reduced to 20 per cent. by an order of the Government of India. This has completely broken down the bone of the Assam's administration. Our share has become very low. Our prayer in this case is that the State's share of the duty should be raised to 62½ per cent. as it was in the Award of Sir Otto Niemeyer. The third part of the Resolution refers to grants-in-aid. Under Article 275(1) of the Constitution, there is provision for grants-in-aid. We produce petrol and this petrol is sent abroad and duty realised on it. We produce tea in our tea gardens and the duty on it is also realised by the Central Government. So is the case with kerosine oil. But there is no arrangement for distribution of these duties and no percentage of allocation as between the Central and the State is fixed. Only a certain grant is given to us under Article 275 of the Constitution of India. Now, Sir, this grant is very inadequate. We have suddenly been cut off from the rest of India by Partition and a lot of problems has arisen compelling us to spend more money. Immediately after the partition we were left without a High Court, University, Medical College and so many things; we had no roads and then the hill districts come under our normal administration. In this way our liabilities have increased to a great extent and we have repeatedly been pressing the Government of India for more grants on this score but till now our words have fallen on deaf ears. We have not got the justice that we deserve. In the Resolution we have demanded 5 crores of rupees under three heads. At present we are getting only 40 lakhs of rupees from jute. Our demand is just and reasonable because of the following facts.

It is laid down in the Constitution that within the next ten years we will have to bring the tribal people to the level of the other progressive people in the State. Sir, we have in our State half-naked people and also highly progressive people. Now, if we are to bring these unprogressive people to the level of the progressive, it will require a huge amount of money. It is not by lectures that we can raise their level. Then, Sir, there are no roads in the hill areas, and after the partition of the country most of the hill people have lost their market in Pakistan, so much so that special arrangements had to be made to carry their commodities by aeroplanes to Calcutta. The hills were isolated from us for the last 150 years. Now that we have come in their contact it is our bounden duty to develop those areas. But how can we do it unless we have money? We have a deficit of 2½ crores this year and according to the Memorandum it is going to increase every year. It may be that at the end of 5 years we have to face a deficit of 6 to 7 crores of rupees. This shows, Sir, that our entire economic system is in the process of breaking down. If our financial stability is to be regained we must have money. We are not going to the Central Government with a begging bowl, our claim is not based on sentiment; we are only making a just demand. Our products are taken away and we only claim a share of the different duties that are realised on this score. Ours is also not an exaggerated claim. Our demands are modest and are based on facts.

Then, Sir, we have undertaken a five-year scheme. We have made any number of schemes in the past; but mere scheme-making will not help us, we must have money to implement them. Otherwise all our schemes will remain on paper and Government will face criticisms for its failure. Sir, besides our five-year scheme there are other schemes. The University buildings, High Court buildings, etc. have not yet been completed. Then the earthquake has devastated a big part of the State and we have to undertake rehabilitation works. Unless we have money we cannot undertake any of these works. While other provinces are going ahead with their schemes of development, e. g., Bengal with her Damodar Valley project, Bihar with Kosi project, Orissa with Mahanadi project

Madras with Tungabhadra project and so on, we have no money to take up a single project. The position is now such that when we talk of any project, people laugh at us.

Sir, Assam has been neglected since a very long time; our claims do not get proper hearing at the Centre. I know one of the Governors of Assam some years ago made certain representations to the Government of India. The Government of India replied that the "smallest province makes the biggest row." Of course we do not get such replies now-a-days. We hope that our claim will be considered with sympathy and favour. For our development projects and for the development of the hill areas we require money and our Government being conscious of this fact has submitted a Memorandum to the Finance Commission for redress. We hope the Commission will give us a good hearing this time. I do not like to take any more time of the House. In conclusion, I would only say that our demand is just; our claim is reasonable and we want equitable distribution of the taxes that are realised from this State. We only hope that our claim will be heard by the Finance Commission with sympathy and favour.

With these few words, I commend this Resolution for the acceptance of the House.

**Shri BIJOY CHANDRA BHAGAVATI:** Mr. Speaker, Sir, my hon. Friend Shri Bora has moved a very important Motion, the subject-matter of which is very vital to the people of our State. He has based his Motion on the Memorandum submitted by the Government of Assam to the Finance Commission which has been constituted under the provisions of the Indian Constitution. The question of financial adjustment, is to be viewed from a historical point of view. I should like to say that it has a history of its own. Since 1833 the Government of India centralised the finances of India and the funds of India were consolidated in one undivided fund. The provinces had to apply to the Government of India for every single item of expenditure they had to incur. There was no fixed or intelligible principle on which the grants were made. Richard Strachey aptly remarked that "the finances in India have degenerated into something like a scramble in which the most violent had the advantage with very little attention to reason". As a matter of fact the most clamorous got the biggest amount and the province which could not assert much did not get any justice from the Government of India. Then in 1871 Lord Mayo introduced certain measures for decentralisation. But what was the basis of the grant for the provinces? The level of expenditure that had been reached in different provinces was taken as the basis of the new arrangement and the inequalities which existed at that time were stereotyped. I should like to give here some figures to show how injustice was done to Assam in 1921-22 under the Meston Award. The Government of India at that time ran a deficit of 983 lakhs. To meet this deficit, provinces were asked to contribute certain quotas. Assam was also to pay a contribution of 15 lakhs, whereas Bihar and Orissa were exempted. I should like to give here what net benefit different provinces got under the Reform in accordance with the recommendation of the Meston Committee. Madras got estimated increased spending Power under the Reforms 576 lakhs. She had to pay a contribution of 348 lakhs. Here the net gain was 228 lakhs. Bombay's increased spending power was 93 lakhs. Amount of contribution was 56 lakhs. Net gain was 37 lakhs. Bengal's increased spending power was 104 lakhs, amount of contribution was 63 lakhs; net gain was 41 lakhs. United Province's increased spending power was 397 lakhs, amount of contribution was 240 lakhs, net gain was 157 lakhs. Punjab's increased spending power was 289 lakhs, amount of contribution was 173 lakhs; net gain was 116 lakhs. C. P.—Increased spending power was 52 lakhs, amount of contribution—22 lakhs, net gain 30 lakhs.

Assam increased spending power was 42 lakhs, amount of contribution 15 lakhs, net gain 27 lakhs. So when the Meston Committee made certain adjustment, Assam did not get any benefit.

Then again in the next Reform Sir Otto Niemeyer gave certain recommendations in 1936. Here also we will see that Assam did not get any contribution or grant worth the name. Sir Otto Niemeyer in his report about Assam has categorically said "Assam has been universally recognised as a deficit province and must undoubtedly receive assistance. The measure of assistance depends partly on the prospective revenue of Assam allowing for a very moderate amount of continued recovery and partly on the degree to which the existing Provincial deficit (47 lakhs in 1935-36) can be regarded as having been unavoidable either as regards expenditure or taxation. Allowance has further to be made for the cost of Provincial Autonomy, and for certain adjustments of expenditure with the Centre, including the cost of the Assam Rifles, hitherto mainly borne by the Central Government". Here Sir Otto Niemeyer has admitted the claim of Assam for assistance from the Centre as just. But while allocating residual taxes Assam was not given the right percentage. He recommended a divisible pool of 50 per cent. of income tax for the provinces but recommended different percentage for different provinces. He said "I thus recommend that the division between the Provinces of the amounts available in respect of 50 per cent. share of residual Taxes on Income should be as follows:—

Madras	...	...	...	...	...	...	15 per cent.
Bombay	...	...	...	...	...	...	20 per cent.
Bengal	...	...	...	...	...	...	20 per cent.
C. P.	...	...	...	...	...	...	5 per cent.
Orissa	...	...	...	...	...	...	2 per cent.
U. P.	...	...	...	...	...	...	15 Per cent.
Punjab	...	...	...	...	...	...	8 per cent.
Bihar	...	...	...	...	...	...	10 per cent.
Assam	...	...	...	...	...	...	2 per cent."

Here the allocation was hardly satisfactory. Though he admitted that Assam was admittedly a deficit province the basis of distribution from the divisible pool was such that Assam did not get her rightful share. Then we got independence and we have got a new Constitution of our own. After India attained independence we in Assam expected better adjustment between the Centre and the State of Assam in financial matters. Shri Chintamani Deshmukh was entrusted with the task of finding out what should be the amount for different provinces. And he did not even think it worth while to retain the percentage recommended by Sir Otto Niemeyer. In regard to jute he reduced it to 20 per cent. The Government of Assam lodged a protest to the Government of India for reducing this amount. Assam incurred a heavy loss on this account.

Here in the Memorandum it has been stated "on the recommendation of Sir Niemeyer this percentage was raised to 62½ per cent. After the partition of India the provincial share of the jute duty was reduced to 20 per cent. by order of the Government of India without giving the provinces the opportunity to represent their case". It is really very surprising that the Government of India on the recommendation of Shri Chintamani Deshmukh reduced the percentage of jute duty for the jute growing provinces of Assam and Bengal. Now, we expect that the Finance Commission will deal with this subject in the perspective in which it should be judged. In ascertaining what percentage each province should get, certain factors are to be taken note of. First of all, nobody can deny that Assam is a very backward province and Assam has not received due share of its revenue from the Centre in the past. So at the time of allocation this time by the Finance Commission we only hope that due consideration will be made for all these factors

and Assam will be given her rightful share. The Government of Assam also at that time when the Niemeyer's Report was published, protested against its recommendation and wrote to the Government of India like this, "The Indian Member and Ministers have read the Report with the profound disappointment. They were looking forward to the Province being made as self-sufficient as possible so that provincial autonomy may have substance. It was with that intention that the Government of Assam presented before Sir Otto, in addition to estimates of normal receipts and expenditure, estimates for such institutions as a High Court, a University and Medical and Technical (including Agricultural) schools. They now find that there is not only no room for further progress in making up the essential deficiencies but on the contrary even on the present scale of expenditure there will still be a deficit of about 25 lakhs to be covered either by taxation or retrenchment". The Government of Assam even at that time could not but feel disappointed on the recommendation of Sir Otto Niemeyer and at the financial adjustment that was made. Assam was going without a Medical College, without an Engineering School, without an Agricultural College or a University or a High Court of its own. That meant that Assam was not having the basic necessities to be a State, to be a unit in the Federation or Union of India. More or less this state of things exists even today, though we have got certain educational institutions after we have attained Independence. Because we have yet to build so many other institutions, if we wish to raise the status of our State to the level of other States in our Country. We trust the Finance Commission will take into account all these factors. Now the basis of adjustment between the Centre and the provinces is a very knotty question. Economists and Financial experts differ on this point. It is generally accepted that the place of origin, the population, the actual expenditure, are the criterion for financial adjustments. In our State we grow tea, but its product is taxed outside Assam. We submit that there should be no reason why Assam should be deprived of its due share of that taxation. In the Memorandum it has been rightly pointed out that "the origin or locus of the income which is generally accepted as a relevant factor in distribution of income-tax, fulfils an important condition of ideal financial settlement. It creates in the sharing States the necessary interests in the development of the revenue resources from which they derive direct or proportionate benefit. If the States in which the articles are produced do not get the benefit, i.e. do not get the share of the tax that is derived from that article, then that State will lose the interest and the initiative in growing or encouraging the growing of that article." So it is only our rightful claim that income-tax derived outside Assam from the articles produced here should be shared with the State of Assam.

Then again, a very important point has been raised here in the Memorandum—"The density of population in Assam is low, but we have got to consider this aspect of the question with the area of Assam." Assam is not a small State if its area is taken into consideration. Here there are so many hills. These hills we have got to develop. If a road is to be constructed it will cost much more here in Assam than in a big city like Calcutta or Bombay. There in Calcutta or Bombay density of population is very high but for development works, such as, road, building and others, they need less money. A road there will feed much more people than a road here in the hills or in Majuli or Bardoloni in North Lakhimpur subdivision. Here people are sparsely populated, so longer roads are to be constructed and consequently more money is required. It should not be the case that because the population is not very large here, so we should not get more the money from the Centre. We should calculate on population *plus* acreage basis in adjusting any financial matters.

**The Hon'ble the SPEAKER :** If you exclude the Hills ?

**Shri BIJOY CHANDRA BHAGAVATI :** I cannot give the exact figure ; but in the Plains also density cannot be very high as in Calcutta. The argument put forward in this Memorandum is in the right direction and I think, that the

argument that population should not be the criterion for adjustment of finances between the Centre and the Province is correct. Here population is not high, yet the area is very big, so the expenditure we have to incur must be large. If we want to connect hills with plains, there must be long roads and thus we have got to incur big amounts for building roads and improving communication.

Then another very important point is this. The provincial revenue is not at all elastic. Provincial revenues, consist of mainly land revenue, excise revenue and forest revenue and we find that these three items of revenue are not at all elastic. There is no scope for expansion.

Land revenue in Assam we have seen in the Budget has decreased and not increased. There are cogent reasons for this. There are Earthquakes and occasional floods which destroy crops. There are erosions which also cause too much damage. As a result the Government have to grant remission of land revenue. So this land revenue is not only not expansive but it may go down.

The Forest revenue in Assam is decreasing. There are also sufficient reasons for this. In war time the forests were depleted. Now Government have to spend much in forest for afforestation. Government get less revenue but have to spend more for planting new trees in the forest. Here the problems of erosion and flood have become so great in Assam that afforestation is a necessity to meet them and Government have to pay more attention in this regard and will have to spend much more money. So we find that the provincial revenue is not elastic, but the duties that have been assigned to the province is increasing, *i.e.*, the expenditure on provincial heads will increase year by year.

In Education, in Public Health, in Communication, in all these heads, it is only natural that expenditure will increase year by year. It will increase ten fold, cent per cent. after 4 or 5 years. Now only 15 per cent. of the population is literate. If we aim to educate cent. per cent. of the population then we will need much more schools, we will have to spend much more under that head. Similarly, on every other head we will have to spend much more than we have been spending at present; possibly, we will have to spend 300 to 400 per cent. more, but the revenue of the State is fixed.

Excise revenue will some day vanish as we have accepted prohibition as our ideology for all of us. When we have accepted prohibition, we cannot expect to have excise revenue. Under the circumstances, it is meet and proper that the elastic revenue of the Centre should come to the rescue of the State. Central revenue is elastic. There are scope for expansion of Central revenue, such as, Customs and Income-tax. These revenues will certainly expand. If the States are not given share of these expansive revenues, the States cannot grow. So, the Financial Commission will do a great injustice if these factors are not taken into account.

As regards Assam, she should have a very good share of the Income-tax. The divisible pool should be raised to 60 per cent. that is, the claim put forward in the Memorandum.

In his Budget speech in the year 1949-50, Hon'ble Shri Bishnuram Medhi after giving certain arguments for increasing the income-tax very rightly observed: "Under the circumstances, the Centre should part with not less than 60 per cent. of the net proceeds on Income-tax, including Corporation Tax and Tax on Union Emoluments as recommended by the Expert Committee instead of the existing 50 per cent. for the distribution to the different Provinces."

#### Adjournment

The Assembly was then adjourned till 10 A.M. on Monday, the 31st March, 1952.

SHILLONG :

The 28th June 1952.

R. N. BARUA.

Secretary, Legislative Assembly, Assam