





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

The Assembly met in the Assembly Chamber, Shillong, at 10 a.m., on  
Tuesday, the 11th October 1960.

**PRESENT**

Shri Mahendra Mohan Choudhury, B. L., Speaker in the chair.  
Seven Ministers, three Deputy Ministers and eight Members.

**QUESTIONS AND ANSWERS**

**STARRED QUESTIONS**

(To which oral answers were given)

**Restoration of evacuee property**

**Maulavi TAJUDDIN AHMED (Tarabari)** asked :

\*15. Will the Chief Minister be pleased to state—

- (a) Whether one Mafizuddin Sarkar of village Nizbarala, Mauza Paka of Barpeta Subdivision was an evacuee of 1950 ?
- (b) Whether it is a fact that he came back in time and applied for the restoration of his property in time ?
- (c) Whether it is a fact that proper order was passed long ago to restore the property ?
- (d) Whether it is a fact that in spite of the Government order the property has not been restored up to this time ?
- (e) If so, why ?

**Shri BIMALA PRASAD CHALIHA (Chief Minister)** replied :

15. (a) — Yes.
- (b) — Yes.
- (c) — Yes.
- (d) — Yes.

(e) — As Shri Abhiram Deka, the present occupant of the land in question filed to the Subdivisional Officer, Barpeta a representation against the eviction order alleging that he got the possession of the land in question from late Mafizuddin Sarkar by paying a sum of Rs.50.00 nP., an enquiry had to be instituted. Ultimately it had been found as a result of the enquiry that Shri Abhiram Deka had nothing to prove his claim. Orders have therefore since been issued by the Subdivisional Officer, Barpeta to the Assistant Settlement Officer, Barpeta to carry out the eviction and restore the land to the heirs of late Mafizuddin Sarkar immediately.

†**Maulavi TAJUDDIN AHMED (Tarabari)** : Sir, when was the restoration order first passed ?

†**Shri BIMALA PRASAD CHALIHA** : That was passed recently.

†Speech not corrected



# **Tribal Compensatory Grants for High and Middle English Schools**

**Shri DURGESWAR SAIKIA (Saikhowa)** asked :

\*16. Will the Minister-in-charge of Tribal Areas Department be pleased to state—

- (a) Whether it is a fact that the High and M. E. Schools have no got the Tribal compensatory grant for the last 2/3 years.
- (b) If so, what is the total amount (please state year-wise) ?
- (c) Whether Government will arrange to pay up the arrears early in consideration of the difficulties of the Schools ?
- (d) Whether Government propose to sanction the yearly grants in time ?

**Shri BIMALA PRASAD CHALIHA (Chief Minister)** replied :

16. (a)—It is not a fact that all the High Schools and M. E. Schools could not get the compensatory grants for the last two or three years but it may be that some of the institutions might not secure their due grants, because of their failure to submit their claims in time. Whenever such cases are brought to the notice of Government, subject to the availability of funds, the arrear claims are sanctioned in subsequent year or years. As a matter of fact, the D. P. I. has submitted a proposal for sanction of arrear claims amounting to Rs. 1,62,044 for last year which is under the consideration of Government.

(b) & (c)—Covered by reply to (a) above.

(d)—Yes, as early as possible on receipt of consolidated proposal, from the Inspecting Officers.

†**Shri DURGESWAR SAIKIA** : যোৱা বছৰ এই টকা স্কুলবোৰক দিব নোৱাৰাৰ ফলত বহুত ছাত্ৰই মাচুল দিব নোৱাৰি স্কুল এৰিব লগা হ'ল আৰু লগতে বহুত স্কুলে শিক্ষকক দৰমহা দিবলৈ অসুবিধা হোৱা নাই জানো ?

†**Shri BIMALA PRASAD CHALIHA** : নিশ্চয় হৈছে।

†**Shri PRABHAT NARAYAN CHOUDHURY (Nalbari-East)** : Does the Chief Minister know that the Inspecting staff make undue delay in submitting proposals for these claims ?

†**Shri BIMALA PRASAD CHALIHA** : I have no information like that, Sir.

†**Shri DEVENDRA NATH HAZARIKA (Saikhowa)** : Whether Chief Minister is aware that arrangement was made to pay the compensatory grant in two instalments ?

†**Shri BIMALA PRASAD CHALIHA** : It may be so Sir, I have no information at the moment.

†**Shri MAHI KANTA DAS (Barchalla)** : Whether it is usual for the school authorities to submit the requirements regularly every year to Government ?



†**Shri BIMALA PRASAD CHALIHA (Chief Minister)**: That should be the proper course, but in some cases these things were not put up timely.

†**Shri HIRALAL PATWARY (Panery)**: কোন স্কুলৰ ছাত্ৰসংখ্যা কিমান আৰু মাতুলৰ কিমান টকা চৰকাৰে দিব লাগে ইত্যাদিৰ একোটা বিপৰ্ট Inspecting staff এ সময়ে সনয়ে দি থকা উচিত নহয় নে? তেতিয়া চৰকাৰৰ সুবিধা নহব নে?

†**Shri BIMALA PRASAD CHALIHA**: ছাত্ৰসংখ্যা কম বেচি হ'ব পাৰে। প্ৰকৃতপক্ষে অনুষ্ঠানক কিমান ছাত্ৰৰ ফিজ দিব লাগে সেইটো অৱশ্যে সময় মতে দি থকা দৰকাৰ।

†**Shri DEVENDRA NATH HAZARIKA**: Whether Government will see that the first instalment is paid in the month of September or before?

†**Shri BIMALA PRASAD CHALIHA**: I cannot exactly say about that but it will be my endeavour to see that it is done so.

†**Shri MAHI KANTA DAS (Barchalla)**: Is it a fact that these things are delayed at the Inspectorate level?

†**Shri BIMALA PRASAD CHALIHA**: As a matter of fact there was a growing increase in the number of institutions and the pressure of work in all offices has also greatly increased. With a view to check such delays the number of the inspecting staff has also been increased.

†**Shri HIRALAL PATWARY**: Inspector ৰ ওপৰত যদি দায়িত্ব দিয়া হয় যে সেই বিপৰ্ট নিৰ্দিষ্ট সময়ৰ ভিতৰত চৰকাৰক দিব লাগিব তেতিয়া কোনো স্কুল বাদ দিব নোৱাৰে।

†**Shri BIMALA PRASAD CHALIHA**: অনুষ্ঠানবোৰৰ সহ-যোগতহে Inspector এ কাম ভালকৈ কৰিব পাৰিব।

†**Shri SARAT CHANDRA GOSWAMI (Kamalpuri)**: In view of the fact that in every school the number of tribal students is big and if fees from these students are not realised in time, the school teachers will not get their pay in time and thereby they suffer, will Government consider to give some sort of *ad-hoc* or lump sum grant to the respective Inspectors of Schools so that they can disburse the amount without referring to the Directorates?

†**Shri BIMALA PRASAD CHALIHA**: Sir, we are proposing liberal delegation of powers to the Inspectors and under those powers it will be possible to do so.

†**Shri MAHI KANTA DAS**: In view of the fact this matter affects a very poor section of society, will Government be pleased to take the matter seriously and make an enquiry to find out the cause or causes so that there may not be such recurrence in future?



†**Shri BIMALA PRASAD CHALIHA (Chief Minister)**: Yes, Sir, that will be my endeavour.

†**Shri GOPESH NAMASUDRA [Patharkandi (Reserved for Scheduled Tribes)]**: Scheduled Castes এবং Scheduled Tribes ছাত্রদের বেতনের ব্যাপারে প্রত্যেক স্কুল-কর্তৃপক্ষ হিসাব দাখিল করেন ও সেই হিসাবের ভিত্তিতে সরকার টাকা মঞ্জুর করেন। এটা কি সত্য যে ১৯৫৯-৬০ ইংরেজীতে যে টাকা পাওয়ার জন্য সমস্ত স্কুল যে হিসাব দাখিল করেছিলেন সরকারের বাজেট মঞ্জুরী কম থাকায় অনেক স্কুলে টাকা পায় নাই?

†**Shri BIMALA PRASAD CHALIHA**: I have no information like that. But as I said the delay may be due to the fact that these being arrear claims and these claims could not be submitted in time, therefore, they were held up. I say this because I find in all these years a lot of money was disbursed under this grant.

### **Savings of Budget Provision in the Medical Department under the Second Five-Year Plan**

**Shri DURGESWAR SAIKIA (Thowra)** asked :

\*17. Will the Minister-in-charge of Medical be pleased to state—

- (a) Whether any amount from the allotted grant of the Department under the 2nd Five-Year Plan has become surplus?
- (b) If the answer is in the affirmative, details of the surplus amount showing the savings from each Head separately?
- (c) Whether Government propose to surrender the surplus money?
- (d) If not, whether Government propose to open more dispensaries?
- (e) If the reply to (d) above is in the affirmative, whether Government will consider about sanctioning dispensaries in the following places of Sibsaigar Subdivision—  
(1) Akjoiphutia, (2) Chengelibari, (3) Sepon, (4) Kachumari, (5) Bethari, (6) Deroi Reserve (Tribal) and (7) Kanugaon?

**Shri RUPNATH BRAHMA (Minister, Medical)** replied :

17. (a)—It is yet too early to anticipate Savings in the Medical Department Budget provision under the Second Five-Year Plan for 1960-61 as all efforts are being made to utilise the money before the close of the Plan period.

(b) to (c)—Do not arise.

**Shri HIRALAL PATWARY (Panery)**: মাননীয় মন্ত্রী মহোদয়ে কৈছে যে “all efforts are being made”. দেখা যায় যে কিছুমান area বং ২য় পৰিকল্পনাৰ অন্তৰ্গত কিছুমান ‘দিচপেনচেৰী’ৰ কাম আৰম্ভ হোৱা নাই। এইবিলাক নকৰা দিচপেনচেৰীৰ টকাবিলাক নিদিলে surplus হব। কাৰেই সেই টকাৰে নকৰা দিচপেনচেৰীবিলাক কৰাৰ comprehension test এখন কৰি লোৱাৰ ব্যৱস্থা কৰিব নে?



**Mr. SPEAKER :** He has already replied that "all efforts are being made to utilise the money before the close of the Plan period".

**Shri DURGESWAR SAIKIA (Thowra) :** যোৱা চাৰি বছৰৰ ভিতৰত যিবিলাক টকা এইদৰে খৰচ হোৱা নাই তাৰ হিচাব চৰকাৰে দিব পাৰিব নেকি ?

**Shri RUPNATH BRAHMA (Minister, Medical) :** দ্বিতীয় পঞ্চবাৰ্ষিক পৰিকল্পনাৰ কাম শেষ হৈ আহিছে যদিও এতিয়াও কেই মাহ মান বাকী আছে। দ্বিতীয় পঞ্চবাৰ্ষিক পৰিকল্পনাৰ শেষ বছৰৰ কাৰণে প্ৰায় ১ কোটি ১০ লাখ টকা ধৰা হৈছে আৰু এই সময়ছোৱাত এই টকা খৰচ কৰিব পৰা যাব বুলি আশা কৰিছে।

**Shri RAMNATH SARMA (Lumding) :** এতিয়ালৈকে কিমান টকা খৰচ কৰিছে আৰু surplus কিমান আছে ?

**Shri RUPNATH BRAHMA :** সেইটো exact হিচাব দিয়া টান হ'ব। প্ৰায় ১ কোটি ১০ লাখ টকা এই শেষ বছৰৰ কাৰণে ধৰা হৈছে।

**Shri DEVENDRA NATH HAZARIKA (Saikhowa) :** What is the basis for sanctioning a dispensary in a particular area ? What are the area and the number of population it is expected to serve ?

**Shri RUPNATH BRAHMA :** How does that arise, Sir ?

**Shri HARESWAR GOSWAMI (Rampur) :** May I know what was allotted for the Department under the Second Five-Year Plan and how much has been spent upto the end of the fourth year ?

**Shri RUPNATH BRAHMA :** The total allotment under the Second Five-Year Plan for Medical and Public Health Departments was Rs.4,95,86,000 and so far as I remember the total amount spent during the period 1959-60 was about Rs.3,17,80,000. The amount allotted for 1960-61 is about Rs.1,10,00,000 and odd and we expect to spend it before the Plan period is over.

**Shri MAHANANDA BORA (North-Lakhimpur) :** এই পৰিকল্পনাৰ কালছোৱাতে যিবিলাক আগৰ লোকেল বৰ্ড দিচ্‌পেন্‌চেৰী চৰকাৰে ললে সেইবিলাকৰ অৱস্থা যে শোচনীয় হৈগৈছে চৰকাৰে তাৰ প্ৰতি লক্ষ্য কৰিছে নে আৰু সেই বিলাককো উন্নত কৰিব নে ?

**Shri RUPNATH BRAHMA :** This is a different question, but I may inform the hon. member that all attempts will be made by Government to do necessary repair works to the Local Board dispensaries taken over by Government.

**Shri MAHI KANTA DAS (Barchalla) :** লোকেল বৰ্ডৰ দিচ্‌পেন্‌চেৰীবিলাকও এই efforts ভিতৰত ধৰা হৈছে নেকি ? এই efforts ৰ জৰিয়তে, বাকী টকা এই অৱশিষ্ট সময়ৰ ভিতৰত খৰচ কৰাৰ চিন্তা চৰকাৰে কৰিছে নে ?



**Shri RUPNATH BRAHMA (Minister, Medical):** Step  
লোৱা হৈছে।

**Shri HIRALAL PATWARI (Panery):** বাকীবিলাক area ত efforts made কিন্তু আমাৰ পিচপৰা মজলদৈ মহকমাত যিবিলাক পৰিকল্পনা লোৱা হৈছে সেইবোৰ এই পৰিকল্পনাৰ ভিতৰত কৰিব পৰা যাব নে ?

**Mr. SPEAKER:** Order, order.

**Shri DURGESWAR SAIKIA (Thowra):** দ্বিতীয় পৰিকল্পনাৰ কালছোৱাত ধৰা টকা কিয় খৰচ কৰিব পৰা নাই তাৰ কাৰণৰ বিবৰণী দিব পাৰেনে ?

**Shri RUPNATH BRAHMA:** যিমান দূৰ সম্ভৱ খৰচ কৰা হৈছে। মাত্ৰ এই বছৰৰ কাৰণে ১ কোটি ১০ লাখ টকা বৈছে। মই কৈছোঁৱেই যে, আৰু কিছুমান এতিয়াও বাকী আছে আৰু টকাখিনি খৰচ কৰিব পৰা হ'ব।

**Shri PAKHIRAI DEKA (Paneri (Reserved for Schedule Tribes):** কিছুমান পাকলিক হেল্থ দিচপেনচেৰী আছে, সেইবিলাক ইয়াৰ ভিতৰত কিয় লোৱা হোৱা নাই ?

**Mr. SPEAKER:** এই প্ৰশ্ন ইয়াত নুঠে।

**Shri RAM NATH SARMA (Lumding):** Yearly allotment ৰ টকা প্ৰত্যেক বছৰেই খৰচ নোহোৱাকৈ এইদৰে বাহি হৈ যায় নেকি ?

**Mr. SPEAKER:** তেখেতৰ প্ৰশ্ন হৈছে, প্ৰত্যেক বছৰে যিমান টকা খৰচ কৰিবলৈ ধৰা হয়, যোৱা চাৰি বছৰত কিমান টকা খৰচ হৈছে বা surplus হৈছে ?

**Shri RUPNATH BRAHMA:** কোনো কোনো ক্ষেত্ৰত construction of buildings আদিৰ কামত আগ বাঢ়োতে পলম হয়, তেনে ক্ষেত্ৰত কিছু টকা বৈ যায়।

**Maulavi RAHIMUDDIN AHMED (Jamunamukh):** Subsidised dispensary বিলাকত ধৰা খৰচ কৰিব নোৱাৰা টকাবিলাক ইটো বছৰলৈ লৈ যোৱাৰ ব্যৱস্থা চৰকাৰে কৰিব নে ?

**Shri RUPNATH BRAHMA:** The question relates to Subsidised Dispensary, Sir, and as such it does not arise.

**Shri HIRALAL PATWARI :** দ্বিতীয় পৰিকল্পনাৰ কালৰ খৰচ কৰিব নোৱাৰা টকাবিলাক, (অৰ্থাৎ যিবিলাক দিচপেনচেৰীৰ কাৰণে টকা sanction কৰা হৈছিল খৰচ নহল), সেইবিলাক টকা তৃতীয় পৰিকল্পনালৈ গুচি যাব নে কেনেদৰে হৈ যাব ?

**Shri RUPNATH BRAHMA:** Second Five-Year Plan ৰ sanction ৰ খৰচ কৰিব নোৱাৰা টকা Third Five-Year Plan ত spill over হৈ যাব।

**Shri MAHI KANTA DAS (Barchalla):** যোৱা চাৰি বছৰত প্ৰত্যেক বছৰতে target ৰচনা কৰিব পৰা হৈছে নে ?



## UNSTARRED QUESTIONS

(To which answers were laid on the table)

**Gravelling of Kamargaon-Kahitoma P. W. D. Road**

**Shri GHANASHYAM TALUKDER (Sorbhog)** asked:

23. Will the Minister-in-charge of P. W. D. (R. and B.) be pleased to state why the Kamargaon-Kahitoma P. W. D. Road has not been gravelled yet?

**Shri GIRINDRA NATH GOGOI [Deputy Minister, P. W. D. (R. and B.)]** replied:

23. There is no provision for gravelling the road in the sanctioned estimate for improving Kamargaon-Kahitoma Road. The proposal is however, under consideration.

**Shri GHANASHYAM TALUKDER (Sorbhog)** : Is there any possibility of gravelling this road?

**Mr. SPEAKER** : He says the proposal is under consideration.

**Shri PRABHAT NARAYAN CHAUDHURY (Nalbari-East)** : Which is under consideration? The proposal for provision of the money or the proposal not to provide money?

**Shri GIRINDRA NATH GOGOI** : This was a Local Board Road which was taken over by the Public Works Department at a cost of Rs.80,000. There was originally no provision for gravelling the road. But since some saving has accrued, it is now proposed to take up gravelling from that saving.

**Grant to non-Scheduled Patients from the Scheduled Caste Welfare Fund**

**Dr. GHANASHYAM DAS [North Salmara (Reserved for Scheduled Castes)]** asked:

24. Will the Minister, Tribal Areas and Welfare of Backward Classes be pleased to State—

(a) Whether Government are aware that some non-Scheduled patients have been given grant from the Scheduled Caste Welfare Fund?

(b) If so, what is the reason of giving grant to non-Scheduled from the fund meant for Scheduled Caste?



**Shri BIMALA PRASAD CHALIHA (Chief Minister)** replied :

(a)—Yes.

(b)—Last year in sanctioning grants to individuals—particularly grants to T. B. patients under the removal of untouchability programme some non-scheduled patients also were included in the approved list. Due to shortness of time neither the Director of Health Services nor his Regional Officers could verify the cost of each and every patient recommended by their attending physicians as well as scheduled caste leaders by insisting on production of caste certificates from gazetted officers or Secretary of the All Assam Scheduled Caste Association and they had largely to depend on the statements of the patients themselves.

Government are however taking steps on the recommendations of the State Advisory Council for Scheduled Caste to prevent recurrence of such mistakes in future.

**Dr. GHANASHYAM DAS [North Salmara (Reserved for Scheduled Castes)]** : It was stated that some grants were allotted to T. B. patients on production of caste certificates from the Gazetted Officers or Secretary of the All-Assam Scheduled Castes Association. Therefore, will Government reply whether any list of scheduled castes is being maintained in the offices of the Regional Officers and Director of Health Services ?

**Shri BIMALA PRASAD CHALIHA** : Yes, Sir, as has been admitted in the reply, it has come to the notice of the Government that out of about 170 cases of grants, unfortunately 6 cases belonged to non-scheduled castes. That has been admitted here, but the reason is that all these patients submitted their applications from the hospital. Now, circulars have been issued that the officers should certify each case.

### Completion of the Beki approach road

**Shri GHANASHYAM TALUKDER (Sorbhog)** asked :

25. Will the Minister-in-charge of Public Works Department be pleased to state—

- (a) Why the approach road to the Beki Public Works Department Ghat on the right bank has not been completed ?
- (b) Whether there is a proposal under consideration of the Government to make this road motorable ?
- (c) If so, when the work will be completed ?
- (d) When earth work was completed ?
- (e) Whether Government is aware that much inconvenience has been caused to the people for no-completion of this approach road ?
- (f) How many mar boats are there to ply daily at the Beki Public Works Department Ghat ?
- (g) Whether this is complied with ?



**Shri GIRINDRA NATH GOGOI** [Deputy Minister, Public Works Department (Roads and Buildings)] replied:

25. (a)–(c)—The approach road has already been completed and made motorable during July, 1960 but the same could not be used during the rainy season due to change of the river course. The approach road will be opened from next winter.

(d)—During March, 1960.

(e)—There are two approaches for this ferry ghat. But due to instability of the river, it is difficult to say which of the approaches can be permanently used, however, the ferry is plying regularly at the crossing. Slight inconvenience may be felt by the public but this is beyond control due to the above reasons.

(f)—Two.

(g)—Yes, except during sudden disorders of the ferry engine, only one mar boat is operated.

**Provision of land for families who were rendered landless due to the construction of embankment**

**Shri SARAT CHANDRA GOSWAMI** (Kamalpur) asked:

26. Will the Revenue Minister be pleased to state—

How many families have been provided with land who were rendered landless due to construction of Puthimari embankment of Kamalpur and Rangiya circles in the Hachang reserve which was stated to have been deserved for the purpose?

**Shri HARESWAR DAS** (Minister, Revenue) replied:

26. Previously there was a proposal for dereservation of 174B. 3K. 11L. of land from the Barlechakona V. G. G. for the purpose of settlement with Puthimari river embankment affected people. The dereservation of land from the Barlechakona V. G. G. could not be made as the local people of the villages neighbouring the V. G. G. raised vehement protest against the proposed dereservation.

The Settlement Officer, Kamrup, has instead recommended dereservation of Nij-Hasang V. G. G. in Pub-Kachari Mahal Mauza measuring an area of 189B. 1K. 16L. for rehabilitation with the Puthimari river embankment affected people. And, the same is at present awaiting advice of the Land Settlement Advisory Committee, Gauhati.

**Shri PRABHAT NARAYAN CHAUDHURY** (Nalbari-East) : Do Government propose to make any special case for settlement of the flood-affected and the river eroded people without waiting for such a very lengthy procedure as the recommendation of the Land Settlement Advisory Boards and Government orders thereon?

**Shri HARESWAR DAS** : Flood-eroded people are given due priority when some reserves are opened. In practice, opposition from local people comes, therefore it is necessary to associate leaders of public opinion, when some reserves are opened.



**Re-organisation of Barpeta N. E. S. Block****Shri GHANASHYAM TALUKDER (Sorbhog)** asked:

27. Will the Minister in-charge of Community Projects be pleased to state—

- (a) Whether it is a fact that Barpeta N. E. S. Block was reorganised ?
- (b) If so, why ?
- (c) What were the difficulties experienced in implementing the previous block comprising Ghilazari, Nowgong and Barpeta Mauzas ?
- (d) Whether it is a fact that Sankuchi was selected as the headquarters of the said block by the Subdivisional Development Board, Barpeta ?
- (e) If so, why it is not functioning there ?

**Shri FAKHRUDDIN ALI AHMED (Minister, Community Development, etc.)** replied:

27. (a)—Yes.

(b)—Because the Subdivisional Development Board has made the recommendation as it considered that this will result in better working and development of areas under the Anchalik Panchayat.

(c)—The main difficulty was that one part of the block might have been neglected in its development works, and there were reason to believe that the Panchayats would not have thrived under such conditions.

(d)—Yes, Sankuchi was selected as the provisional Headquarter of the block which was then constituted comprising Ghilazari, Barpeta and Nowgong Mauzas.

(e)—Because the block was reconstituted and the Anchalik Panchayat of the Block has not selected Sankuchi as its Headquarter.

**Shri GHANASHYAM TALUKDER:** In reply to (e) it has been stated that the difficulty was that one part of the block might have been neglected. My question is why one part has been neglected ?

**Shri FAKHRUDDIN ALI AHMED :** That was for the Subdivisional Development Board to consider and we have to accept their opinion.

**Dr. SRIHARI DAS (Barpeta):** What were the reasons that led the Government to believe that Panchayats would not thrive under such conditions ?

**Shri FAKHRUDDIN ALI AHMED :** I have already, replied Sir, that this matter was considered by the Subdivisional Development Board and their recommendation has been accepted by the Government.



**Reservation of seats for Scheduled Castes and Scheduled Tribes Students in the Engineering Colleges of the State**

**Dr. GHANASHYAM DAS** [North Salmara (Reserved for Scheduled Castes)] asked:

28. Will the Chief Minister be pleased to state—

- (a) Whether any fixed quota has been reserved for the admission of students belonging to Scheduled Castes and Scheduled Tribes in the Engineering Colleges in the State?
- (b) If not, why not?
- (c) Whether Government propose to reserve some seats for the students of the Scheduled Castes and Scheduled Tribes Communities in the said College?

**Shri BIMALA PRASAD CHALIHA** (Chief Minister) replied:

28. (a) (b) & (c)—20 per cent of the total seats were reserved for students of Scheduled Castes and Tribes, subject to the condition that they fulfill the minimum requirements for admission, but since this quota has been raised to 27 per cent.

**Constitution of Ruposi N.E.S. Block**

**Shri GHANASHYAM TALUKDER** (Sorbhog) asked:

29. Will the Minister-in-charge of Community Projects be pleased to state—

- (a) When the Ruposi N.E.S. Block was constituted?
- (b) Whether it is a fact that the name of this block was given as Raha Block with its headquarters at Raha by the Barpeta Subdivisional Development Board in 1954?
- (c) If so, why the name of the Block and the headquarters which was then selected were changed?

**Shri FAKHRUDDIN ALI AHMED** (Minister, Community Development, etc). replied:

29. (a)—It was constituted as a Block in December, 1958.

(b)—Yes.

(c)—Ruposi Block comprises of 123 villages. Raha is the name of one of these 123 villages. Ruposi is one of the three mauzas, constituting the block and this mauza is the central mauza of the three. Hence it was considered desirable that the name of the block should be after the central mauza, and not after the name of a Village. The change was therefore, made accordingly. As regards the provisional headquarter, Government fixed "Sorbhog" as the provisional headquarter purely temporarily for working facilities, till selection of permanent headquarter by the Anchalik Panchayat. The Anchalik Panchayat has now selected "Kal-gacha" as its permanent headquarter and Government has approved this.



**Shri GHANASHYAM TALUKDER (Sorbhog)** : Whether Government received representation for reorganisation of this block ?

**Shri FAKHRUDDIN ALI AHMED (Minister, Community Development)** : Sir, the Hon'ble Member himself has been agitating for the reorganisation of this block. This matter was considered by the Subdivisional Development Board and it was rejected by the Subdivisional Board.

**Shri HARESWAR GOSWAMI (Rampur)** : Whether the reasons for rejecting this prayer by the Subdivisional Board was reasonable ?

**Shri FAKHRUDDIN ALI AHMED** : I think, Sir, it was reasonable. The boundaries, facts and circumstances of all the blocks have been taken into consideration for constitution of the block.

**Shri HARESWAR GOSWAMI** : Did the Subdivisional Board take into consideration also the opinion of the people ?

**Shri FAKHRUDDIN ALI AHMED** : They must have, because when they made the recommendation, they have considered the boundaries, facts and circumstances of all the mauzas within the subdivision, on the basis of which, Sir, blocks were constituted.

**Shri GHANASHYAM TALUKDER** : Sir, how many members were there in the Subdivisional Board and how many belonged to each mouza ?

**Shri FAKHRUDDIN ALI AHMED** : I think, the Hon'ble Member himself knows because he attended the meeting of the Board.

**Shri GHANASHYAM TALUKDER** : Is it a fact that there is only one member from my constituency whereas there are as many as even 16 members from other constituencies ?

**Shri FAKHRUDDIN ALI AHMED** : I am not aware of that.

#### **Shifting of the Veterinary Field Assistants Training Institute from Gauhati**

**Shri SARAT CH. GOSWAMI (Kamalpur)** asked :

30. Will the Minister-in-charge of Veterinary be pleased to state—

- (a) Whether it is a fact that the existing Veterinary Field Assistants' Training Institute at Gauhati is going to be abolished with effect from this Session ?
- (b) If so, what are the reason for its abolition ?
- (c) Whether it is a fact that the said Veterinary Field Assistants' Training Institute is going to be shifted to Silchar with effect from this year ?
- (d) If the answer be in affirmative whether Government will be pleased to revise their decision and retain the Centre at Gauhati ?



**M. MOINUL HAQUE CHOUDHURY (Minister, Veterinary)** replied :

30. (a)—No.

(b)—Does not arise.

(c)—Yes, there is a proposal to shift the Veterinary Field Assistants' Institute from Gauhati.

(d)—It is necessary to shift the Veterinary Field Assistants' Institute from Gauhati to make accommodation for the Veterinary College.

**\*Shri PRABHAT NARAYAN CHOUDHURY (Nalbari-East)**: Sir, why that blessed Silchar is selected for shifting of the Veterinary Field Assistants' Training Institute from Gauhati and why not Mangaldai or Nalbari ?

**\*M. MOINUL HAQUE CHOUDHURY (Minister, Veterinary)**: The answer does not say blessed Silchar is selected. The proposal for shifting of the Institute from Gauhati is under consideration because the Institute was located at the newly erected building of the Assam Veterinary College. The Veterinary College has occupied those buildings and therefore the question of its shifting is receiving the attention of Government.

**\*Shri PRABHAT NARAYAN CHOUDHURY**: Sir, in view of what the Minister has stated, it necessarily leads to the conclusion that it is going to be shifted to Silchar.

**\*Shri MOHI KANTA DAS (Barchalla)**: Would it be advantageous for the trainees to have instructions if the Institute is located, though not within the campus of the Veterinary College but nearabout the Veterinary College ? Whether Government consider that the shifting of this institution from here to Silchar will come to the disadvantage of the trainees ?

**\*M. MOINUL HAQUE CHOUDHURY**: My answer to the first part of the question is not 'necessarilly'. With regard to the second part, it will be kept in view.

**\*Shri DEVENDRA NATH HAZARIKA (Saikhowa)**: What other places are being considered by Government for shifting of the Institute ?

**\*M. MOINUL HAQUE CHOUDHURY**: Jorhat is another place under consideration.

**\*Shri HIRALAL PATWARI (Panery)**: North Bank ব কোনো ঠাইলৈ নিয়াৰ বিষয়ে চৰকাৰক প্ৰস্তাৱত consideration আছে নেকি ?

**\*M. MOINUL HAQUE CHOUDHURY**: ওয় পৰিকল্পনাৰ ভিতৰত আৰু নতুন কোনো স্কুল লোৱাৰ প্ৰস্তাৱ নাই। সেই কাৰণে নতুন স্কুলৰ বাবে কোনো ঠাইৰ প্ৰস্তাৱ নাই।



**\*Shri HIRALAL PATWARI (Panery):** মই স্মিছো shifting ব বিষয়ে যি কথা চলিছে তাত উত্তৰ পাবৰ কোনো ঠাইলৈ shift কৰাৰ বিষয়ে চৰকাৰৰ proposal ব consideration আছে নে?

**\*M. MOINUL HAQUE CHOUDHURY (Minister, Veterinary):** The reasons, Sir, for Silchar being considered is that the Government of Assam have purchased a property at Masimpur at a cost of several lakhs of rupees from the Burmah Oil Company and the Government will have to utilise those buildings. Therefore, Sir, Silchar is under consideration.

**Shri RAMNATH SARMA (Lumding):** মন্ত্ৰীমহোদয়ে জানে নে যে Veterinary College খন প্ৰথমে নগাঁওত আছিল—culture centre ব কাৰণেহে গুৱাহাটীলৈ নিয়া হ'ল। এতিয়া Agriculture Training School খন নগাঁওলৈ নিয়াতো বিবেচনা কৰিব নে?

**M. MOINUL HAQUE CHOUDHURY :** মই নাজানো culture ব ওপৰত ভিত্তি কৰি গুৱাহাটীলৈ নিয়া হৈছে নেকি?

#### Shifting of the office of the Director of Veterinary, Gauhati

**Shri KHOGENDRA NATH BARBARUAH (Amguri)** asked :

31. Will the Minister, Veterinary, be pleased to state—

(a) Whether it is a fact that the office of the Director of Veterinary (Gauhati) will be shifted to the Old Veterinary College building (Gauhati) ?

(b) If so, whether Government propose to utilise the Director's Office building for official purposes by housing some other Government offices of Gauhati ?

**M. MOINUL HAQUE CHOUDHURY (Minister, Veterinary)** replied :

31. (a)—Yes.

(b)—The present office building has been converted and allotted to the Director of Veterinary for his residential purposes.

**Shri KHAGENDRA NATH BARBARUAH (Amguri):** Sir, so far as answer to question No.31(b) is concerned, may I draw the attention of the Minister why the exact reply has not been given here ?

**Mr. SPEAKER :** There is only one kind of reply.



**Shri KHAGENDRA NATH BARBARUAH (Amguri):** Sir, the question was whether Government propose to utilise the Director's office building for official purposes by housing some other Government offices at Gauhati, but the answer is that the present office building has been converted and allotted to the Director of Veterinary for his residential purposes. My question is why that office building has been converted into residential purposes?

**M. MOINUL HAQUE CHOUDHURY (Minister, Veterinary):** This building was the original residence of the Director. Because of want of accommodation in Gauhati this building was converted for office purpose. Since after the construction of the Veterinary College, we have been able to find out some other accommodation for the office. So, the Director of Veterinary has got to be given back this residence. Allotment of residence to an officer also includes the use for official purposes.

**Shri PHANI BARA (Nowgong):** May I know from the Minister concerned whether in view of the fact that the headquarter of the Director of Veterinary is situated at Gauhati, very frequently he used to stay in Shillong and every now and then he used to bring all the files?

**Mr. SPEAKER:** This question does not arise.

#### New Medical College

**Shri GHANASHYAM TALUKDER (Sorbhog)** asked:

32. Will the Minister-in-charge of Medical be pleased to state—

- (a) Whether the new Medical College will be started this year?
- (b) If so, how many students will be provided with seats?

**Shri RUPNATH BRAHMA (Minister, Medical)** replied:

- 32. (a)—Yes.
- (b)—100.

**Shri GHANASHYAM TALUKDAR:** Whether one or two Medical Colleges has been started?

**Shri RUPNATH BRAHMA:** Mr. Speaker, Sir, at this stage I remember there was a discussion in this august House. At that time I made it very clear to the Hon'ble Members that we have decided to have two Medical Colleges, subject to the approval of the Government of India and the Planning Commission. In the meantime, we have decided also to open the pre-clinic classes for both the Colleges at Gauhati.

**Mrs. JYOTSHNA CHANDA (Silchar-West):** May I know from the Hon'ble Minister whether pre-clinical classes have already begun?

**Shri RUPNATH BRAHMA:** Certainly. Arrangements have already been made and classes also have been started. So far I remember it was from yesterday.



**Shri HARESWAR GOSWAMI (Rampur) :** Whether approval of the Government of India have been obtained to start the two Medical Colleges ?

**Shri RUPNATH BRAHMA (Minister, Medical) :** We have not yet received the approval. It is under examination of the Government of India.

**Shri PHANI BARA (Nowgong) :** In regard to (b) I want to know whether any hostel accommodation has been arranged ?

**Shri RUPNATH BRAHMA :** Certainly. Hostel accommodation has been made.

**Shri GAURISANKAR BHATTACHARYYA (Gauhati) :** In view of the persistent and wide-spread demand in the district of Cachar that pre-clinical classes of the Silchar Medical College also should be done in Cachar, will the Government consider shifting these classes to Machimpur in Silchar instead of Jhalukbari in Gauhati ?

**Shri RUPNATH BRAHMA :** That was already examined by the Government, an Expert Committee was sent both to Gauhati and Silchar. After examination it was found that the building in the Guru Charan College will not be adequate.

**Mr. SPEAKER :** Whether Massimpur has been considered ?

**Shri RUPNATH BRAHMA :** We have already tentatively decided the place Gunggur.

**Shri RANENDRA MOHAN DAS (Karimganj-North) :** The decision to have two Medical Colleges was made for the development of regional basis. If it is so, what purpose will be served if it is started in Gauhati ?

**Shri RUPNATH BRAHMA :** The question of regional development was taken into consideration.

**Shri RANENDRA MOHAN DAS :** Whether for the facilities of the Colleges temporary arrangement could not be made in Dibrugarh also ?

**Shri RUPNATH BRAHMA :** There was no such possibilities as the question of accommodation is there and the number of students is also very large.

**Shri PRABHAT NARAYAN CHOUDHURY (Nalbari-East) :** The Minister has started that it has been sent for the approval of the Government of India. If the approval is not received in the meantime what the Government proposes to do ?

**Shri BIMALA PRASAD CHALIHA (Chief Minister) :** This is hypothetical question. This Government is committed to start two Medical Colleges and this is subject to the approval of the Planning Commission and the Planning Commission's final approval will be available after the



Third Five-Year Plan is finalised. So far as this Government is concerned, this Government is committed to start two Medical Colleges, one at Silchar and another at Gauhati.

**Shri GAURISANKAR BHATTACHARYYA (Gauhati)** : In view of the fact that two Medical Colleges, for which Government is committed, have been started, subject to the approval of the Planning Commission, what do Government propose to do in case Planning Commission does not send the approval or in case the Planning Commission sends approval only for one College ?

**Shri BIMALA PRASAD CHALIHA (Chief Minister)** : I am not prepared to reply to a hypothetical question, Sir, as I have said before.

**Shri RANENDRA MOHAN DAS (Karimganj-North)** : It has been said that one hundred students have been admitted. Whether these students have been admitted on a regional basis ?

**Shri BIMALA PRASAD CHALIHA** : While applying for seats for the Medical Colleges the applicants are given choice as to which Medical College they will prefer, whether Dibrugarh, Gauhati or Silchar, but the idea that Silchar Medical College should be exclusively confined to Cachar boys is not acceptable to us. Similarly that the Gauhati boys alone will read in the Gauhati Medical College, we do not entertain this idea. Nevertheless, in the applications the applicants were asked to give their choice as to where they would like to read.

**Shri RANENDRA MOHAN DAS** : I have got another question, Sir. Do the Government propose to issue notice for tenders and start work simultaneously in both the places ?

**Shri RUPNATH BRAHMA (Minister, Medical)** : I think we shall have to wait till we get the approval of the Government of India.

**Shri BIMALA PRASAD CHALIHA** : We cannot take that responsibility. It may be a day earlier here and a day later there.

**The Assam Aid to Industries (Cottage and Small scale Industries) (Amendment) Bill, 1960**

**Shri KAMAKHYA PRASAD TRIPATHI (Minister, Industries)** : Mr. Speaker, Sir, I beg leave to introduce the Assam Aid to Industries (Small and Cottage Industries) (Amendment) Bill, 1960.

**\*Shri HIRALAL PATWARI (Panery)** : মাননীয় অধ্যক্ষ মহোদয়, আমার মন্ত্রী মহোদয়ে এখন সংশোধনী বিল দাঙি ধৰিছে; অথচ বিলখন এনেভাবে এনে মুহূর্তত সদস্যসকলৰ আগত দিছে যে পঢ়িবৰ সময় নাই। আমি বাবে বাবে কৈছো যে বিলবিলাক পঢ়ি চোৱাৰ সময় দিব লাগে। এতিয়া এই ক্ষেত্ৰত কলেও বিপদ আৰু নকলেও বিপদ।



**Mr. SPEAKER :** In that case we shall have to amend the rules.

**\*Shri HARESWAR GOSWAMI (Rampur) :** My point is that before leave of the House is sought to introduce a Bill, it is not the intention of the Rules that Rule 61 should be abrogated altogether. It appears that leave is sought at the last moment. My request is that Rule 64 should be generally adhered to and Rule 70 only in exceptional cases.

**Mr. SPEAKER :** That is true. Normally a Bill should be moved under Rule 64 instead of Rule 70.

**Shri KAMAKHYA PRASAD TRIPATHY (Minister, Industries) :** I agree, Sir. Our State and Secretariat is passing through a great stress and stresses and so it could not be done earlier.

**Mr. SPEAKER :** Alright. I put the question. The question is that leave be granted to introduce the Assam Aid to Industries (Small and Cottage Industries) (Amendment) Bill, 1960.

(The question was adopted.)

**Shri KAMAKHYA PRASAD TRIPATHI :** Sir, I beg to move that the Assam Aid to Industries (Small and Cottage Industries) (Amendment) Bill, 1960 be introduced.

**Mr. SPEAKER :** The question is that the Assam Aid to Industries (Small and Cottage Industries) (Amendment) Bill, 1960 be introduced.

(The question was adopted.)

(The Secretary, Legislative Assembly read out the title of the Bill.)

**The Assam Khadi and Village Industries Board (Amendment) Bill, 1960**

**Mr. SPEAKER :** There is a message from the Governor which is as follows—

“I recommend under Article 207(1) of the Constitution of India that the Assam Khadi and Village Industries Board (Amendment) Bill, 1960 be introduced and moved in the Assam Legislative Assembly.

Sd./- S. M. Shrinagesh,  
Governor of Assam.”

**Shri MAHENORA NATH HAZARIKA :** Sir, I beg leave to introduce the Assam Khadi and Village Board (Amendment) Bill, 1960.

**Mr. SPEAKER :** The question is that leave be granted to introduce the Assam Khadi and Village Industries Board (Amendment) Bill, 1960.

(The question was adopted.)

**Shri MAHENDRA NATH HAZARIKA :** Sir, I beg to move that the Assam Khadi and Village Industries Board (Amendment) Bill, 1960 be introduced.

**Mr. SPEAKER :** Motion moved. The question is that the Assam Khadi and Village Industries Board (Amendment) Bill, 1960 be introduced.

(The question was adopted.)



(The Secretary, Legislative Assembly read the title of the Bill)

**The Assam Consolidation of Holdings Bill, 1959**

**Shri HARESWAR DAS (Minister, Revenue):** Sir, I beg to move that the Assam Consolidation of Holdings Bill, 1959 as reported by the Select Committee be taken into consideration.

**Mr. SPEAKER :** Motion moved. The question is that the Assam Consolidation of Holdings Bill, 1959 as reported by the Select Committee be taken into consideration.

**Shri TARUNSEN DEKA (Nalbari-West) :** অধ্যক্ষ মহোদয়, এই বিলখনত থকা consolidation of holding আৰু fragmentation of holding, এই দুটাৰ আচল প্রতিশব্দ অসমীয়াত দিয়া টান। গতিকে মই প্রথমটোৰ প্রতিশব্দ “ভূমি সমীকৰণ” আৰু দ্বিতীয়টোৰ সলনি “ভূমি বিভাজন” প্রতিশব্দ প্রয়োগ কৰিম। খেতিৰ মাটি সৰু সৰু ভৰা হৈ থাকিলে খেতিৰ কাৰণে বৰ অসুবিধা হয়। সেই বাবে ডাঙৰ ডাঙৰ ভৰা বা হোল্ডিং কৰি খেতিৰ সুবিধা কৰা বিশেষ প্রয়োজন। এই ফালৰ পৰা চালে বিলখন অনাত আপত্তি কবিলগা নাছিল যেন অনুমান হয়। কিন্তু বিলখন যিসময়ত আৰু যেনে ব্যৱস্থাৰ মাজত অনা হৈছে অৰ্থাৎ বৰ্তমান চলিত ধনতাত্ত্বিক সমাজ-ব্যৱস্থাৰ ভিতৰত অনা হৈছে, যত ধনী-দুখীয়াৰ শ্ৰেণী-সংগ্ৰাম চলি আছে, য’ত এলেছা মাটি এৰি দিবলৈকো মানুহ বাঞ্ছী নহয়; তেনে ক্ষেত্ৰত এই বিলৰ কাৰ্য্যকাৰিতাৰ সম্ভাৱনা সম্বন্ধে ভৰা কঠিন। মাটিৰ লগত সম্বন্ধ থকা লোক-সকল একে শ্ৰেণীৰ নহয়। সেই কাৰণে বিলখন কিমানদূৰ বাস্তৱত পৰিণত হব সেইটো সন্দেহজনক। এই বিলখন যেতিয়া বাচনি কমিটিলৈ দিছিল তেতিয়া আমি ভাবিছিলো যে ভালেখিনি উন্নত কৰিব পাৰিব। বাচনি কমিটিয়ে বহুত কথা সন্নিবিষ্ট কৰাৰ পিচতো বহুত খেলিমেলি হল—আনকি ইয়াৰ ফলত তলতীয়া খেতিয়কৰ স্বত্ব খৰব কৰা হল। বাচনি কমিটিলৈ পঠোৱাৰ পিচত একো উন্নতি দেখা নেপালো। এই বিলখনৰ মতে মাটি আদালতলৈ যোৱাৰ সুযোগৰ পৰা বঞ্চিত কৰা হৈছে। সমীকৰণ অফিচাৰৰ অৰ্ডাৰত আপত্তি থাকিলে ৰাজ্য চৰকাৰৰ ওচৰত আপত্তি কৰিব পাৰে। ইয়াৰ ফলত আৰু বেচি নহয় বিলখনৰ ৫(ক) ধাৰাত কৈছে যে মাটিৰ মালিকসকলৰ স্বেচ্ছা-প্ৰণোদিত। কিন্তু অন্য এঠাইত কোৱা হৈছে যে সমীকৰণ বিষয়ালৈ নিজৰ ইচ্ছাতেও সমীকৰণ কৰিব পাৰিব। কিন্তু তাৰ আগতে ৩ ধাৰাৰ Provison ত কৈছে যে ঠু অংশ বা তাতকৈ বেচি মাটিৰ মালিকে সন্মতি দিলেহে চৰকাৰে মাটি সমীকৰণ কৰিব পাৰিব। ইয়াৰ দ্বাৰা ঠু অংশ লোকৰ আপত্তি হেচি ৰখা হ’ল। সেই কাৰণেও বহুত অসুবিধা হৈছে।

মই কনচিদ্ৰাৰেশ্যন ষ্টেজত পুছানুপুছ আলোচনা নকৰি কেইটামান কথা কম। এই আইনৰ মূল ধাৰাৰ ৮ ধাৰাত আছে.....

Section 8(2) of the Assam Consolidation of Holdings Bill, 1959, says, “if any owner or a tenant under him affected by the Scheme applies for it, the Consolidation Officer shall furnish him with a statement showing the plot number, area, soil classification (where available) land revenue and probable market value of the original as well as of the allotted plots”.



ইয়াৰ ঠাইত আন কোনো person ক দিয়া হৈছে। মই আচৰিত হৈছো যে “owner or a tenant” গুচাই “person” ব কি অৰ্থ হৈছে, আৰু ইয়াত person শব্দটো বাখি আগৰ অধিবাৰৰ স্বাৰ্থটো নাকচ কৰাৰ চেষ্টা চলিছে। আৰু যদি মাটিৰ মালিকে মাটি চামিল কৰা উদ্দেশ্যে অন্য যিমান মাটি লগ কৰে। যে লবখোজে তাত যিবোৰ দখলী তলতীয়া মানুহ থাকিব, তেওঁলোকৰ স্বাৰ্থ বা অধিকাৰ নাথাকিব। ইয়াত চৰকাৰৰ কি উদ্দেশ্য বুজি নপাও। ইয়াৰ পিচত ‘including tenants’ শব্দটো উঠাই দিছে। তাৰ পিচত ‘এপিলৰ’ ক্ষেত্ৰতো আপিল কৰিবলৈ চৰকাৰৰ ওচৰ পাবহি লাগিব। দুখীয়া জনসাধাৰণে আপিলৰ কাৰণে শিলং পোৱাটো বৰ কষ্টসাধ্য। এইটোও ঠিক হোৱা নাই কাৰণ ইয়াৰ দ্বাৰা এইটো প্ৰমাণ হয় যে তলতীয়া ৰাজ্যিক অধিকাৰ দিয়াত এই আইনৰ উদ্দেশ্য নহয়। Select Committee ৰ নিবেচনাকালত এই অধিকাৰটো তেওঁলোকে তলতীয়া ৰাইজক দিয়াৰ কথা বিবেচনা কৰা উচিত আছিল। তাতকৈও দুখৰ কথা তলতীয়া ৰাইজৰ আদালতৰ ওচৰত থকা আপিলৰ অধিকাৰ নষ্ট কৰিব খুজিছে। এই আইনে চহকী মালিকসকলে মাটি ‘স্কুইজ’ কৰি যাতে আইনৰ বলৰে সুবিধা কৰি লব পাৰে তাৰ সুবিধা দিছে। অন্যফালে যে, এই আইনখন সম্পূৰ্ণ বেআইনী হৈছে। কিয়নো ১৮২ চনৰ ভাৰতবৰ্ষৰ Transfer of property আইনৰ ই বিৰোধিতা কৰিছে। ১৬(b) ধাৰাত কৈছে...

Section 16(b) of the Report of the Select Committee runs as follow—

“Charge, lease mortgage, right of adhiar, right of tenant and other encumbrances, if any, in his own holding shall as far as practicable be transferred and attached to an area of the new holding which shall, as far as possible, be of the same market value as the area from which it has been transferred.

অৰ্থাৎ মই যি বুজিছো—Transfer of Property Act খনত চাৰ্জ লীজ আৰু বন্ধক ইত্যাদিৰ যি কথা আছে তাৰ মতে এডোখৰ মাটিৰ ওপৰত থকা charge lease আৰু mortgage আদিৰ চাপ, নতুন ঠাইত দিয়া মাটিৰ ওপৰতো নালাগে। কিন্তু আমাৰ সমীকৰণ আইনত সেইবিলাক আহিব নতুন মাটিলৈও গুচি যাব। এইটো বৰ বেআইনী কথা—৫৮ ধাৰাত উল্লেখ আছে যে.....

Section 58(a) of the Transfer of Property Act, 82 says, “A mortgage is the transfer of an interest in specific immoveable property for the purpose of securing the payment of money advanced or to be advanced by way of loan, an existing or future debt, or the performance of an engagement which may give rise to a pecuniary liability.

(b) Where, without delivering possession of the mortgaged property, the mortgager, binds himself personally to pay the mortgage-money, and agrees, expressly or impliedly, that in the event of his failing to pay according to his contract, the mortgagee shall have a right to cause the mortgaged property to be sold and the proceeds of sale to be applied, so far as may be necessary, in payment of the mortgage money, the transaction is called a simple mortgage and the mortgagee a simple mortgagee.

(d) Where the mortgager delivers possession of the mortgaged property to the mortgagee, and authorizes him to retain such possession until payment of the mortgage money, and to receive the rents and profits accruing from the property and to appropriate them in lieu of interest, or in payment of the mortgage money, or partly in lieu of interest and partly in payment of mortgage money, the transaction is called an usufructuary mortgage and the mortgagee an usufructuary mortgagee”.



অৰ্থাৎ ৫৮ ধাৰা গোটেইটো যদি চোৱা হয় তেতিয়া তাত মাটি বন্ধকৰ বিষয়ে উল্লেখ পোৱা যাব। বিলখনৰ ধাৰাতো এই আইনখনৰ বিৰোধী।

১০৫ ধাৰাত লীজ সম্বন্ধে উল্লেখ আছে। ১০৮ ধাৰাত উল্লেখ আছে যে কোনো বিশেষ মাটি যদি লীজ লোৱা যায় তেনেহলে সেই মাটিৰ লগতে লীজৰ স্বত্ব জড়িত থাকে—

“Any person to whom a new holding has, in lieu of his original holding, been allotted under the Scheme may if he unwilling to take possession of the new holding apply to the Consolidation Officer to put his new holding to auction and to pay him the sale proceeds after deducting the cost of sale”.

দেখা যায় যে লেচিৰ মাটি যদি আন এজন নতুন গৰাকীৰ হাতলৈ যায় তেন্তে নতুন জনে মাটিৰ গৰাকী হব। লেচিৰ তাত কোনো স্বত্ব নেথাকিব। এই বিলত নানা আসোৱনা আছে—সেই কাৰণে এই বিলখনৰ দ্বাৰা বাইজৰ কোনো উপকাৰ নহয় আৰু বিলখন বে-আইনীও হৈছে।

আধিয়াৰ সম্বন্ধে দেখা যায় যে অসমত যিবিলাক লোক আধিয়াৰ হৈ আছে তেওঁলোক কমেও একেৰাহে ২ বছৰ কোনো মাটি দখল কৰি থাকিলে আধিয়াৰ স্বত্ব পায়। ১২ বছৰ কাল আধিয়াৰ থকাৰ পাচত চিৰদখলী স্বত্ব পায়। সেইদৰে অসম টেনেন্সী আইন মতে আইন শ্ৰেণীৰ ৰায়তৰো ভিন ভিন বকমৰ স্বত্ব বৰ্তে। কিন্তু এই বিলমতে দখলী মাটি যদি এজন নতুন মালিকৰ হাতলৈ যায় তেন্তে আধিয়াৰ স্বত্ব নতুন মালিকৰ হাতলৈ যাবগৈ।

মই ভাবো যে এই ধাৰাটো নতুনকৈ সলনী কৰিলে আধিয়াৰৰ অৱস্থা আৰু জটিলতৰ হব।

ইয়াত উল্লেখ কৰিছে “As far as possible”, “as far as practicable”, এই কথাটো অৰ্থহীন। আমাৰ যিবিলাক আইন আছে তাৰ ভাষা সৰ্বসাধাৰণ বাইজে বুজাকৈ সহজ সবল হব লাগে। কিন্তু এনে ধৰণৰ শব্দবিলাক ব্যৱহাৰ কৰা হৈছে সিৰোদৰ অৰ্থ ৰবৰৰ নিচিনা ইফালৰ পৰা সিফাললৈ টানি নিব পাৰি। ইয়াৰ দ্বাৰা আমাৰ জনসাধাৰণক গণতান্ত্ৰিক শাসনৰ পৰা ঠেলি দিয়া হৈছে।

সেই কাৰণে মই কব বিচাৰো যে চৰকাৰে এই আইনৰ দ্বাৰা ভূমি সমীকৰণৰ নামত আধিয়াৰৰ আৰু ভিন ভিন শ্ৰেণীৰ ৰায়তৰ স্বত্ব নষ্ট কৰিবলৈ চেষ্টা কৰিছে। এই বুলিহে এই বিল আনিছে বুলি মোৰ ধাৰণা।

তাৰ পিচত আৰু এটা কথা হৈছে, এই বিলৰ ১৭ ধাৰাত ‘১’ত কৈছে যে—

“The Consolidation Officer, after satisfying himself that allotment order in respect of the holding has been validly issued to such person may in his discretion, accede to the request for such auction sale under sub-section (1); if he does so, he may after due notice in the village put the holding to sale subject to encumbrances transferred to the new holding under section 16 and pay him the proceeds thereof after deduction of the cost of sale.”

মই আগতেই এইটো কৈছিলো যে প্ৰকৃততে “স্বইচ্ছা মতে” এই কথা থাকিলেহে তেনে এই কথাটোৰ প্ৰয়োজন নাছিল। আমাৰ দেশত বহুতো দুখীয়া মানুহ আছে। সেইসকলৰ মাটিবাৰী প্ৰাৰ্থনা চনকীয়াল অৱস্থাতে লোকসকলে এই আইনৰ সুযোগলৈ যাব।



এই শ্ৰেণীৰ লোকসকলে নিজৰ সুবিধাৰ কাৰণে চৰকাৰী কৰ্মচাৰীসকলক প্ৰভাৱিত কৰাৰ সুযোগ পায়। এই শ্ৰেণীৰ লোকসকলৰ চৰকাৰী কৰ্মচাৰীৰ ওপৰতো হাত আছে। সেই অফিচাৰবিলাকক হাত কৰি তেওঁলোকৰ মাটি বহুলাই লব, আৰু দুখীয়া খেতিয়কক তাৰ পৰা ঠেলি আন ঠাইত থব, কিয়নো এছ, ডি, ও বা এছ, ডি, ছিৰ ইচ্ছাৰে সমীকৰণ কৰ্মতা তেওঁলোকক দিয়া হৈছে। গতিকে এই বিলৰ পৰা ভাগ্যবানসকলৰ সুবিধা হব আৰু দুখীয়াসকলৰ গলগ্ৰহ হব।

### Consolidation—১৭-২৩ আছে—

“No land shall at any time thereafter be transferred or partitioned so as to create a new plot less than 5 bighas in size.”

মই দেখিছো এই নোটিছ দিয়া কথাটোত বৰ গোলমাল আছে। এই নটিছবিলাক সাধাৰণতে গাঁৱত জাৰি কৰিবলৈ গৈ মানুহ নাপালে তেওঁৰ ঘৰৰ কোনোখিনি আৰি থৈ বা আৰি নথোৱাকৈয়ে জাৰি কৰা বুলি দুটা সাক্ষী লৈ আহিল। অথচ সেই মানুহজনে নোটিছত কোনো উমৰামেই নাপালে। গতিকে গৰাকীজনে মাটি বিক্ৰি হোৱা নোটিছেই নাপাব।

ইয়াৰ পিচত ১৪(৫)ত Preservation of fragmentation বোলা কথাটোত আছে মাটি ভাগকৰণ সম্বন্ধে। মাটি যদি ভাগ হৈ যায় সৰু সৰু হয় তেন্তে খেতিয়কৰ কাৰণে অসুবিধা হোৱা স্বাভাৱিক কথা। Royal Commission ৰে পৰা আবৃত্ত কৰি Plain Commission লৈকে বহুতে সেই বিপৰ্য্য দি আহিছে। কিন্তু মই বাজহ-মন্ত্ৰীক সুবিধা খোজো যে—

“No land shall be transferred, leased or mortgaged so as to create a new plot of less than 5 bighas in size except to the owner of a contiguous plot or to the State Government or a Land Mortgage Bank or any other Co-operative Society as security for any loan advanced to him by the State Government or such Bank or Society as the case may be.”

Partition শব্দটো সকলো আইনতে আছে। হিন্দু আইনত মাটি ভাগ কৰা কথাটো আছে। ভায়েকসকল পৃথক হলে মাটি-বাৰী ভাগ হয় আৰু সকলোৱে সমান স্বত্ব পায়। আমাৰ ৰাজ্যত প্ৰায় খেতিয়কে গৰীব, যাৰ মাটি মাত্ৰ ২।৪ বিঘাহে আছে। এই বিলমতে সেই মাটি ভাগ হব নোৱাৰে। মুচলমান আইনতেও ভাগ-বাটোৱাবাৰ কথা আছে। তেন্তে দেখা যায় এই আইনৰ দ্বাৰা মুচলীম বা হিন্দু আইন, আইনৰ স্বত্ব নুই কৰিব বিচাৰিছে।

আমি যদি ভালকৈ লক্ষ্য কৰো আমাৰ হিন্দু বা মুচলীম পৰিয়ালৰ পৃথক হোৱাৰ পিচত একেলগে খেতি কৰা মনোভাৱ (Spirit) সাধাৰণতঃ নেথাকে। গতিকে যাৰ ৫।৬ বিঘা মাটি থাকে তাৰ পৃথক হৈ মাটি ভাগ কৰাৰ অধিকাৰ নাথাকিব। এই আইনে আমাৰ দেশৰ হিন্দু আইন বা মুচলীম আইন অগ্ৰাহ্য কৰিব বিচাৰিছে।

আৰু এটা আচৰিত কথা হল যে এই আইনখনত ভূমি-বণ্টন, সমীকৰণ আৰু সংস্কাৰৰ ব্যৱস্থা ৰাখি স্বত্ব সংৰক্ষণৰ ব্যৱস্থাক চুৰমাৰ কৰা হৈছে।

ভূমি-সংস্কাৰৰ ব্যাপক আচনি হাতত লৈ ভূমিস্বত্ব বণ্টন আৰু সমীকৰণ আদি ৰাজ্যিক ভিত্তিত কৰিলে নিঃসন্দেহ যে সামগ্ৰিক উন্নতিৰ ক্ষেত্ৰত সুবিধা হব। কিন্তু আজিও আমাৰ দেশত সমাজতান্ত্ৰিক সমাজব্যৱস্থা স্থাপন হোৱা নাই; বনতান্ত্ৰিক সমাজব্যৱস্থা চলি



আছে। সম্পত্তিৰ ওপৰত মানুহৰ মৰ-কামোৰ আছেই আৰু সম্পত্তি ভাগ হবই। সেই কাৰণে আইনখনে হিন্দু আইন আৰু মুছলমান আইন আৰু মধ্যভাৰতীয় ভিন ভিন আইনৰ বিৰুদ্ধে হৈছে।

আইনখনৰ ২১(২) ধাৰাত কৈছে যে কোনো মাটি বিক্ৰি কৰিব খুজিলে মাত্ৰ ওচৰ-চুবুৰীয়াকহে বেচিব পাৰিব। এইটো বৰ অসুবিধাজনক ব্যৱস্থা। কাৰণ মাটি দুই শ্ৰেণীৰ মানুহে বেচে। প্ৰথম শ্ৰেণীয়ে বেচে চিলিং আইনৰ হাত সাৰিবলৈ, আৰু দ্বিতীয় শ্ৰেণী হৈছে ধাৰৰ পৰা হাত সাৰিবলৈ, অৰ্থাৎ গৰীব মানুহ। শতকৰা ৬০ ভাগ এই শ্ৰেণীৰ মানুহ। বিলত থকা ধৰণে যদি ধাৰাটো বন্ধ হয় তেনেহলে গৰীব মানুহে মাটিৰ লাভ কম পাব। কাৰণ মাটি কিনাৰ প্ৰতিযোগিতা কৰিবলৈ মানুহ পোৱা নহব। মাত্ৰ চাৰিওফালে গাঁৱৰ কাষত মাটি থকা মানুহৰ ভিতৰতেহে কিনিব পাৰিব। ইয়াৰ দ্বাৰা ধনী মাটিৰ মালিকক সন্তোষ মাটি কিনিবলৈ সুবিধা দিয়া হব আৰু গৰীবৰ অসুবিধা হব। ৰাজ্য-চৰকাৰে মাটি লব পাৰে ৰাজহুৱা অনুষ্ঠানৰ কাৰণে। কিন্তু চৰকাৰে সকলো লোকৰ মাটি কিনিব নোৱাৰে। সেইদৰে Land Mortgage Bank এ লব পাৰে। কিন্তু এই বেঙ্কৰ পৰা শতকৰা ৫ জনতকৈ বেচি উপকৃত হৈছে বুলি কব নোৱাৰি। যি মানুহ Land Mortgage অফিচাৰৰ লগত ভাল, তেওঁহে সেই সুবিধা পাব পাৰে গতিকে এই বিলেও সকলো বিক্ৰীদাৰৰ মাটি গ্ৰহণ নকৰিব। এই আইনৰ দ্বাৰা মানুহৰ সংবিধ নিক স্বত্ব ধৰা কৰা হৈছে। কাৰণ ইয়াত স্পষ্টকৈ কোৱা হৈছে যে হয় চাৰিওফালে মাটি থকা লোকক বেচিব লাগিব, নহয় Land Mortgage বেঙ্কক দিব লাগিব। সেই কাৰণে এইটো অযোগ্যই নহয় বে-আইনী।

তাৰ পিচত কৈছে যে আইনৰ নিয়ম ভঙ্গ কৰি মাটি বিক্ৰী কৰা লোকক শাস্তিও দিব। কোনো গৰীব মানুহে এবিধ মাটি বেচিব খুজিলে জৰিমনা হব ২০০ টকা। হয়তো মাটিৰ দামেই ২০০ টকা নহয়। হিন্দু আৰু মুছলমানসকলে নিজৰ আইনমতে ভাগ বা বিক্ৰী কৰিলেও ২০০ টকা জৰিমনা দিব লাগিব। বন্ধক দিলেও সেই জৰিমনা হব। গতিকে কৰ্তাসকলে কি মনোভাৱেই আইনখন কৰিছে ক'ব নোৱাৰে। অৱশ্যে বাহিৰত কবলৈ হব যে ভূমি সংক্ৰান্ত আইন এখন কৰিছে।

তাৰ পিচত ১৫ পৃ: ২২(২) ধাৰাত কোৱা হৈছে—

“Any transfer, partition or lease of any land in contravention of any provisions of this Act, shall be void and the owner contravening them shall be liable to pay a fine not exceeding (one thousand) two hundred rupees.”

হিন্দু বা মুছলমান আইনৰ ধাৰাৰ ফালৰ পৰাও আমাৰ এইখন আইন ৰূপ নাখায়। কাৰণ এই বিলৰ দ্বাৰা ডেপুটি কমিচনাৰৰ ওপৰত যথেষ্ট ক্ষমতা দিয়া হৈছে। এই বিলৰ প্ৰয়োগৰ দ্বাৰা একো-একোটা পৰিয়ালৰ ধ্বংস সাধন হব পাৰে।

Any person taking possession of such land by virtue of such transfer, partition or lease shall be liable to be summarily rejected by the Deputy Commissioner or the Subdivisional Officer in whose jurisdiction the land is situated.

এই বিলৰ ফলত গোচৰ মৰদম্য আদি বৃদ্ধি হব। হয়তো মন্ত্ৰী মহোদয়ে কব যে ইয়াত যথেষ্ট Safeguard আছে। কিন্তু আইনখনত প্ৰকৃততে তেনে ব্যৱস্থা নাই। এই বিলখন আইনত পৰিণত হলে গাঁৱৰ ৰাইজৰ অসুবিধা হব আৰু মাটি-চিকাৰীৰ সুবিধা হব আৰু গৰীব জনসাধাৰণৰ মাটিবিলাক গ্ৰাস কৰিব।



যদি এইখন বিল গৃহীত হয় তেন্তে আমাৰ সদনৰ বদনাম হ'ব আৰু বাহিৰৰ লোক আহিব আৰু ক'ব যে, Transfer of Properties Act খন নপঢ়াকৈ আইনখন পাচ কৰি দিছে। হিন্দু আইন মতেও সম্পত্তিৰ স্বাৰ্থ বক্ষা নহ'ব। মুচলিম ৰাইজেও ভাবিব তেওঁলোকৰ অধিকাৰ নষ্ট হ'ল। কাজেই সকলোফালৰ পৰা দেখা যায় যে এই বিলখন আইনত পৰিণত হ'লে বেআইনী হ'ব আৰু সংবিধানসন্মত মাটিৰ ওপৰত থকা স্বত্বও ইয়াৰ দ্বাৰাই ক্ষুণ্ণ কৰা হ'ব।

আন দেশত আজি গণতান্ত্ৰিক সমাজ-ব্যৱস্থাৰ পৰিকল্পনাত যদি ভূমি-সংস্কাৰ আচনিৰ নামত কেৱল কাগজে-পত্ৰে বা শূন্যতে থাকি যায় তেন্তে ৰাইজৰ কি হ'ব? 'চিলিং' ধাৰ্য্যৰ আইনখন, হয়তো মন্ত্ৰী মহোদয়ে ক'ব যে, প্ৰয়োগ কৰা হৈছে কিন্তু আচলতে ব্যৰ্থ হৈছে, কোনো কাম হোৱা নাই। কোনো ভূমিহীনে মাটি পোৱা নাই।

তাৰ পিচত আন এটা কথাও এই প্ৰসঙ্গতে ক'ওঁ যে, ভূমি সম্বন্ধীয় আগতে পাচ হৈ যোৱা আইনবিলাক Reference ব কাৰণে লাইব্ৰেৰীত বিচাৰ লৈ পোৱা নাই। ১৯৩৫ চনৰ টেনান্টি এক্টৰ কপি এটাও লাইব্ৰেৰীত নাই।

Nothing in this section shall affect the right of transferee or the lessee in instituting any proceeding in the proper Court for recovery of any consideration paid by him for such transaction.

যি হওক, ইয়াত আধিয়াৰ স্বাৰ্থ একেবাৰে খৰ্ব কৰা হৈছে, সেই কাৰণে Select Committee ৰ পৰা অহাৰ পিছতে মই বিৰোধিতা কৰিছোঁ।

**Shri HARESWAR DAS (Minister, Revenue) :** These are absolutely irrelevant.

**Mr. SPEAKER :** You are to confine yourself to the report.

**Shri KHAGENDRA NATH BARBARUA (Amguri) :** Sir, I beg to move that the Assam Consolidation of Holdings Bills, 1960, be referred for eliciting public opinion.

**Mr. SPEAKER :** I think you cannot move it.

**Shri KHAGENDRA NATH BARBARUA :** Sir, I would have been very much glad to know whether a Bill can be referred again for eliciting public opinion.

**Shri HARESWAR DAS :** That stage has already passed.

**Shri HARESWAR GOSWAMI (Rampur) :** Sir, under Rule 75 after the presentation of the final report of a Select Committee on a Bill the member-in-charge may move—and under (ii) that the Bill be re-committed.

**Mr. SPEAKER :** That will be a retrograde step.

**Shri KHAGENDRA NATH BARBARUA :** অধ্যক্ষ মহোদয়, আমাৰ ৰাজ্যত উন্নত ধৰণৰ খেতি কৰিবলৈ সমীক্ষণ আইনৰ প্ৰয়োজন। এতিয়া আমাৰ সমবায় পদ্ধতিত খেতি কৰিবৰ দিন পালেহি। সেই কাৰণে মাটি একত্ৰি কৰা দৰকাৰ হৈ পৰিছে। এতিয়া ট্ৰেষ্টাৰ, ভাল সাৰ আৰু কঠিয়াৰে খেতি নকৰিলে অধিক শস্য উৎপাদনত আমি আগবাঢ়িব নোৱাৰিম।



**Mr. SPEAKER:** Your amendment is out of order. You can discuss matters referred to in the report or any other alternative suggestions consistent with the principle of the Bill.

**Shri KHAGENDRA NATH BARBARUA (Amguri) :**  
ভাল চাব, মই বাক Report ব ওপৰত কম।

আমাৰ দেশৰ অনেক আধিয়াৰ মাটিহীন হৈ আছে—এই বিলত কিন্তু আধিয়াৰ বিশেষ Protection দেখা নাই। ইয়াৰ ও ধাৰাত উল্লেখ আছে—

18(4) The State Government shall have the right to assess and realise 50 per cent of the cost of consolidation from the date of draft notification under Section 3 till the delivery of possession to the allottees from the owners of lands benefited by the consolidation scheme in the manner prescribed.

ইয়াত নানাবকমে কিছু টকা উলিওৱাৰ বুদ্ধি কৰিছে। ইয়াৰ দ্বাৰা ৰাজ্যৰ নিবনুৱা সমস্যা সমাধান কৰিবলৈ খেতিয়কৰ ওপৰত বোজা দি চাকৰী উলিয়াবৰ চেষ্টা কৰিছে। এই আইন বলবৎ কৰিবলৈ কিছুমান Consolidation Officer তৈয়াৰ কৰিব আৰু হোৱাই নোহোৱাই কিছুমান কেচ উলিয়াই খেতিয়কৰ পৰা এই অফিচাৰসকলৰ শতকৰা ৫০ ভাগ খৰচ আদায় কৰিব। ইয়াৰ দ্বাৰা খেতিয়কৰ মূৰত মাৰ মৰাৰ বুদ্ধি হৈছে, আৰু সেই কাৰণেই এই আইন আনিছে। ইয়াৰ দ্বাৰা আৰু কেইজনমান মানুহ আনি Advisory Committee কৰিব। এই সকলোৱে মিলি মাটি বাৰীৰ এটা বিশৃঙ্খলাৰ সৃষ্টি কৰিব। মোটৰ ওপৰত এই আইনখন খেলিমেলি হৈছে; সেই কাৰণে মই কওঁ যে এই বিলখন উঠাই নললে জনমতৰ কাৰণে যাব লাগে।

বিলৰ ১৮—২ ত কৈছে—

18(2) If the market value of the new holding is greater than that of the original holding then compensation for the excess market value of the new holding shall be realised from the owner by the State Government in one or more instalments as prescribed.

মানুহজন যদি দুখীয়া হয় তেন্তে তাৰ পৰা কি কৰি আদায় কৰিব? কিছুমানে খাজনা দিব নোৱাৰাত মাটি নিলামত গৈছে। চৰকাৰৰ কি স্বত্ব আছে যে তাৰ পৰা realise কৰে।

গতিকে মই এই সকলোবিলাক কাৰণত এই বিলখনৰ বিৰোধিতা কৰিছো।

**Maulavi TAJUDDIN AHMED (Tarabari) :** মাননীয় অধ্যক্ষ মহোদয়, বৰ্তমান যিখন বিল সদনত দাঙি ধৰিছে, এই বিল ভালেই হৈছে আৰু ভালৰ কাৰণেই কৰিছে।

আইন লাগে দুৰ্বলৰ কাৰণে; যিবিলাক সবল তেওঁলোকে আইন নহলেও চলিব পাৰে, কিন্তু ইয়াত এই দুৰ্বলসকলৰ অলপ বিপদ হৈছে যেন লাগে।

যেতিয়া গৰীৰ লোকৰ হঠাতে বিপদ হয়, যেনে লৰা-ছোৱালীৰ চিকিৎসাৰ বা শিক্ষাৰ কাৰণে টকাৰ দৰ্কাৰ হয় তেতিয়া তেওঁলোকৰ আন বস্তু বিক্ৰি কৰিবলৈ নাথাকিলে মাটি বিক্ৰি কৰে। কিন্তু এই আইনত গৰীবসকলে মাটি বিক্ৰি কৰাটো এটা ডাঙৰ কথা হৈ পৰিছে। ইয়াত মাটি বিক্ৰি কৰিলে ৫ বিঘাৰ কম মাটি বিক্ৰি কৰিব নোৱাৰে। কিছুমানৰ



ইয়তো ৪ বিঘা মাটি আছে, সেই মাটি বিক্রি কৰিব লাগিলে ওচৰত মাটিখকা মানুহক বিক্রি কৰিব লাগিব; যদি তেনে মানুহে কিনিব নোখোজে তেন্তে আৰু এটা মুন্সিল।

No land shall be transferred, leased or mortgaged so as to create a new plot of less than 5 bighas in size except to the owner of a contiguous plot or to the State Government.

গতিকে ওচৰৰ মানুহে নিকিনিলে গভৰ্ণমেণ্টক দিব লাগিব। এইটোত বিক্রি কৰোতাজন সমূলক্ষে মৰিল।

মই এইটোকে কওঁ যে যদি ওচৰৰ মানুহজনে কিনিবলৈ সমৰ্থ হয় তেন্তে হয়তো সোনকালেই টকা পাই সাময়িক অভাব দূৰ কৰিব পাৰিব। কিন্তু চৰকাৰৰ ওচৰত বিক্রি কৰিবলগীয়া হয় তেন্তে টকা পাওঁতে বহু দিন, মাহ আনকি বছৰ লাগি যাব।

সেই কাৰণে মই কওঁ যে যদি কাৰোবাৰ লবা-ছোৱালীৰ পঢ়া-খৰচ বা চিকিৎসাৰ কাৰণে হঠাতে টকাৰ দৰ্কাৰ হয় তেন্তে যাতে টকা তৎক্ষণাৎ পায় তাৰ ব্যৱস্থাও বিলত থাকিব লাগে।

**Shri HARESWAR DAS (Minister, Revenue):** Sir, this is speaking against the principle. The principle of the Bill cannot be challenged.

**Mr. SPEAKER:** Yes, yes. You just read the Bill. That can only be given as security.

**Shri TAJUDDIN AHMED (Tarabari):** মই কৈছো security দিবলগা হলে এইটো বৰ দীৰ্ঘলীয়া process হব। এই প্ৰণালীত আৰু পলমহে হব।

বৰ্ত্তমান যাতে মানুহে টকা সোনকালে পায় তাৰ ব্যৱস্থা কৰিব লাগিব।

ইয়াকে কৈ মই মোৰ বক্তৃতাৰ সামৰণী মাৰিলো।

At this stage the Speaker Vacated the Chair and the Deputy Speaker occupied it)

**Shri HIRALAL PATWARI (Panery):** Mr. Deputy Speaker, Sir, I like to move that the Bill be re-committed to the same Select Committee to reconsider the conflicting provisions of the Bill. I do not like to make a lengthy speech as my friend Shri Tarun Sen Deka has already clarified this point to this House. So I move the motion.

**Mr. DEPUTY SPEAKER:** The motion moved is that the Bill be re-committed to the same Select Committee to re-consider the conflicting provisions of the Bill.

**Shri HARESWAR DAS:** Sir, I oppose this motion as it is not in order.

**Mr. DEPUTY SPEAKER:** He has not given me the copy of the amendment. Of course he can move for re-committal of the Bill.



**M. MOINUL HAQUE CHOUDHURY:** There is a time limit for giving notice for amendment. Amendments cannot be moved from time to time along with the debate.

**Mr. DEPUTY SPEAKER:** The Motion is that 'the Bill be re-committed to the same Select Committee to reconsider the conflicting provisions of the Bill'. This is vague. Under the provisions of rule 75 of the Rules of Procedure the Bill be recommitted, either—

- (a) without limitation, or
- (b) with respect to particular clauses or amendments only, or
- (c) with instructions to the Select Committee to make some particular or additional provision in the Bill.

So, I don't think that because of the conflicting provisions of the Bill the motion is in order ; it is vague. So, I rule out this amendment. Now Mr. Das

**\*Shri HARESWAR GOSWAMI (Rampur):** Sir, I want to speak something about this.

**Mr. DEPUTY SPEAKER:** Alright.

**\*Shri HARESWAR GOSWAMI:** Mr. Deputy Speaker, Sir, I was myself thinking of moving a motion for recommitting the Bill to the Select Committee. But I feel that it will not be possible, perhaps, for the Select Committee to improve its report. Sir, this is not the first instance of a bill for consolidation of holdings in India. The first time it came in Bombay as small holdings Bill and after that in Punjab when the Constitution was not even in the anvil of the Constituent Assembly. At that time the fundamental rights were not enunciated. To day the fundamental rights are the guiding principle for any legislature and, therefore, in enacting a Bill of this kind we cannot forget the provisions of the Constitution, particularly Article 19 where the fundamental rights have been enunciated. It is true, Sir, that under the Constitution fundamental rights can be abridged provided that abridgement is reasonable. I have found in this Bill the provisions which cannot be considered reasonable. I might add at the first instance that I am in favour of consolidation of holdings ; I am against fragmentation of holdings. But what I want to say now is the difficulties on the way and these difficulties are not something peculiar to our State. These difficulties have been experienced in other States where legislations have been passed for consolidation of holdings. That we have got also an Act for consolidation of holdings, but it cannot be implemented. Therefore, Sir, in passing this Bill we have to be very careful and see whether we have passed a Bill only because there is a demand for consolidation of holdings and for stopping fragmentation of holdings or we have passed an Act which will be possible to give effect to. After going through the Bill I have not been able to understand even when it has been reported by the Select Committee as to what will be the *modus operandi* of the Bill, whether it will be coercion or persuasion, and then there are conflicting principles. In clause 5 it is clearly stated that 'the Consolidation Officer shall prepare the scheme with due regard to the following principles, namely—

- (a) Consolidation shall be made only by way of exchange or amalgamation on the owners' voluntarily agreeing to it before the Consolidation Officer'.



This has been further enforced by clause 4 where the Gaon Panchayats and Anchalik Panchayats have been brought in, and they are to advise. A reading of these two clauses lead me to think that the whole purpose, the *modus operandi* of the Bill will be more of persuasion than of coercion. But when I go to the latter provisions of the Bill I find that coercion will be the *modus operandi* and not persuasion. I can quite appreciate the difficulty of the Select Committee and also the difficulty of the Government. It is not possible to have consolidation of holdings unless lands are owned by the State itself. Only when individual owners can be eliminated then we can think of perfect consolidation and stop fragmentation of holdings. So long the lands are owned by individuals having their rights planted, it is difficult to think of consolidation, and, therefore, in spite of our best wishes, in spite of our pious intentions to have consolidation of holdings, it will not succeed to the desirable extent in any State.

Even if we go to the Bill itself, we will find in Clause 16 that it is a clause which cannot be given effect to by any court of law. Charges, lease, mortgage, right of adhiar, right of tenant and other circumstances, if any, in his old holdings, shall as far as practicable, be transferred and attached to an area of the new holding which shall as far as possible, be the same market value as the area from which it has been transferred. Two questions arise. Supposing the new allottee did not accept the new allotment, then the clause 17, he has the right namely the owner will be entitled to accept compensation in lieu of the new plot allotted to him, but if he is unwilling to take possession of the new holding or to accept compensation, he may apply to the Consolidation Officer to put his new holding to auction and pay him the sale proceeds after deducting the cost of sale.

Now, the point is that all the new allottee may not agree with the new allotment, in that case he cannot be forced to accept it. The only course open to him is that he can pray for the sale of that new allotment to get the money, i.e., the sale proceeds. If he does not agree to it, the Bill is silent. Then what will happen? Whether the Government, or the Consolidation Officer or the Settlement Officer at their own initiative will sell the land? Supposing the allottee does not want the new allotment and he also does not want the money in lieu of it also he does not accept the proposition having it sold in auction then what course is open? It is a very difficult question. I have felt after going through the Bill that it will create lawyer's paradise constantly because that other causes will arise out of it and more complication will develop. As I have said that I want to help the Government having a Bill for Consolidation. But the present Bill will create more complication. That is my impression. Therefore, supposing under clause 17 and assuming he wants to accept the money, how the right of the people and how the charges, lease mortgage, etc., will be protected? Supposing he does not accept the new allotment, then charges, lease, mortgages, etc., cannot be created by the new allotment, then what is the right of the people? Secondly, supposing he accepts the sale, he wants that the money should be given where is the guarantee or security? Their interest have been almost ignored because these are the only 2 provisions by which they are sought to be protected. On the other hand by clause 17 it is very difficult to protect their rights. Therefore my Friend, Shri Tarun Sen Deka was right in saying that by saying "as far as practicable" by keeping that voluntary clause you have in a way nullified the whole thing.



That also is true to a certain extent only provided the allottee wants to accept the new allotment. If he does not want then also that is of no avail. Then so far as Section 21 is concerned, it runs as follows—

“Notwithstanding any contained in any law or customs in any areas where a scheme of consolidation has come into force—

(a) No land shall at any time thereafter be transferred or partitioned so as to create a new plot less than 10 bighas in size”.

First of all my opposition is why do you make it 5 bighas? In the original Bill it was 10 bighas. To-morrow you may make it 3 bighas. We must have some idea as to the principle. I want to say economic holding. I want to say average holding also. We must have some idea as to what should be the minimum size of a holding. Even assuming of economic holding Government have enunciated a policy that 7 bighas should be the minimum at least for new settlement. Now if you have enunciated that policy I am not concerned with economic holding or average holding and all these things. I am only concerned with having enunciated a policy that so far new settlements are concerned it should not be less than 7 bighas. Why do you again bring in 5 bighas. I have all along been saying without coming to decision as to family holding, economic holding and all these things, we can have a clear picture as to the minimum size of the holding that we should have. If Government have accepted to-day as a policy that 7 bighas should be the minimum land, then why do you make it 5 bighas here? Make it 7 bighas. It should not be less than 7 bighas. I want to follow a principle. I don't want to be just guided by whims. Let us have a policy here. It is essential. This has an inter-connection. This has a vital connection. You do not want to have a holding of less than 7 bighas, that is the enunciated policy of the Government. Why you have made it 5 bighas? Why have you come to that decision? If we have come to that decision let that decision be the rock-bed of our legislators, that so far the minimum size is concerned it should not be less than 7 bighas and we should not allow any partition below 7 bighas. Secondly about partition I have my doubt as to whether Article 19 or without going into the conflict with the existing law—Hindu or Muslim Law—we can do so. There is a conflict all along in this Bill. Now we want consolidation of holdings by agreement in a voluntary manner as far as possible, if we can use that term. On the other hand so far as fragmentation is concerned here it is a compulsory thing that you cannot do so and if we look at the picture to-day in our State we find that there are a very few people who have even holdings of 5 bighas. So what will happen to them, because under the law they cannot have the holding. There are lots of people having land less than 5 bighas and under the law it appears by implication that these holdings cannot exist. If these holdings cannot exist there is no saving clause in this Bill that so far as the existings holding below 5 bighas are concerned, this Bill will not touch those holdings. That is not there. That is a very important clause because as soon as you say 5 bighas will not be allowed to remain, it means that under this Bill itself where there is a provision that they will have to sell or to go to the land mortgage societies. By this, we are creating great discontent in the minds of our people. Sir, in clause 2 it has been stated “no plot of land less than 10 bighas in size shall be transferred or mortgaged except to the owner of a contiguous plot.” So Sir, the existing clause will



be there, unless the Bill specifically provide this saving clause 2. In clause 2 it has been said "no land shall be transferred, leased or mortgaged so as to create a new plot of less than 5 bighas in size except to the owner of a contiguous plot or to the State Government or a Land Mortgage Bank or any other Co-operative Societies as security for any loan advanced to him by the State Government or such bank or society as the case may be". Sir, this will lead to help the bigger, I mean the richer section of the people. Therefore, Sir, this will make a great discontent in the State. Then section 22 which says "any transfer, partition, or lease of any land in contravention of any provisions of this Act, shall be void and the owner contravening them shall be liable to pay a fine not exceeding two hundred rupees." Now, Sir I quite agree that there should be a penal clause in the Bill. In such a bill when the system of law is such that we have our inheritance under the Hindu Law or the Muslim Law which encourages this fragmentation of holding and therefore if we put a penal clause like that it is most likely to act very harshly on the poorer section of the people. Sir, although as I have said that I wish this Bill all success, the difficulty is that I have not been able to make up my mind with regard to the provisions of the Bill whether this Bill will only adorn the Library or whether it will actually go to the field leading to more consolidation of holdings. Therefore, all these things will have to be looked into. Let us try during these days also to obviate this difficulty and I would request the Minister-in-charge to keep an open mind so far as the provision of this Bill are concerned so that proper amendments may be made and then only the Bill may be accepted.

**Shri HARESWAR DAS (Minister, Revenue):** Mr. Deputy Speaker, Sir, I admit that it is a very stiff piece of legislation. We have circulated this Bill for eliciting public opinion and opinions are received. There are many suggestions, but nobody opposed this Bill. And then it went to the Select Committee, and from Select Committee it has come in this shape.

Sir, I also agree that some amendments are necessary in this Bill. I have heard the hon. Members speaking against certain provisions of this Bill. But they have not put forward any suggestion. Now what should be done? Whenever a Bill is drafted, it is very easy to attack it. Section 447 of the Penal Code was drafted in 1860 and after 100 years it is still interpreted differently.

**Mr. DEPUTY SPEAKER:** Except one.

**Shri HARESWAR DAS:** Sir, I request them to give their suggestion in the shape of amendments. Shri Tarun Deka dealt elaborately with certain clauses of this Bill. I rather feel he should not have dealt with the legal aspect of the Bill. His interpretations are absolutely misconceived. Transfer of Property Act is a Central Act. When it is a State subject, the State has got the right to legislate and if there be any conflict between the Central and the Local Act, the Local Act gets preference over the Central Act. On this principle this House passed the State Acquisition of the Zamindari Act, there is provision that the moment an estate vests in Government all mortgages, charges, etc., cease to exist, they become merely claimants. Where this Act applies, the Land Acquisition Act, which is a Central Act ceases to operate. But it is different with regard to the fundamental rights. Any provisions of law, which



violates the fundamental rights will be void and that is laid down in the Constitution itself.

With regard to this Bill, there are similar provisions in the Acts of other States of India. The history of legislation on this subject is like this— at first it was purely voluntary, which was tried in some States like the Punjab in 1922-24. But ultimately it proved infructuous because of the opposition of recalcitrant owners. So the second stage came which was voluntary-*cum*-compulsory. If two third of the owners agree, the remaining one-third is compelled to accept the scheme. Shri Deka raised objection to two-third owners. But there is nothing to be apprehensive about it. The owner representing two-third may be large owners or small owners only they should be owners. There is no likelihood of big owners dominating the small ones. If these two-third owners agree a scheme that will be undertaken by Government. That is the second stage and this stage is prevalent in many other States. The second stage was also found wanting. So the third stage has come. All the lands of the individuals were taken over by the Government and Government lands were also packed together. A scheme is prepared and the lands are divided into rectangles of one acre. Roads, parks and schools are planned and these lands allotted to the people and they are to stay there. The people were not allowed to live in the village because they used to live there in very insanitary conditions and they quarrelled frequently. So they were brought to the field so that they may use their cowdung as manure in their fields, and they may engage themselves in cultivation. This is now being followed in the Punjab.

### Adjournment

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

### After Lunch

(The Speaker in the chair).

**Shri HARESWAR DAS (Minister, Revenue):** Mr. Speaker Sir, I have almost completed but I can assure Shri Goswami that as far as this Bill is concerned we have kept an open mind and any amendment tabled with a view to further improve the Bill will be considered.

As regards this interpretation of clause 21 that why 5 bighas were put that is because the cost of cultivation increases when it is 1 or 2 bighas but if it is made 5 bighas, the majority of our cultivators will be covered. Therefore the Select Committee after considering the pros and cons of the matter put 5 bighas. Wherefrom my Friend, Shri Goswami has got the idea that Government has taken a decision that 7 or 8 bighas were taken as an unit I cannot understand. The Government policy is to settle land at the rate of 8 to 12 bighas depending on the availability of land, the fertility of the soil. It does not say that 8 or 12 bighas will be in one block. Now, if a scheme is taken for consolidation, the land is consolidated but if that land is allowed to be fragmented then what is the use of taking a consolidation scheme? If no ceiling is allowed then within a few years the entire land will be fragmented and so there will be no use taking of a consolidation scheme. I request Shri Goswami and others to consider this



aspect of the matter. Everybody admitted that the principle of the Bill is good and it is welcomed, if that is so, if consolidation is necessary then provision about fragmentation must be there. As to what will be the area which should not be fragmented, my friends are at liberty to table amendments. That is all Sir, and with these words I request my friends to withdraw their opposition.

**Mr. SPEAKER:** I put the Question. The Question is that the Assam Consolidation of Holdings Bill, 1959 as recommended by the Select Committee be taken for consideration.

(The question was adopted).

### The Gauhati University (Amendment) Bill, 1960

**Shri RADHIKA RAM DAS (Deputy Minister, Education):** Mr. Speaker Sir, I beg to move that the Gauhati University (Amendment) Bill, 1960 as reported by the Select Committee, be taken into consideration. Sir, at the consideration stage I want to put certain very important points. This is a very important Bill and as such we have to take opinion of various educational institutions and associations and after taking the opinion of all the Select Committee has now unanimously submitted its report. Sir, the main purpose of the Bill is to make the University a more autonomous body. For that we have by this Bill substituted the Development Committee which is mainly entrusted with construction work by a construction committee. Secondly, there are various other important aspects of the Bill also, as for example, the appointment of the Vice-Chancellor by the Chancellor, the appointment of the Registrar and Treasurer for two consecutive terms; then the Chief Justice of the Assam High Court has also been made a member of the Court. And various other amendments have been made. Besides that the power of the Court has been increased. Previously the Court is to reject or accept the ordinance or statutes passed by the Executive Council, now they have been given power to modify or amend the ordinances or statutes.

With regard to Aided College teachers Sir, more teachers have been appointed as members of various committees of the University. Previously the powers and constitution of the Court and other bodies were left for the statutes and ordinances, now these are all defined in the body of the Act itself. Lastly Sir, the Government contribution of 5 lakhs of rupees which was increased to ten lakhs, this has now been provided in the body of the Act. Such various important amendments have been taken by the Select Committee, I hope hon. Members will give due consideration to all these amendments and get the Bill passed.

**Mr. SPEAKER:** The motion moved is that the Gauhati University (Amendment) Bill, 1960 as reported by the Select Committee, be taken into consideration.

**Shri PHANI BORA (Nowgong):** Mr. Speaker Sir, I want to make a few observations on the Gauhati University (Amendment) Bill, 1960. We congratulate the Select Committee for the improvement it has made over the original provisions of the Bill. We, however, feel that it could have been further improved. Let me take up only a few points. It is known



that the need further to amend the Gauhati University Act, 1947 has been felt from a long time, particularly from the point of view of improving upon the work of the University Development Committee. It may be true that the 1949 amendment failed to foresee the anomalies but it is equally true that the main result of the 1949 amendment, the creation of the Development Committee, came to be assailed more and more because it was felt that the arrangement was not in consonance with the autonomy of the University and its responsibility to the University Grants Commission. Thus, it is welcomed that the present Amending Bill aims at enabling the University to assume the powers and functions hitherto exercised by the Development Committee. The Bill has for its object "the better and more effective administration" of the University. Thus, adequate care should be taken so to amend the constitution of the University as to ensure the desired results.

On a careful perusal of the Bill the feeling arises that certain extra-academic considerations have to a degree counted towards its framing while the mature recommendations of the Radhakrishnan Commission (University Education Commission) have not been given the due consideration they deserve. It is since the publication of the Sadler Commission Report that much emphasis has been rightly laid on the character of representation in such bodies as the Court, the Executive Council and the Academic Council. In the background of all this, the question of representation in such bodies assumes paramount importance. Ours is a teaching-cum-affiliating University and in making its recommendations on the structure of this type of Universities, the Radhakrishnan Commission laid down the procedure to be followed in choosing representatives to the Court, the Executive Council and the Academic Council. This may be briefly noted while discussing the problem of representation in the said bodies of this University.

Regarding representation in the Court, the Radhakrishnan Commission recommended a two-fold kind of balance (a) between academic and non-academic members and (b) between University representatives, affiliated College representatives and external members. According to it, the Court should comprise of one-third of its members from the University staff, one-third from the affiliated Colleges including the Principal of each College and representatives of the Governing body of each College, and the rest one-third to be filled up by external members. According to it, if for instance, 120 be the maximum size of the Court, 43 should be the quota of each category. The Act of 1947, by anticipation, recognised the soundness of this principle and accordingly it provided for representation of the various interests in the Court. Considering the growth of Departments in the University and the compelling realities of the situation, the Bill has done well to limit the representation of Readers to Heads of Departments and prescribe a system of representation from Doctors of the University. But in allotting members to different categories it has so laid down provisions as to decrease the representation of academic interests.

Sir, there is no reason why about 80 Lecturers of the University, whose number will be on the increase with the further development of the University, should remain totally unrepresented in the Court. The University being a residential one, it is unwise to deprive wardens of their representation and a limited number of wardens is unlikely to encumber the body of the Court. Further, in the interests of avoiding anomalies, the word "teachers" in the context of representation should have been precise.



Sir, the Executive Council being the pivotal body in the University should be carefully chosen, giving the different bodies the requisite representation. The Radhakrishnan Commission fixed the absolute maximum number in the Executive at 25 while the approximate membership of the body was put at 21. The Bill puts the figure at 17 in consonance with the number as per the relevant amendment in 1949. The 1949 amendment added 4 members, two each nominated by the Chancellor and the Government of Assam. The Chancellor's nominees being in effect Government nominees and *vice versa*, this "law of the double vote" should not be entertained. The University Commission recommended the inclusion of four Principals of affiliated Colleges and four members of the Court in the Executive Council. Without even reaching the approximate membership fixed by the Commission, there is scope to increase the total membership than at present with the inclusion of more members from the supreme governing body of the University, *i. e.*, the Court. As the Executive Council will exercise considerable power not only that a right choice of its members should be made but the balance between external and internal members should incline to the internal side.

Sir, with regard to the Academic Council, this body being the highest academic body of the University should be almost entirely composed of academic elements and in making its recommendations the Radhakrishnan Commission emphasised this point. If the Director of Technical Education can be accommodated in this body, there is no reason why University teachers should find no place in it particularly when the recommendations of the University Commission expressly provided for their representation. Further, after considering the matter in great detail, the Commission recommended election and not nomination of affiliated College representatives and nothing has happened which warrants nomination by the Vice-Chancellor. The salutary recommendation of a body which considered University education and administration from all standpoints can be ignored only at the peril of creating vested interests.

Sir, the Vice-Chancellor of the University occupies a key position. In order to avoid factionalism and for the supreme necessity of choosing a man of unassailable integrity, a man of character and reputation, it is essential that the method of choosing the Vice-Chancellor should be perfect to the farthest possible extent. Hitherto the practice had been that the Vice-Chancellor was appointed by the Chancellor after considering the recommendations of the Court. As per a healthy convention one name had been so far recommended at the conclusion of each term. The Amending Bill provides for compulsory submission of a panel of three names out of which one shall be appointed Vice-Chancellor by the Chancellor. This provision for a panel is harmful, broadly for two reasons. First, it deprives the supreme body of the University of any final say in selecting the keystone of the University and, secondly, it is bound to invite party policies. The power of initiating the appointment of the Vice-Chancellor should be reserved for the Court and the old convention should be continued.

Sir, while dealing with the duties of the Registrar, the Bill by Section 8c (v) enjoins upon the Registrar to conduct examinations of the University till other officers are appointed for the purpose. It seems that the appointment of a Controller of Examinations and such other officers is envisaged at some point of time. At present there is an Assistant



Registrar for Examinations and it appears that for all practical purposes he manages the duties carried out by a Controller of Examinations besides attending to other duties. But clear provision should be made in the body of the Act for the appointment of a Controller of Examination. As the Registrar will be an overworked man in that affairs of the Construction Committee will also have to be looked after by him, it is only reasonably that he should not be burdened with the details of the conduct of examinations. Thus, provision should be made for the appointment of a whole-time officers as the Controller of Examinations who shall act as Secretary of the Examination Board in the event of there being such a Board formed under Section 17(a) of the Principal Act. The qualifications, powers and functions of the Controller of Examinations and also of the Board may be prescribed by Statutes and Ordinances, and such powers and duties may also be imposed and conferred on them from time to time by the Court, Executive Council and the Academic Council.

I also want to say a few words about the Secretary of the University Classes. As per present arrangements the Secretary of the University Classes is a part time salaried officer who, besides his teaching duties as the Head of Department and performance of other duties as the Dean of a Faculty, has to manage a huge office with powers of appointment of employees in his office, called upon to superintend the smooth running of classes, framing of the time table, signing the pay bills of teacher, granting casual and other leaves to teachers and employees of his office, maintenance of student discipline, regulation of the conduct of teachers by calling for confidential reports, management of University Halls, etc. Thus, the Secretary is a very powerful man carrying out burdensome tasks, but with undefined powers. As he is busy with whole-time teaching work and virtually whole-time administrative work, mismanagements and irregularities have occurred. Sometimes irregularities are corrected by the Executive Council. In one instance the ex-Secretary of University Classes enjoyed leave benefits both as a teacher and a part time administrative officer with full monetary benefits. Thus, the need to define the status of the Secretary in the body of the Act and to lay down his qualifications assumes urgency.

The University Departments constitute, for all practical purposes, a multi-departmental college (just as other colleges are) and the Secretary has been virtually functioning as the Principal of a college. Thus, for the purposes of the Act, the Secretary should be considered as equal in status to that of the Principal of the Law College at least, if not higher. Whatever name may be chosen for the administrative head of the University Classes, he should be a whole-time salaried officer of the status of a Professor, the terms, conditions, qualifications and remunerations being specified by statutes. Broadly speaking, Sir, the Secretary should be entrusted with (1) efficient management of University classes, (2) co-ordination of various Departments, (3) maintenance of student discipline, (4) superintending the management of University Halls, (5) maintenance of discipline in his office. His powers and functions are to be so defined as to enable him to act as the Vice-Chancellor's administrative representative in the conduct of the University's teaching Departments. He should be made an *ex-officio* member of the Court and the Academic Council.



Sir, this University Bill is very important and various press reports in our State acquainted us with the feelings that are being expressed by our teaching staff, teachers and even in teachers' conferences. I hope the Government will take all these into consideration and with these words I conclude my observations.

**Shri BIRENDRA KUMAR DAS [Patacharkuchi (Reserved for Scheduled Tribes)]:** মাননীয় অধ্যক্ষ মহোদয়, ১৯৬০ চনৰ গৌহাটী ইউনিভাৰ্চিটি সংশোধনী বিলখন উত্থাপিত কৰা হৈছে আৰু ই অতি আৱশ্যকীয় আৰু এই সম্বন্ধে বিশেষকৈ আমাৰ জাতিগঠন ক্ষেত্ৰত যিহেতু আমি আগ বাঢ়িব ধৰিছো সেই কাৰণে এই বিলখনৰ বিষয়ে এই সদনত ভালকৈ বিবেচনা কৰা উচিত হ'ব আৰু মাননীয় সদস্যসকলে এই বিলখনৰ বিষয়ে বিবেচনা কৰি চাব বুলি আশা কৰিলো। আমি দেখিবলৈ পাইছো, এই বিলখনত দুটা নতুন কথা সন্নিবেশ কৰা হৈছে। এটা হৈছে, 'ফেদাবেচন বৰ্ড' গঠন আৰু আনটো Construction Committee. এই দুটা কথাৰ কাৰণে আমি ভালৈ পাইছো। কাৰণ আগতে ইউনিভাৰ্চিটিত 'ফেদাবেচন বৰ্ড' নাছিল আৰু তাৰ ফলত ইউনিভাৰ্চিটিৰ প্ৰশ্নকাগজবিলাক standard হোৱা নাছিল আৰু সেই কাৰণে ছাত্ৰ-ছাত্ৰীবিলাক কেতিয়াবা বেচি পাচ কৰিছিল আৰু কেতিয়াবা বেচি ফেল কৰিছিল। গতিকে ফেদাবেচন বৰ্ড গঠন কৰাই ভালৈ হৈছে। ইউনিভাৰ্চিটিৰ যিটো ডেভেলপমেন্ট কমিটি আছিল, তাত বহুতো খেলিমেলি হৈছিল, ইয়াৰ সলনি যিটো নতুনকৈ 'কনষ্ট্ৰাকচন' কমিটি কৰা হৈছে, সেইটোত আমি ভাল পাইছো। কিন্তু এই বিলখনত আটাইতকৈ গুৰুত্বপূৰ্ণ কথা হৈছে এইটো যে বিলখনৰ আচল মূল নীতিৰ ওপৰত কঠাঘাট কৰা হৈছে, অথচ মুখ্যমন্ত্ৰী ডাঙৰীয়াই কৈছে যে বিশ্ববিদ্যালয়ক যথেষ্ট ক্ষমতা দিয়া হৈছে। মই কও যে ইউনিভাৰ্চিটি এটা Autonomous body. ইয়াত চৰকাৰৰ হাতত মনোনয়নৰ ক্ষমতা লৈ লোৱাই বিশ্ববিদ্যালয়ৰ ক্ষমতা কাঢ়ি নিয়া হৈছে। মই কৈ আহিছো যে ইউনিভাৰ্চিটি এটা autonomous body আৰু ইয়াৰ ক্ষমতা কাঢ়ি নিয়াটো চৰকাৰৰ উচিত হোৱা নাই। তাৰ পিচত যদি, এই বিলখন ফহিয়াই চোৱা যায় তাত দেখা যায় যে, ইউনিভাৰ্চিটিৰ অধীনৰ অনুষ্টানসমূহ যেনে কলেজবিলাকতো, তেওলোকৰ নিজা অধিকাৰৰ ওপৰত হস্তক্ষেপ কৰা হৈছে। সদনৰ মাননীয় সদস্যসকলৰ এইটো নিশ্চয় জনা আছে যে, আজি কিছুদিনৰ আগতে সদৌ অসম কলেজ সন্থা বহি, প্ৰতিবাদ কৰিছিল আৰু তেওলোকে এই বিল পুনৰ বিবেচনা কৰিবলৈ অনুৰোধ জনাইছিল। তাত কৈছিল যে ইউনিভাৰ্চিটি আৰু কলেজবিলাকৰ আৰু অন্যান্য বিশ্ববিদ্যালয়ৰ অধীনৰ অনুষ্টানসমূহৰ অধিকাৰ কাঢ়ি নিয়া হৈছে। সেই কাৰণেই ময়ো চৰকাৰক এই বিল পুনৰ বিবেচনা কৰিবলৈ অনুৰোধ জনাও।

এই বিলখনত আমি দেখিছো—চৰকাৰে ইউনিভাৰ্চিটিৰ ওপৰত হস্তক্ষেপ কৰিছে। আগতে ভাইচেঞ্চেলৰজনক চেঞ্চেলৰে মনোনয়ন দিছিল, এতিয়া এইবিলাৰ দ্বাৰা তাৰ ঠাইত, এজনৰ নাম দি, এখন পেনেল গঠন কৰি দিব আৰু তাৰ ভিতৰৰে এজনক চেঞ্চেলৰে মনোনীত কৰিব। তিনিজনৰ নাম থকাৰ কাৰণে চৰকাৰে হয়তো তাত পক্ষপাতিতা কৰিব পাৰে আৰু এইটো এটা সন্দেহৰ কথা। কাজেই তিনিজনীয়া পেনেলৰ ঠাইত এজন পোনপতীয়াভাবে মনোনয়ন কৰাৰ ব্যৱস্থা চৰকাৰে কৰিব লাগে। ঠিক তেনেকৈয়ে দেখিবলৈ পাও যে, ইউনিভাৰ্চিটি বৰ্ডে সদস্যৰ যি quota তাত বেচৰকাৰীভাৱে চৰকাৰীৰ সংখ্যা অধিক আৰু ইয়াৰ ফলত ইউনিভাৰ্চিটিৰ হাতৰ পৰা ক্ষমতা চৰকাৰলৈ আহি পৰিছে। সেই কাৰণে মই কও যে চৰকাৰী গেম্বৰৰ সংখ্যাটো কমাই দিব লাগে।



সেই কাৰণে official side ৰ সভ্য কৰাৰ বাবে অনুৰোধ জনালো। শিক্ষা বিভাগত Director, Assistant Director আদি ভালেমান ওপৰালা অফিচাৰ আছে। তেওঁলোকৰ পৰা যিমান কাম পাব লাগিছিল সিমান কাম পোৱা নাই। তেনেকৈ দেখিবলৈ পাও যে যিবিলাক scholarship distribution ৰ টকা সেইবিলাক দিওতে বহুত দেবি হয়। সেই কাৰণে official member কমাই দিবলৈ অনুৰোধ জনালো। শিক্ষা-অনুষ্ঠানবোৰক তেওঁলোকৰ internal management ত যথেষ্ট স্বাধীনতা দিব লাগে। আনকি College ত আৰু Hall management ত চৰকাৰে হস্তক্ষেপ কৰে। University Grant Commission ৰ recommendation অনুসৰি কাম হোৱা নাই। University আৰু Private College বোৰক ভালেখিনি স্বাধীনতা দিব লাগে। তাৰ উপৰি College বিলাকৰ শিক্ষকৰ University Grant Committee এ যি Pay scale recommend কৰিছিল সেইটো এতিয়ালৈকে দিয়া হোৱা নাই। সেইবিলাক implement কৰিব লাগে। University আৰু College বিলাকৰ ওপৰত যাতে হস্তক্ষেপ কৰা নহয় তাৰ বাবে অনুৰোধ জনাই এইবিলাক বিৰোধিতা কৰিলো।

**Shri RADHIKA RAM DAS (Deputy Minister, Education) :**

Mr. Speaker, Sir, I have heard the arguments advanced by my friends, Shri Birendra Kr. Das and Shri Bora. I find that Shri Birendra Kr. Das has misconceived that contention of the University Bill. He says that the powers of the University had been taken over, but he has failed to cite a single instance where the power has been curtailed, excepting the case of the selection of the Vice-Chancellor. I have already stated that the main purpose of the Bill is to make it a more autonomous body than before. Now, with regard to the selection of the Vice-Chancellor I beg to submit, Sir, that the Chancellor is the Executive Head. Hitherto the procedure or the convention was that the University Court will recommend the name of one person and the Chancellor was bound to appoint him. This is not the correct position and I can cite instances of some other Universities, Sir, where the Chancellor himself appoints the Vice-Chancellor, not to speak of any recommendation by the Court. In Calcutta the Vice-Chancellor is appointed by the Chancellor in consultation with the Minister, Education, and three names are recommended by the Syndicate. In Patna University and in other Universities of Bihar, the Vice-Chancellors are appointed by the Chancellor and not by the Court and no names are suggested also. Then in Baroda now the Vice-Chancellor is recommended by the Syndicate. In Delhi University also now the Vice-Chancellor is appointed by the Chancellor. The Radha Krishnan Committee also suggested that the party factions should be avoided as far as possible and when there is a recommendation or when a selection is made by the Court there is bound to be a party faction. So, party faction should be avoided as far as possible. So, if three names are selected by the Court to the Chancellor then there is the least chance of any party politics and the Chancellor will appoint one of them and there is also provision for that in the Bill. The Chancellor can appoint the best persons. The Chancellor will preside over that meeting where the names for the posts of Vice-Chancellor will be nominated by the Court, so that he will be in the best position to know who is the best person. So, the observation that the power of the Court has been curtailed is not correct. The Court is to recommend three names, as has been done in other Universities. So the Amendment Bill with regard to the appointment of the Vice-Chancellor is quite in order and have been done rightly. Secondly, my friend Shri Phani Bora has suggested that the recommendations of the University Grants Commission, the Saddler Commission and the Radha



Krishnan Commission, all these were not taken into consideration at the time of bringing in the Amendment Act. But this is not correct. After taking into consideration of all these the Gauhati University Amendment Act have been enacted. Now, another point has been raised that more representation of Government official has been given, but if the Members go through the provision of the Bill with regard to Section 9(1), they will find that a few Government officials have been nominated as members of the Court. But more than 2/3rds are outsiders. If the Professors and the Deans of Faculties are taken as Government officials, then that is a separate thing. More than 2/3rds are not Government officials. Only thirteen Members are Government officials and they are the necessary persons. Who are they, Sir? The Director of Agriculture, the Director of Technical Education, the Director of Health Services, the Chief Engineer, Roads and Buildings and the Director of Public Instructions are the Government officials. So most of them are non-officials. So the contention of my friend that it is dominated by the officials falls through. Then Mr. Bora has mentioned about Controller of Examination. There is no such post of Controller of Examination but the University can appoint the Deputy Registrar or any other persons as such. The University has the option either to appoint him or somebody else and to entrust the function accordingly. We have made provision to that effect.

Then Mr. Bora has said about the Secretary of the University Classes. Nowhere in any University there is a post as Secretary of the University Classes. For the convenience of certain functions the University appoints a person as Secretary, but that is not a statutory post. So the Secretary of the University Classes cannot be made an *Ex-officio* Member of the University Court and he should not be made a Member.

Then Sir, my friend Shri Biren Das has said about the College Teachers' Association, that is, with regard to certain rules. Up-till now there is no such rule to regulate the service conditions and conduct of the teachers. Neither the University nor the Government has framed any rule. He said about framing of rules by the Government. This will be done by the Government in consultation with the University. For the improvement of education such rules are essential.

So, these are the points raised by my friends, Shri Bora and Shri Biren Das, and I think I have replied to all the points raised and I hope that my friends will be pleased to withdraw their opposition to the Bill.

**Mr. SPEAKER :** The question is that Gauhati University (Amendment) Bill, 1960 as reported by the Select Committee be taken into consideration.  
(The question was adopted.)

### The Assam Land (Requisition and Acquisition) (Amendment) Bill, 1960

**Shri HARESWAR DAS (Minister, Revenue):** Mr. Speaker, Sir, I beg to move that the Assam Land (Requisition and Acquisition) (Amendment) Bill, 1960 be taken into consideration.

**Mr. SPEAKER :** The motion moved is that the Assam Land (Requisition and Acquisition) (Amendment) Bill, 1960 be taken into consideration.



**\*Shri HIRALAL PATWARY (Panery):** মাননীয় অধ্যক্ষ মহোদয়, আমাৰ মাননীয় ৰাজহমন্ত্ৰী ডাঙৰীয়াই যি সংশোধনী সদনত দাঙি ধৰিছে, তাত তেখেতে কৈছে যে আগৰ বিলৰ ৩ ধাৰাত এই কথা নাছিল; সেই কাৰণে এই কথা কেইটা স্মুৰাই দিব লাগে।

তেখেতৰ Statement of Objects and Reasons ত কৈছে যে—

In the Statement of Objects and Reasons it is stated "It has been noticed that as soon as any land is requisitioned undeserving persons rush to the land and occupy it before any allotment could be made. The existing provisions with respect to eviction of such encroachers are not clear."

এই ক্ষেত্ৰত মোৰ মনত এটা ভাব হয় যে মাটি সংক্ৰান্ত যি কথা হৈছে তাৰ দ্বাৰা চৰকাৰে দুৰ্বলক হেঁচা দিয়াৰ কাৰণেহে হয়।

মোৰ বোধেৰে কোনো এজন দায়ীত্বপূৰ্ণ লোকে প্ৰয়োজন নহলে মাটি বেদখল কৰিব নোৱাৰে। মই এইখিনিতে এটা কথা সদনৰ দৃষ্টিগোচৰ কৰিব খোজো যে এই বেদখল কৰাৰ কাৰণে বহুতো দায়ী। এই বিষয়ত চৰকাৰী কৰ্মচাৰীসকলো জড়িত আছে। যেতিয়া ৰাজহমন্ত্ৰী মঞ্চলৈ অহালৈ গৈছিল তেতিয়া ৰাইজে কেইটামান ঠাইত তদন্ত কৰিবলৈ আবেদন কৰিছিল। অনেক ক্ষেত্ৰত দেখা যায় যে যিখিনি মাটি Requisition কৰাৰ কথা তাত কিছুমান মানুহক দায়ীত্বশীল মহলৰ পৰা উঠনি দি বহিবলৈ দিয়ে আৰু নানা আসোৱাহ দেখুৱাই Requisition কৰিব নোৱাৰি বুলি কয়। ইয়াৰ মূলত কিমান দুৰ্নীতি সোমাই আছে সেইটো ৰাজহমন্ত্ৰী মহোদয়ৰো অবিদিত নহয়। মাটি কি হিচাবে দখল হয় সেইটো তেখেতেও জানে। ৰাইজে মাটি কিভাবে দখল কৰিছে, সেই ভাব মনত ৰাখি যদি বিলখন আনিলেহেতেন তেন্তে ভাল হ'লহেতেন।

মাটিহীন মানুহক চৰকাৰে মাটি দিয়া উচিত। তাৰ কাৰণে যদি এটা সুপৰিকল্পিত আচনি কৰিলেহেতেন, সেই মতে মানুহক মাটি দি সৰহ শস্য উৎপাদনত সহায় কৰিলেহেতেন আৰু মাটিৰ সমস্যাও সমাধান হ'লহেতেন। কিন্তু চৰকাৰে কোনো এটা ব্যৱস্থা কৰিবলৈ মন দিলেও চৰকাৰী কৰ্মচাৰীয়ে তাক নাচক কৰিব। এয়ে হ'ল অৱস্থা।

এই ক্ষেত্ৰত মই কওঁ যে চৰকাৰে Temporary V. G. R. বুলি যি মাটি ৰাখিছে এইটো এটা ডাঙৰ কথা সৃষ্টি কৰিছে। সকলো দুৰ্নীতি তাতেই হয়। যেতিয়া চৰকাৰী স্থানীয় কৰ্মচাৰীৰ আশ্বাস পায় তেতিয়া সৰ্বসাধাৰণ ৰাইজে ভাবে, আমাৰ মন্ত্ৰী মহোদয় বৰ ভাল মানুহ, আমাক বহিবলৈ থিলঙৰ পৰা order দিছে। কিন্তু এনেকৈয়ে চৰকাৰৰ আচনি খৰব কৰে।

ডেৰগাওঁত এটা case হৈছে। তাত ৰাইজক মাটি দিবৰ কাৰণে মাটি বোলে Requisition কৰিছে। কিন্তু ৰাইজে হলে মাটি নাপালে। পিচত শুনা গ'ল যে মাটিৰ দাগ ভুল হোৱা কাৰণে বোলে মাটি Requisition নহ'ল। এইটো ডাঙৰ কথা।

বৰ্ত্তমান সংশোধনী আনোতে কৈছে যে এই আইনখন মজপূত কৰিবলৈ ৪ ধাৰাত আৰু কিছু কথা স্মুৰাই দিছে—কিন্তু অফিচাৰসকলৰ মনোভাব যদি পৰিষ্কাৰ নহয় তেন্তে কোনো আইনে কাৰ্য্যকৰী ব্যৱস্থা কৰিব নোৱাৰে।



Sir, Section (5) says—"If it is found that the person entering into unauthorised possession of the land under sub-section (4) has raised any crop or erected any building or other construction on the land, the Collector or any other person duly authorised by him in this behalf shall have the power to confiscate or destroy the crop so raised or the building or other construction so erected by such person and such person shall not be entitled to any compensation for any loss or damage so done."

এইটো বে-আইনী কৰাৰ ব্যৱস্থা কৰা হৈছে। মানুহে বে-আইনী নকৰে অফিচাৰ জনকহে বে-আইনী কৰিবলৈ অৰ্থাৎ corruption বেচি কৰিবলৈ সুবিধা দিয়া হল। আজি যি মানুহে অফিচাৰজনক সমুঠ কৰিব নোৱাৰে তেওঁলোকৰে বিপদ হয়। এবাৰ মোক কিছু মান মানুহে আহি কৈছিলহি যে S. D. C. এ কৈছে তেওঁলোকৰ বহি যাৰ পাৰে কিন্তু M. L. A. জনে হুকুম দিলেই হয়। এইটো আচৰিত কথা। আজি চৰকাৰে Acquisition বা Requisition কৰি মাটি সমস্যা সমাধান কৰিব নোৱাৰে। চৰকাৰে সদায় সংশোধনী দাঙি ধৰাতকৈ এবাৰ ভালকৈ কৰিব লাগে আৰু চৰকাৰে আইন বেচিকৈ নকৰি ভাল আইন এখন কৰিলেই যথেষ্ট। বিশেষকৈ আইন কৰাতকৈ যদি আইন ভালকৈ কাৰ্য্যকৰী কৰিলেহেতেন তেতিয়াহে বেচি ভাল হলহেতেন।

দ্বিতীয় কথা হৈছে যে আইনবিলাক কাৰ্য্যকৰী কৰাত নিৰপেক্ষতা অৱলম্বন কৰিব লাগে, অৰ্থাৎ যি মানুহে বেদখল কৰে বা যিজন অফিচাৰ দায়ী সেই বেদখলকাৰীক বা অফিচাৰক শাস্তি দিয়াৰ ব্যৱস্থা থাকিব লাগে। তেতিয়াহে সংশোধনৰ তাৎপৰ্য্য থাকিব। চৰকাৰ ঘৰ ভগাত পাকৈত কিন্তু ঘৰ পতাত নহয়। বেদখলকাৰীৰ ঘৰ ভাঙি দিয়ে, খেতি নষ্ট কৰি দিয়ে; কিন্তু দেশত কেনেকৈ খোতি বৃদ্ধি হ'ব পাৰে সেইটোত পাকৈত নহয়। বৰ্গবীৰ্য্যত চৰকাৰে eviction কৰিব নোৱাৰিলে কিন্তু বাইজে কৰিলে। গতিকে বাইজৰ সহযোগত eviction কৰিব খুজি নিশ্চয় বাইজে সহায় কৰিব। Eviction কৰিবলৈ দি চৰকাৰে corruption ৰ বাস্তাবে খুলি দিছে। যোৱা ৪ বছৰে ভূমি-সংস্কাৰত অলপো আগবাঢ়িব পৰা নাই বৰং দিনক-দিনে জটিল হৈহে গৈছে। বাইজে মাত্ৰ আইনৰ কথাহে শুনে কাম একো নেদেখে। যদি অসমীয়াত আইনবোৰ প্ৰকাশ কৰিলেহেতেন তেতিয়া কিছু বুজিলেহেতেন। ইংৰাজীত প্ৰকাশ কৰি বাইজৰ মতামত বিচাৰিলে একো আপত্তি নকৰে, মাত্ৰ কয় যে আজিকালি আইন উজ্জ্বল কৰা একো ডাঙৰ কথা নহয়। এই চৰকাৰৰ আমোলত আইন অমান্য কৰা এটা custom হৈ পৰিছে, যেনেকৈ Habit is the second nature. গতিকে মন্ত্ৰী মহোদয়ে যিটো সংশোধন আনিছে তাকে নকৰি আগৰ আইনকে কেনেকৈ কাৰ্য্যকৰী কৰিব পাৰি তাকে যদি কৰিলেহেতেন তেনেহলে বেচি ভাল হলহেতেন।

### Shri KHAGENDRA NATH BARBARUA (Amguri):

মাননীয় অধ্যক্ষ মহোদয়, এই আইনৰ দ্বাবাই দৰিদ্ৰ জনসাধাৰণক বিপদগ্ৰস্ত কৰা হৈছে। এই বিশাল পৃথিৱীত, মানুহক থাকিবলৈ ঠাই লাগে আৰু এই প্ৰসঙ্গতে এই কথাও বিবেচনা কৰিব লাগিব। মানুহে কেতিয়া মাটি বেদখল কৰে? মানুহে মাটি বেদখল কৰে তেতিয়া যেতিয়া মানুহৰ মাটি নাইকিয়া হয়।

এই আইনত দুটা কথা স্পষ্ট হৈছে। এটা হৈছে—আগৰ মানুহ, যিবিলাকে মাটি পাই আছে, তেওঁলোকক উঠাই দিয়া আৰু আনটো হৈছে—নতুনকৈ যিবিলাক মানুহ বহিব তেওঁলোককো তাৰ পৰা বাহিৰ কৰি দিয়া।

কথা হৈছে—চৰকাৰক যিটো কাৰণত মাটি লাগে, সেই একেই কাৰণত অন্য মানুহকো মাটি লাগে। এনেস্থলত যদি চৰকাৰে জনসাধাৰণক কিয় মাটি লাগে, সেইটো



উপলব্ধি নকৰি কেৱল উচ্ছেদৰ কথাই চিন্তা কৰে আৰু উচ্ছেদকাৰ্য্য হাতত লয়, তেন্তে জনসাধাৰণৰ স্ববিধা-অস্ববিধা বুজি নোপোৱা চৰকাৰৰ কি প্ৰয়োজন? তেনে চৰকাৰৰ বিৰুদ্ধে নুঠিব কোন?

আমি দেখি আহিছো যে, চৰকাৰে কিছুমান মাটি acquisition or requisition কৰিছে, অথচ এই মাটিবিলাক প্ৰকৃত মাটিহীন মানুহে পোৱা নাই আৰু যিবিলাক মানুহ ভূমিহীন হৈ পথৰ ভিখাৰী হৈ ঘূৰি ফুৰিছে, তেওঁলোক এতিয়াও ঘূৰিয়েই ফুৰিছে। এনে অৱস্থাত চৰকাৰে, এই মানুহবিলাকক মাটি দিয়াৰ ব্যৱস্থা নকৰি সংস্থান কৰাৰ কোনো প্ৰচেষ্টা চলোৱা নাই আৰু আনহাতে এই মানুহবিলাকে কৰাবাৰ মাটি দখল কৰিলেও বেদখলকাৰী বুলি উঠাই দিছে। আমি দেখাত চৰকাৰী বহুতো অদৰ্কাৰী মাটিত Public Works Department ৰ অদৰ্কাৰী মাটিত ২/১ জনে দুটা-এটা ঘৰ বনাইছে; অদৰ্কাৰী এইবিলাক মাটি নিশ্চয় মানুহক বহিবলৈ দিব পাৰে। যোৰহাটৰ গৰমুৰ মৌজাত, গঢ় আলিৰ কাষত কিছুমান অনুপযুক্ত মাটিত, কিছুমান নেপালী মানুহে সংস্কাৰ কৰি বহি আছিল আৰু এতিয়া চৰকাৰে সেই মানুহ-বিলাকক উঠাই দিছে। এয়ে যদি আইনৰ ফলাফল হয়, সেই আইনৰ প্ৰয়োজন নাই। এই আইনৰ দ্বাৰা জনসাধাৰণৰ কোনো উপকাৰ হোৱা নাই, ইয়াৰ দ্বাৰাই জনসাধাৰণক বিপদগ্ৰস্ত কৰা হৈছে। সেই কাৰণে এই বিল মই জনমত আহ্বানৰ কাৰণে পঠোৱা ভাল হব বুলি ভাবো।

**Maulavi TAJUDDIN AHMED (Barabari):** অধ্যক্ষ মহোদয়, মই এই বিলখন আসোৱাহপূৰ্ণ বুলি ভাবো। Land Advisory Board বিলাক প্ৰত্যেক মহকুমাতেই আছে যদিও, আজি ভূমিহীন দৰিদ্ৰ জনসাধাৰণৰ মাজত মাটিৰ সমস্যা সমাধান হোৱা নাই; দিনে-দিনে এই সমস্যা প্ৰবল বেগে বাঢ়ি আহিছে। এনে অৱস্থাত চৰকাৰৰ প্ৰচেষ্টা হব লাগিছিল ন্যায়সঙ্গতভাৱে এই সমস্যাৰ সমাধান কৰা। এই বিলৰ দ্বাৰাই মাটি সমস্যা সমাধান হোৱা একেবাৰে সম্ভৱ নহয়। পৰিকাৰভাৱে এই বিলত এটা শব্দ আছে, সেইটো হৈছে—undeserving. Undeserving persons ৰ ঘৰদুৱাৰ পুৰি বা নষ্ট কৰি দিয়া হব, মাটি নিলাম কৰা হব ইত্যাদি। গতিকে এই “undeserving” শব্দটো এটা ডাঙৰ কথা আৰু ইয়াৰ implication ভয়াবহ। এই শব্দটোৱে কাক বুজায়, কেনেকৈ undeserving হয়, ইয়াৰ ব্যাখ্যা থকা দৰ্কাৰ; অথচ বিলত নাই। Undeserving শব্দটোৰ দৰেই, deserving কোন, তাৰো ব্যাখ্যা থকা দৰ্কাৰ। এই ব্যাখ্যা নথকাৰ ফলত, ভবিষ্যতে বাইজক বিপদত পেলাব, অৰ্থাৎ বিলখন আইনত পৰিণত হলে।

তাৰ পিচত যেতিয়া মানুহবিলাকক উচ্ছেদ কৰিব, তেওঁলোক Subdivisional Officer বা Deputy Commissioner ৰ ওচৰত পুনৰ আবেদন-নিবেদন কৰিব লাগিব। মাটিৰ কাৰণে আৰু তেওঁলোকে বিচাৰ কৰিব বাইজৰ মাটি পোৱাৰ উপযুক্ততা। এতিয়া কথা হৈছে—সৰ্বসাধাৰণ বাইজ মামলা-মকদ্দমা কৰিবলৈ Subdivisional Officer বা Deputy Commissioner ৰ ওচৰলৈ আহিবলৈ অসমৰ্থ আৰু অপাৰগ। সময় নাই—নিজৰ ঘৰ-সংসাৰ কৰিবলৈকে অৱসৰ নাই—এই মানুহবিলাক তেতিয়া কি হব? Deserving হব নে undeserving হব? এই কথা চিন্তা কৰিব লাগে। এই যে বিৰাটসংখ্যক জনসাধাৰণ মাটি নোহোৱা অৱস্থাত অসমৰ ইমূৰৰ পৰা সিমূৰলৈকে বিস্তৃতিৰ ভাৱে মাটিৰ কাৰণে ঘূৰি ফুৰিছে—সেইবিলাক কি হব? Deserving নে undeserving? সেই কাৰণে মই কও এই বিলৰ বা এই আইনৰ ব্যৱস্থাটো ঠিক হোৱা নাই।



তাৰ পিচত কও, অকল আইনৰ ব্যৱস্থা কৰিলেই নহব। আইন কামত খটুৱাব লাগিব। আইনত মাটি Acquisition কৰা, Forest Reserve মুকলি কৰি দিয়াৰ কথা আছে—কিন্তু মানুহে মাটি পোৱা নাই; মাটিৰ কাৰণে মানুহৰ হাহাকাৰ। বৰদুৱাৰত মাটি requisition কৰা আজি ৪/৫ বছৰ হল, কিন্তু মাটি মানুহে পোৱা নাই—কাৰণ চৰকাৰে দিয়া নাই; মাটি সেইদৰেই আছে। বৰপেটাৰ উত্তৰ অঞ্চলৰ এখন চাহাবৰ চা বাগিচাৰ মাটি বিকুইজিচন কৰা বছৰদিন হল, কিন্তু সেই মাটি বিতৰণ কৰা হোৱা নাই। এইবিলাক যে হৈছে—আইন নোহোৱাৰ কাৰণে নহয়, ইয়াৰ প্ৰধান কাৰণ হল, চৰকাৰী কৰ্মচাৰীসকলে আইনমতে কাম নকৰাৰ ফলত। সেই কাৰণে মই পুনৰ কও যে অকল আইন কৰিলেই নহয়, আইন কামত খটুৱাব লাগিব। গতিকে মই এই বিলখনৰ দুটা aspect ত জোৰ দিও যে—

(১) Deserving আৰু undeserving শব্দ দুটাৰ ব্যাখ্যা আইনত আহিব লাগে আৰু (২) অকল আইনৰ কাৰণে আইন নকৰি, তাক কামত খটুৱাব লাগে।

ইয়াকে কৈ মোৰ বক্তব্য শেষ কৰিলো।

**Shri HARESWAR DAS (Minister, Revenue):** Sir, many hon. Members have taken part in the debate of this Bill. So far Shri Barbarua is concerned, I could follow him but so far Shri Patwary is concerned, I admit, I could not follow him.

If they take that stand then this Bill actually becomes unnecessary. I do not understand the stand taken by Shri Patwary. At one stage he said that it has become a social custom to make encroachment and Government should not disturb in this custom. In another stage he said that nobody encroaches into Government land. He also said that if there be any Act on this, that Act should be enforced effectively. If that is correct, then this is a measure for effective enforcement of the Assam Requisition and Acquisition Act. But there is a lacuna there. What happens is like this, when requisition land and allot it with deserving persons and when our officers go to deliver possession, they find that already the land is occupied by some encroachers. Then notice is to be issued for clearing these encroachers giving 90 days time. After 90 days when our officers go again, they find again a new set of encroachers. Then again notice is to be issued for clearing this new set of encroachers. When this second set of encroaches are being cleared, possibly a third set of encroachers may occupy the land and therefore again fresh notice is to be issued. In this way delay occurs. Generally this happens in the district of Sibsagar. Sibsagar has set the *modus operandi* of occupying requisition land. Hence there is delay. My friends have said that there should not be any delay and I also admit that there should not be such delay. Shri Tajuddin Ahmed has said that this delay brings complications. He also said that the words “deserving” and “undeserving” have not been clarified. Yes, these words are not there. He wants a clarification about these words. Now to clarify these words I may say that the persons with whom the land is settled are deserving persons and those who encroaches into lands are undeserving persons. Now there may be deserving persons who may not get land. Supposing there are 500 people who deserve land. But we may accommodate only 100 out of these 500 persons. In a particular area. So, for the rest of the deserving persons we shall have to arrange land elsewhere, but the people are allowed to take the land into their own hands, planned settlement becomes impossible. In the district of Sibsagar, I have found that many big men encroach upon the Sarkari land through the poor people.



**Shri RAM NATH DAS [Dergaon (Reserved for Scheduled Castes)]:** Is it in the district of Sibsagar or in Sibsagar.

**Shri HARESWAR DAS (Minister, Revenue):** This generally happens in the district of Sibsagar and Shri Khagendra Nath Barbarua is seen leading some of them.

**Shri KHAGENDRA NATH BARBARUA (Amguri):** Can the Minister show if there any grazing or reserve free without occupying by the encroachers? There are landless people everywhere. Is there any law to prevent occupation of the Sarkari land?

**Shri HARESWAR DAS:** Forest has its law. So we are bringing this piece of legislation for speedy eviction of encroachers. This is a summary measure for speedy eviction. It is confined to requisitioned land. So I request my hon. Friends, Shri Patwari and others to withdraw their objections. Now one point has been raised by Shri Patwari about myself. So far as I can recollect there was a meeting at Tangla in the Mangaldai Subdivision. The tribal people came to me and complained that the land of the tribal belt was occupied by the Muslim. They asked me to evict these people and give them land near Mangaldai town. The Muslims at Mangaldai met me and wanted dereservation of grazing reserves and land from tribal belts. I then told the tribals why they did not occupy the land in tribal belt. That land was meant for them. If they occupied the land in the tribal belt, the Muslim could not come here. I also told them that they should not seek for land in the revenue areas. Let the Muslims stay there. That was the instruction I gave to the tribal peoples.

**Mr. SPEAKER:** The question is that the Assam Land (Requisition and Acquisition) (Amendment) Bill, 1960 be taken into consideration.

(The question was adopted).

**Further discussion on the Motion on the statement made by the Revenue Minister on 6th October, 1960 regarding recent flood situation in the State and relief rendered by Government**

**Shri HARESWAR DAS (Minister, Revenue):** Mr. Speaker, Sir, some of the hon. Members were critical about the quantum of seed loan sanctioned which I included in my statement. The seed loan I mentioned in my statement was sanctioned just after the first flood. After the 2nd flood no seed loan was given because there was no time for replantation. Now seed loan may be necessary for Rubi crop. That loan will be issued as far as I know by the Agriculture Department. The Agriculture Department has already sanctioned a sum of Rs. 50 lakhs for seed and agricultural loans.

Many hon. Friends spoke about remission of land revenue. Now land revenue remission is provided in the Act itself. There are certain procedures to be followed simply because flood submerged an area, land revenue cannot be remitted. If flood water comes and submerges an area,



it does not mean that the entire crop is destroyed. If the flood water recedes within a day or two, it does immense good to the crop by the deposit of silt. If the water does not recede and stays for a few days then it harms the crops. In flooded areas field survey is made to ascertain as to how such crop has been damaged in each holding. If the damage is about 25 per cent no remission is granted ; but if the damage exceeds 25 per cent, then a graduated scale of remission is granted. If the damage is 75 per cent then entire amount is remitted. So it requires time.

My friend Shri Debeswar Sarmah spoke about eroded land. He said that land was eroded and it was under the Brahmaputra still the Revenue Department charged land revenue for it. That is quite possible. Land is eroded but the patta remains. People think that within a few years there might be reformation so they do not like to surrender the land. They keep the land and so keep the right of occupation. If you keep the right you are liable to pay land revenue. There is provision in the Goalpara Tenancy Act that if land is eroded, the patta is cancelled ; but if there is reformation within 20 years, the old owner has a right to settlement of such land. In other areas, if you do not want to pay land revenue then relinquish your right. Again Shrimati Lily Sen Gupta suggested a committee of inquiry. I do not think, Sir, any useful purpose will be served by such a committee to survey the damage done in the entire State. That is absolutely impossible. In each Subdivision we have got officers for such surveys but still there are lots of defects. I fail to understand how three or four or five persons without a huge staff can survey the entire State. Shrimati Sen Gupta further says that if possible that committee will go to the Planning Commission and get money from it. I am afraid that is not possible, they will not be able to get any money from the Planning Commission.

**Shrimati LILY SEN GUPTA (Lahowal) :** মই ঠিক তেনেকৈ কোৱা নাছিলো, মই কমিটি কৰিবলৈ কৈছিলো যে বান-বিধ্বস্ত লোকসকলৰ পুনৰ সংস্থাপন কৰাৰ কাৰণে যদি বাজ্যিক চৰকাৰে টকা-পইছা আনিব নোৱাৰে তেন্তে কমিটিয়ে কেন্দ্ৰীয় চৰকাৰক দাবি কৰি টকা-পইছা আনিব লাগে।

**Shri HARESWAR DAS (Minister, Revenue) :** তেনে কৰিলে যে লাভ হ'ব মই ক'ব নোৱাৰো। Now, many hon. Members mentioned about Ahatguri. Well, if things go in this way I am afraid, even in the distant future the people of Majuli and Ahatguri will not be rehabilitated. Whenever rain comes and erosion takes place, there is agitation in Majuli area but when water subsides, in the winter season, people remain silent. I am sorry my friend Shri Debeswar Sarmah is absent because on the 25th of last month we were together at Majuli and he was presiding over a public meeting there. In that meeting I also spoke and I asked the people to give me their suggestions as to where they want land so that Government may consider. About three years back I held a meeting at the Jorhat Circuit House where I invited all the Subdivisional Officers and Sub-Deputy Collectors of the district to find out Sankari or tea garden land for Majuli people. There were about 100 people from Majuli at that meeting but 7 of their representatives came and took part in the discussion. I asked them to select any plot of land they want from the list submitted by Subdivisional Officers. They selected one and that plot was requisitioned. Also an amount of Rs.350 per family was sanctioned as rehabilitation loan including two bundles of Corrugated Iron Sheet. But nobody went there. Then again last year about 1,000 bighas



of land was requisitioned from tea gardens. A gentleman from Majuli came and said that he had formed a Co-operative Society of 110 or 112 landless people of Majuli this land was allotted to them but there were some difficulties in the Assam High Court who passed a stay order. It is now about a fortnight that the stay order was vacated. In that Majuli meeting this gentleman who had formed that Co-operative Society was also present. He admitted that 1,000 bighas of land was given to that society. Then some people wanted land at Malowpathar. I asked them to examine the land and if they agreeable to go, I should allot land, but one M. L. A. present there spoke that if they go to Malowpathar, there will be opposition and fire will break out.

**Shri NARENDRA NATH SARMA (Dergaon):** On point of information, Sir, what about the people of Ahatguri?

**Shri HARESWAR DAS (Minister, Revenue):** I am coming to that. Majuli and Ahatguri people stand on the same footing, but I shall deal with them separately. Now, Sir, we found that in Malowpathar area the local people do not agree. We have experience in another place where land was allotted in face of local opposition, there was almost rioting and we had to put armed force for a long time. Even then we asked the Majuli people that if they like to go to Malowpathar we are ready to provide them with land.

Then another point we must not lose sight of is that in Majuli most of the land belong to the Satras. If the Religious Endowment Bill becomes an Act and if the Act is enforced we can get the land but then it is apprehended that the entire Majuli area is likely to be eroded. It is time for the people to shift somewhere else. As a matter of fact I understand from some Satras that even they are planning to shift to the Southern side. That is the position, Sir, with regard to Majuli.

Now, as regard Ahatguri there are landless people here also; some of them occupied the Gohpur forest reserve. In this connection I held a meeting with the Tezpur M. L. As and in that meeting we took a decision. That decision was enforced. After that decision those people who were evicted, were provided with land elsewhere. In the beginning there were originally about 60 families but gradually the number of families increased to 325 or 330. Then the local people also made encroachment. The entire reserve was threatened, they had therefore to be evicted.

In connection of eviction some people were imprisoned. Then various attempts were made to provide land to these people but failed, either there was opposition from local people or they themselves did not agree to go. They invariably preferred the forest land from where they were evicted. Ultimately an arrangement has been made, they have been provided with homestead land in one place and agricultural land in another place nearabout.

This is the position with regard to Ahatguri people who occupied forest land; about other Ahatguri people, I have no knowledge.

Test relief. My friend, Shri Prabhat Narayan Chaudhuri, raised this point. Now Shri Chaudhuri was in a very hummerous mood and he made a personal reference about me. Last year in Kamarkuchi area there



was a meeting where he himself and myself were present. People there demanded money for test relief work and they agreed to do this work. This work was to remove all the bunds, which were the sole cause of misery to them. Shri Chaudhury also spoke in the same line. I could not agree. I said I was not ready to the removal of all the bunds and asked 3 or 4 of them to come to the Nalbari Circuit House. They came and Shri Chaudhury also came, where there was a discussion with the Executive Engineer, there, of course, Shri Chaudhury explained to these people that it was not possible to remove all those bund and so I asked him and our officers also to prepare some schemes for test relief work. Now, Sir, according to Government policy, those schemes which can be undertaken under the test relief scheme should be productive schemes—not merely construction of roads. If it helps production of food crops, we shall sanction money. These schemes did not come up then. After a lapse of some 4 or 5 months, these schemes came up when it was no more necessary to give relief. So these were not accepted. So I request my friend that if there be such schemes, we are prepared to examine them. We prepare test relief because we feel that instead of giving gratuitous relief, it is better to give money under test relief—people get the practice of work, they have the honour of earning their living and some public work is also done. These are the points, Sir, I left the other day. In case of bigger schemes like flood control or irrigation, the respective departments should be approached.

#### Consideration of the Draft Third Five-Year Plan

**Shri KAMAKHYA PRASAD TRIPATHI (Minister, Planning and Development):** Mr. Speaker, Sir, I beg to move that this Assembly do now take into consideration the draft Third Five-Year Plan. I think the Hon'ble Members have received a copy of this Draft Plan. This question of Third Five-Year Plan was extensively discussed in this House. It was discussed also in an Advisory Committee set up by the State Government. Now, three sessions of that Committee were held and papers were prepared by Government, circulated, considered and after extensive considerations we took account of what was said by various sections and in the light of the same we have prepared the Plan. I hope that the Hon'ble Members would give consideration to this draft Plan so that the purposes may be properly understood and, in the light of that we may get full support in our mission with the Planning Commission so that what we have asked for may be given to us.

Well, Sir, the Plan at the time of discussion with the Planning Body was of the order Rs. 145 crores. Since then and before we finalised certain other gaps were discovered mainly with regard to flood control, State Transport and the like, and finally we ended up by having a plan of Rs. 150 crores.

Sir, how it will work out is a little difficult to say because we find that the Government of India have finalised a Plan of Rs. 10,200 crores, out of which, for the State they have allocated Rs. 3,700 crores. Now, naturally it forms certain percentage of the Second Plan allocations. In the Second Five-Year Plan it was of the order of Rs. 2,043 crores. You will see that the increase is about 80 per cent. Now, our Plan was of the order of Rs. 57.9 crores. If that be so, then applying the same percentage we find that we will be entitled to Rs. 104 crores. But it will be remembered, Sir,



that in course of the Second Plan while other Plans were being curtailed, our State Plan was expanded, particularly due to flood control, and because we had to take up new Electricity schemes. So the Plan was expanded from Rs. 57.9 crores to nearly Rs. 68 crores. Now, Sir, when we calculate the percentage on the basis of Rs. 68 crores projecting the same percentage then our Plan may be of the order of Rs. 122 crores. But I have great hope that the Government of India and the Planning Commission would take into consideration the facts and our backwardness and the fact that we are a handicapped State arising out of the partition. The transport lines of Assam after the partition were snapped. They had to be reopened but the position because of the geographical isolation cannot be undone. As a matter of fact, this has such a tremendous repercussion on our economy that for the first few years from 1947 to 1957 very little industries came to our State. As a matter of fact, in the past ten years the total investment in factory industry is only of the order of Rs. 3 crores. It is one of the most insignificant investments in any part of India. Further, Sir, our border trade with Pakistan was completely snapped. They sealed the borders and we had to divert the trade north-wards and the diversion of trade is no easy job. It has not yet succeeded. Therefore, Sir, I would consider that the Planning Commission would consider our State not only as a backward but also a handicapped State and from that point of view they would be generous and give us the necessary allocations so that what we have asked, namely, Rs. 150 crores, may be made available to us.

I make it clear that this Rs. 150 crores is a meagre sum from the point of our requirements. It will go a very little way in meeting our large requirements. I know, Sir, that a plan in a country or in a State is limited by the question of resources and when we make a plan we have to balance our requirements against estimated resources, namely, what is available with us and what is available from the Government of India. Therefore, we cannot have a Plan which is quite out of proportion to what was before, of our men-power resources, of our physical resources and our capacity to execute the Plan. Therefore, we have to hold up this Plan of Rs. 150 crores.

Sir, the Planning Commission has certain criteria whereby they can find out whether this State of ours is entitled to special consideration or not. Take for instance, one such criterion is the *per capita* income. Now, Sir, at present, that is by 1958-59, the *per capita* income of Assam stood at Rs.276, whereas the all-India average was Rs.294. The difference is Rs.18. Whereas, when we started with Plans it was only Rs.9. So, Sir, the difference has doubled up in 9 years. That shows that while the rest of India is going forward, relatively we have been going backward. Not that we have been backward, but in the race of progress we have been left behind. To-day the difference in our *per capita* income is Rs.18. This is one of the criterion which the Planning Commission should take into consideration in order to give us an increased allocation. Secondly, take for instance, power. By the end of the Second Plan the *per capita* consumption of power for India is to be 50 units whereas in the case of Assam it is 5 units. This is a major criterion of development in a civilised society. Any planner who sees this difference can immediately note that here is a specially backward area which needs special consideration. I have no doubt that this will be taken into consideration by Planning Commission and they would be giving us increased allocation. Now, Sir, the electricity which we have is mostly diesel generated. Now, obviously with diesel generation, you cannot have industrial development. It is very costly. In order to have industrial



development, you must make available cheap power. And it is another thing, namely, our State did not have such electricity plants, so that based on that no industrial development could arise. The 1950 earthquake in resulted floods and the situation was aggravated. Our State was fighting against floods, whereas other States went forward with irrigation. What is the difference between the two? When we have got irrigation, I mean perennial irrigation you can switch over to double cropping economy. If you have no perennial irrigation you cannot switch over to double cropping economy. By having embankments, which were of questionable type, as has been pointed out by our Minister just now, which have led to further aggravation of floods in certain areas, it would be realised, Sir, that these were of negative benefits, namely, they assisted us in holding to what we have if the embankments stood. But that did not assist us in having increased production from double cropping. I was just looking to the figures of the Plan and I was surprised to find the Irrigation figures. For Irrigation in Assam to total investment in the First and the Second Plans combined comes to only Rs. 4 crores, whereas that of Bihar is Rs. 28 crores, Madhya Pradesh 21 crores, Orissa 20 crores, Uttar Pradesh 58 crores and West Bengal 22 crores.

Obviously, Sir, these States have gone forward with their irrigation scheme, and double cropping whereas we are lagging behind. So, unless and until we succeed in having double crop economy, our production will continue to remain in static conditions. This year, Sir, you will remember that there was drought and we began to feel the necessity of irrigation. Sir, we have provided nearly 7 crores of rupees in the the Third Plan for irrigation. We hope that a beginning would be made in this direction.

Now, Sir, Transport and Power. These are called infra structure of development, that means they are the base of development. Unless we develop these, naturally it would be difficult for the State to develop at all. Now, in the meantime the Government of India have begun to build the Brahmaputra bridge which is expected to be completed by 1962. We feel, Sir, that it will remove one of the major bottle-necks in the industrial development of the State as also in commercial movement.

So far as the Central investments in the State are concerned, apart from this there is going to be a refinery which is to be completed by 1962 and a pipe line. The Central investments when these are completed will be of the order of nearly 50 crores of rupees which will be a considerable advance. We understand that in the Third Five-Year Plan the Centre has also scheme of investment in a fertilizer factory which is likely to cost about 14 crores of rupees. I am pointing out all these in order to show that with the change in the possibility of transport and power even the Central Government is coming forward for fresh investment in this State.

So, it appears that we are about to break the bonds of backwardness and marching forward, and for this purpose we have undertaken a bold Plan of electricity in two segments. One is Uam system which have already been undertaken and the other is electricity from Gas at Naharkatia. 36,000 kwt. would generated at Uam system and about 50,000 kwt. is going to be generated from the Naharkatia system rising to 80,000 kwt. So the generation is going to be about 86,000 kwt. by 1963. By a long distance high voltage transmission the Naharkatia system would connect Margherita, Dum Dooma, Dibrugarh, Jorhat onwards to Golaghat and Dergaon. The Uam system by similar distribution is expected to connect Bongaigaon, Goalpara, Tezpur and Silghat. Naturally, therefore, these two systems will cover a large part of Assam and it will be for the first time that it would



be possible to de-centralise the industrial development. If we can take up the second stage of Umiām we will be able to connect Badarpur. The third stage will come when we undertake the Kopili project. When Kopili Valley Project is undertaken and executed the entire State will be brought under a single grid so that we can supply electricity to Tinsukia, Dhubri, Dibrugarh, North Lakhimpur and Karimganj from this system. Now, Sir, the Kopili Valley Project would not be undertaken in the Third Five-Year Plan. We have provided nearly 50 lakhs of rupees for preliminaries so that the arrangement may be ready and the roads might be developed. We will also have to promote first a cement factory so that the Kopili valley scheme might be undertaken.

**Shri DEVENDRA NATH HAZARIKA (Saikhowa)** : Sir, how Kopili will supply electricity to Doom Dooma and Dibrugarh ?

**Shri KAMAKHYA PRASAD TRIPATHI (Minister, Planning and Development)** : Sir, it is calculated that if we have a centre and if we draw a circle from that centre with a radius of 250 miles then we have an area in which a grid can operate. Now, Sir, Kopili is centrally situated and the distance from Kopili to Dibrugarh and Dhubri will not be more than 250 miles. So, Sir, if Kopili Valley Project is undertaken and executed it will be of great benefit to the State. But the chances are that the Kopili will be completed by the end of 4th Plan. Therefore, we have to wait and we have to execute these two schemes as an interim measure so that the State might be covered. Now, one advantage of electricity is obviously going to be rural utilisation not for house electrification but for pumping so that irrigation might be obtained. As a matter of fact, fifty lakhs of rupees have been provided for in the Third Plan for power pump irrigation and I have no doubt that this would be a good beginning for our State.

Now as regards private sector investment in our State, it has been, within the last 10 years, inconsequential. According to the industrial policy resolution which guides investment in India a large number of industries are placed in the private sector. In the Second Plan, Sir, the total provision for private sector investment in India was Rs. 2,400 crores, but actually the realisation came to Rs. 3,100 crores. They, therefore, over-fulfilled their target. Unfortunately, however, very little of these came to Assam so that in this sector our failure is immense. For some time it will be necessary to have a policy of development in this part of the country which will assist us in further and further investment. Sir, this year we have drawn a plan for 150 crores of rupees, and if we have the assistance of private sector investment in the State our plan would be still bigger. We have reason to hope that increase in the Third Plan with the electricity materialising in 1963. We hope that in the Third Plan the private sector investment would be of the order of 33 crores. If this is added to 150 crores, the total investment in Assam comes to Rs. 183 crores.

Sir, if we can execute the Plan then what would be the nature and order of employment, a question might be asked.

#### Adjournment

The Assembly was then adjourned till 10 A.M., on Thursday, the 13th October 1960.

R. N. BARUA,  
Secretary, Assam Legislative Assembly.