

Proceedings of the Third 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 4th March 1958.

P R E S E N T

Shri Dev Kanta Borooah, B.A., LL.B., Speaker in the Chair, the Seven Ministers, the Two Deputy Ministers, and Sixty Members.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral answers were given)

Election of Chairmen and other office-bearers of different Panchayats under the Development Officer, Nalbari

Shri TARUN SEN DEKA (Nalbari-West) asked :

***11. Will the Minister-in-charge of Rural Development be pleased to state—**

(a) Whether Government is aware that the members to the Dharmapur Mouza, Pakowa Mouza, Khatri-Dharmapur Mouza Rural Panchayats, under the Development Officer, Nalbari in the district of Kamrup, were elected in the month of April 1957, March 1957 and December 1956, respectively, but Chairman and other office-bearers have not yet been elected as prescribed by law ?

(b) If so, why ?

(c) Whether Government is aware that due to this delay of election of respective Chairman and office-bearers, progress of public works like construction and repairing of roads, installation and repairing of tube-wells and ring-wells, etc., are hampered?

(d) If so, what steps Government propose to take?

Shri MAHENDRA NATH HAZARIKA (Minister, Rural Development) replied :

11. (a)—Yes.

(b)—The election of Chairmen and other office-bearers did not take place as it was apprehended that these elections might clash with the General Election of India for which the Political Parties concerned were at their height of election propaganda.

(c)—Yes.

(d)—Government have already taken steps to complete the election of the Presidents and other office-bearers of these Rural Panchayats.

(The following are the replies given by the Hon'ble Minister in Assamese,)

(a) হয়, জনা আছে।

(b) চেয়াৰমেন আৰু বিভিন্ন কাৰ্যকাৰ সকলৰ নিৰ্বাচন পাতিব পৰা নহল; কাৰণ সেই সময়ত সাধাৰণ নিৰ্বাচন হৈছিল আৰু তাত যোগ দিয়া বিভিন্ন ৰাজনৈতিক দল সমূহে ভয়ানক উত্তেজনাৰে নিৰ্বাচনী অভিযান চলোৱাৰ বাবে সংঘৰ্ষ হোৱাৰ সম্ভাৱনা আছিল। যিহেতুকে নিৰ্দলীয় ক্ষুদ্ৰ নিৰ্বাচনৰ আবশ্যক আছিল।

(c) হয়, সেই বিষয়ে সজাগ।

(d) সেই গাঁও পঞ্চায়ত কেইখনৰ চেয়াৰমেন আৰু অন্যান্য কাৰ্যকাৰ সকল নিৰ্বাচন কৰাৰ ব্যৱস্থা চৰকাৰে ইতিমধ্যে কৰিছে।

Shri NILMANEY BARTHAKEUR (Dibrugarh): ৰাজনৈতিক সংঘৰ্ষ কাৰ কাৰ ভিতৰত হোৱাৰ সম্ভাৱনা আছিল?

Shri MAHENDRA NATH HAZARIKA : সাধাৰণ নিৰ্বাচনত বিভিন্ন ৰাজনৈতিক দলে অভিযান চলোৱাৰ ফলত ভয়ানক উত্তেজনাৰ সৃষ্টি হৈছিল। সেই বাবেই এই নিৰ্বাচন হোৱা নাই।

Shri TARUNSEN DEKA (Nalbari-West): ১৯৫৭ চনৰ এপ্ৰিল মাহত সাধাৰণ নিৰ্বাচন আছিল জানো?

Shri MAHENDRA NATH HAZARIKA (Minister, Rural Development) : তাৰ অলপ দিন আগতে সাধাৰণ নিৰ্বাচন শেষ হল যদিও উত্তেজনা সাম কটা নাছিল।

Shri TARUNSEN DEKA (Nalbari-West) : এপ্ৰিল মাহৰ পিচতো চেয়াৰমেন নিৰ্বাচন কৰা নহল কিয় ?

Shri MAHENDRA NATH HAZARIKA : সেইটো উত্তৰ দিয়া আছে। ইতিমধ্যে নিৰ্বাচন কৰিবৰ বাবে নিৰ্দেশ দিয়া হৈছে আৰু এই মাহৰ ৩১ মাৰ্চৰ ভিতৰতে শেষ হ'ব বুলি আশা কৰা হৈছে।

Shri GAURISANKAR BHATTACHARYYA (Gauhati) : আইনত সময় বান্ধি দিয়া আছে যে পঞ্চায়ত নিৰ্বাচনৰ ছয় সপ্তাহৰ ভিতৰত সভাপতি নিৰ্বাচন কৰিব লাগে। সেই আইন অমান্য কৰাৰ কাৰণ কি ?

Shri MAHENDRA NATH HAZARIKA : আইনত আছে যে নিৰ্বাচন হোৱাৰ ছয় সপ্তাহৰ ভিতৰতে হ'ব লাগে। সেই সময়ত যিজন Development Officer আছিল তেওঁ নিৰ্বাচন নকৰিলে আৰু ইতিমধ্যে ছয় সপ্তাহ পাৰ হৈ গ'ল। সেই কাৰণেই আইন সংশোধন কৰিব লগীয়া হল। এই আইন সংশোধন কৰোঁতে সময় লাগিছিল। তাৰ পিচতহে নিৰ্বাচনৰ কাৰণে নিৰ্দেশ দিয়া হৈছে।

Shri GAURISANKAR BHATTACHARYYA : আইনত বান্ধি দিয়া মতে যিজন Development Officer এ ছয় সপ্তাহৰ ভিতৰত নিৰ্বাচন নকৰিলে, সেই বিষয়াজনৰ ওপৰত আইন অমান্য কৰাৰ বাবে কি ব্যৱস্থা লোৱা হৈছে ?

Shri MAHENDRA NATH HAZARIKA : সেই অফিচাৰ জনৰ কৈফিয়ৎ তলব কৰা হৈছে।

Mvi. JAHANUDDHIN AHMED (Bilasipara) : কৈফিয়ত পাইছেনে নাই ?

Shri MAHENDRA NATH HAZARIKA : হয়, তেওঁক তাৰ পৰা বদলী কৰা হৈছে।

Shri MOHI KANTA DAS (Barchalla) : Suspend কৰা হৈছেনে কি ?

Shri MAHENDRA NATH HAZARIKA : এতিয়াও কৰা হোৱা নাই।

Shri TARUN SEN DEKA (Nalbari-West) : বদলী কৰাটোও এটা শাস্তিনে ? (No reply).

Shri GAURISANKAR BHATTACHARYYA : ভবিষ্যতে যাতে এনে ধৰণে চৰকাৰী কৰ্মচাৰীয়ে আইন ভঙ্গ কৰিব নোৱাৰে তাৰ বাবে কোনো বিহিত ব্যৱস্থা কৰা হৈছেনে ?

Shri MAHENDRA NATH HAZARIKA (Minister, Rural Development) : বিহিত ব্যবস্থা কৰা হব।

Shri NILMONEY BARTHAHAKUR (Dibrugarh) : বাজ-নৈতিক সংঘৰ্ষ এতিয়া সান কাটিছেনে ?

Shri MAHENDRA NATH HAZARIKA : হয়, সান কাটিছে।

Shri BAIKUNTHA NATH DAS (Rangiya—Reserved for Scheduled Tribes) : অধ্যক্ষ মহোদয়, প্ৰথমতে কলে যে, বাজনৈতিক সংঘৰ্ষ হোৱা বাবে নিবৰ্চাচন স্থগিত ৰাখিব লগা হ'ল, কিন্তু পিচত ওলোৱা যে Development Officer এ আইন ভঙ্গ কৰি নিবৰ্চাচন নেপাতিলে। এতিয়া কোনটো সত্য ?

Shri MAHENDRA NATH HAZARIKA : নিবৰ্চাচন নকৰাৰ বাবে অফিচৰ জনৰ ওপৰত disciplinary action লোৱা হৈছে।

Shri GAURISANKAR BHATTACHARYYA (Gauhati) : কেনে ধৰণৰ বাজনৈতিক সংঘৰ্ষৰ সম্ভাবনা আছিল ?

Shri MOHENDRA NATH HAZARIKA : সাধাৰণ নিবৰ্চাচনত যেনেকুৱা সংঘৰ্ষ হ'ব পাৰে।

Shri GAURISANKAR BHATTACHARYYA : পঞ্চায়ত নিবৰ্চাচনত দলীয় সংঘৰ্ষ হৈছিলনে কি ?

Shri MAHENDRA NATH HAZARIKA : নাই হোৱা।

Shri TARUN SEN DEKA (Nalbari-West) : গাঁও পঞ্চায়তৰ সদস্যসকল নিবৰ্চাচনত যেতিয়া সংঘৰ্ষ হোৱা নাই, চেয়াৰমেন নিবৰ্চাচনত কি সংঘৰ্ষ হোৱাৰ সম্ভাবনা আছিল।

Shri MAHENDRA NATH HAZARIKA : সদস্যসকলৰ নিবৰ্চাচন সাধাৰণ নিবৰ্চাচনৰ আগতেই হ'ল। কিন্তু চেয়াৰমেন নিবৰ্চাচনৰ সময়ত সাধাৰণ নিবৰ্চাচন আছিল। সেই কাৰণেই সংঘৰ্ষৰ ভয়ত পলম হ'ল। যিহেতুকে নিৰ্দলীয় সুস্থ নিবৰ্চাচন পঞ্চায়তত আবশ্যক।

Shri GAURISANKAR BHATHACHARYYA : সদস্য নিবৰ্চাচন হৈ গ'ল যেতিয়া চেয়াৰমেন নিবৰ্চাচন কৰাত সাধাৰণ নিবৰ্চাচনে কেনেকৈ বাধা দিব পাৰে ?

Shri MAHENDRA NATH HAZARIKA : সদস্যসকল বিভিন্ন দলৰ পৰা নিবৰ্চাচিত হৈছিল। সেইবাবে চেয়াৰমেন নিবৰ্চাচন সফল হ'ব বুলি আশা কৰা নহ'ল।

Allotment of money for opening of Veterinary Dispensaries in the District of Nowgong

Shri NURUL ISLAM (Dhing) asked:

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

(a) Whether any sum of money was allotted for opening of Veterinary Dispensaries in the district of Nowgong during 1955-56, 1956-57 and 1957-58.

(b) If so, how many such dispensaries were opened in the district of Nowgong during the same period and where?

****Shri K. P. TRIPATHI (Education Minister)** replied :

12. (a)—Yes. A sum of Rs.60,000 was allotted during 1955-56 for opening of three Veterinary Dispensaries at Nellie, Berhampur and Lanka and another sum of Rs.25,520 was allotted during 1957-58 for opening of Veterinary Dispensary at Lailuri under the Second Five Year Plan.

(b)—(i) One Veterinary Hospital at Nowgong in 1955-56, (ii) Three Veterinary dispensaries at Nellie, Berhampur and Lanka in 1956-57 were opened and (iii) Construction of one Veterinary dispensary building at Lailuri is proposed to be taken up through Public Works Department during 1957-58.

Shri NURUL ISLAM (Dhing) : May I know when the construction of the Lailuri veterinary dispensary building will be completed?

Shri KAMAKHYA PRASAD TRIPATHY : It has been entrusted to the Public Works Department which will be undertaking the construction. The preliminary work is being undertaken.

Shri LILA KANTA BORA (Kalibor) : When is it likely to be completed?

Shri KAMAKHYA PRASAD TRIPATHY : It is difficult to say at this time.

****Shri Kamakhya Tripathi (Education Minister)** replied in the absence of **Shri Moinul Haque Choudhury (Minister, Veterinary)**.

Karara State Veterinary Dispensary in the District of Kamrup

Shri TARUN SEN DEKA (Nalbari-West) asked :

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

- (a) Whether any Veterinary Surgeon has been deputed in the Karara State Veterinary Dispensary in the district of Kamrup ?
- (b) If not, why not ?
- (c) Whether it is a fact that the Hon'ble Minister-in-charge of Veterinary visited the said State Dispensary when it sustained some cyclone damage last year, and promised monetary help ?
- (d) If so, whether any monetary help has been given ?
- (e) If not, why not ?
- (f) Whether it is a fact that the Managing Committee of the State Veterinary Dispensary has given representation to the Department concerned that the stock of medicine is not supplied adequately and for want of medicine proper treatment are not possible to the cattle ?
- (g) If so, what is the reason therefore ?

****Shri K. P. TRIPATHI (Education Minister)** replied :

13. (a)—No. (The work is entrusted to the Veterinary Assistant Surgeon of the nearest Dispensary.)

(b)—Due to dearth of Veterinary graduates in the State.

(c)—Yes.

(d)—No monetary help was given at that time in view of non-availability of specific budget provision, but subsequently after making necessary provision a sum of Rs.2,042 was allotted for repair of the Veterinary Dispensary at Karara.

*The Education Minister replied in the absence of the Minister, Veterinary.

(e)—Does not arise.

(f)—Yes. Medicines are adequately supplied now.

(g)—Does not arise.

Investigation regarding Spinning Machine

Shri KAMALA PRASAD AGARWALA (Tezpur) asked :

* 14. Will the Minister-in-charge of Cottage Industries be pleased to state—

(a) Whether any investigation has been made by the Cottage Industries Department for—

(i) Hand Spinning for Jute and

(ii) For improvement of the Spinning Machine of Eri ?

(b) Whether the machine can be used with electric power ?

Shri MAHENDRA NATH HAZARIKA (Minister, Cottage Industries) replied :

14. (a) (i)—No.

(ii)—Yes.

(b)—If the questioner refers to Nidhiram Charka, it cannot be operated with electricity as at present.

(The following are the replies given by the Hon'ble Minister in Assamese).

(a) (i) বৰ্ত্তমানলৈকে হোৱা নাই।

(ii) হয়, হৈছে।

(b) এই যন্তৰ বৰ্ত্তমান অৱস্থাত বিজুলী শক্তিৰ দ্বাৰা চলাব নোৱাৰি। ইয়াৰ কিছু পৰিবৰ্ত্তন কৰিলে ইয়াক বিজুলী শক্তিৰ দ্বাৰা পৰিচালনা কৰিব পৰা যাব পাৰে।

Shri KAMALA PRASAD AGARWALLA (Tezpur) : চৰকাৰে কোনো বিশেষজ্ঞৰ দ্বাৰা পৰীক্ষা কৰাই চাইছিল নে ?

Shri MAHENDRA NATH HAZARIKA : এতিয়ালৈকে পৰীক্ষা কৰোৱা হোৱা নাই।

Shri KAMALA PRASAD AGARWALLA : পৰীক্ষা কৰাবলৈ গৰণ মেণ্টে কিবা ব্যৱস্থা কৰিছেনে ?

Shri MAHENDRA NATH HAZARIKA : (Minister, Cottage Industries) তেনেকুৱা ব্যৱস্থা কৰা নাই। এতিয়া খাছিয়া পৰ্বতত এজন মানুহে বিজুলী শক্তিয়ে চলাবলৈ চেষ্টা কৰিছে। তেওঁক কিছু সহায় দিব পাৰিলে নোৱাৰি সেই বিষয়ে গৱৰ্ণমেণ্টে বিবেচনা কৰিছে।

Shri OMEO KUMAR DAS (Dhekiajuli) : মগনবাৰীত All-India Khadi and Village Industries Commission এ এটা research centre খুলিছে। সেই research centre ক Jute spinning আৰু Eri spinning ৰ সমস্যা সমাধান কৰাৰ নিমিত্তে অনুৰোধ কৰা উচিত। গৱৰ্ণমেণ্টে অনুগ্ৰহ কৰি তেওঁবিলাকৰ লগত কথা হবনে?

Shri MAHENDRA NATH HAZARIKA : নিশ্চয় এই বিষয়ে মগনবাৰীৰ লগত আলোচনা কৰা হ'ব আৰু এইবোৰ প্ৰদৰ্শনীলৈ মৰাপাটৰ আঁহৰ আৰু আঁহৰ পৰা সূতা উলিওৱা কিছু machine আহিছিল। সেইবিলাক machine কেনেকুৱা আৰু সুবিধাহলে সেইবিলাক ক'ত ক'ত দিব পৰা যাব, সেই সম্বন্ধে গৱৰ্ণমেণ্টে বিবেচনা কৰিছে।

UNSTARRED QUESTIONS

(To which answers were laid on the table)

Jowai N. E. S. Block

Shri LARSING KHYRIEM (Jowai—Reserved for Scheduled Tribes) asked :

37. Will the Minister-in-charge of Development (Community Projects) be pleased to state—

- (a) The amount earmarked for the Jowai N. E. S. Block ?
- (b) The monthly expenditure of its establishment ?
- (c) The amount already spent in the buildings ?
- (d) What are the works done so far ?

Shri RUPNATH BRAHMA [Minister-in-charge of Development (Community Projects)] replied :

37. (a)—Rupees four lakhs.

(b)—Rupees three thousand and three hundred seventy seven approximately.

(c)—Rupees eighty one thousand and nine hundred five.

(d)—A statement showing the works done so far is placed on the Library Table.

THE STATEMENT SHOWING THE PROGRESS OF WORK IN
JOWAI NATIONAL EXTENTION SERVICE BLOCK
ALLOTTED IN 1956-57 (APRIL 1956 TO DECEMBER
1957), AS REFERRED TO IN THE REPLY TO
QUESTION 37(d)

Agriculture

| Items | Physical Achievements |
|----------------------------------------------|-----------------------|
| 1. Compost pits dug | 966 |
| 2. Chemical fertilisers distributed (mds) .. | 6,216 |
| 3. Pesticides (Lbs) | 476 |
| 4. Improved seed distributed (Mds) | 388 mds. |
| 5. Vegetables seeds distributed (Mds) .. | 16-22-0ch. |
| 6. Improved implements distributed (Nos). .. | 208 Pkts. |
| 7. (a) Agril. Demon. held (Nos). ... | 10 |
| 8. Area brought under vegetables (acres) | 106 |

Reclamation

| | |
|-----------------------------------------------------------|-----|
| 9. Area reclaimed (acres) | 200 |
| 10. Additional area brought under irrigation (acres). ... | 72 |
| 11. Bund constructed (Nos). | 60 |

Animal Husbandry

| | |
|-----------------------------------------------|------|
| 12. Cattle inoculated and vaccinated (No). .. | 2225 |
| 13. Cattle treated (No). | 3838 |

Health and Rural Sanitation

| | |
|----------------------------------------------------------|------|
| 14. Rural latrines in use (Nos). | 57 |
| 15. Person inoculated and vaccinated (Nos). ... | 4290 |
| 16. Primary Health centre and out centres set up(Nos). 1 | |

Drinking Water wells

| | | | | | |
|-------------------------|-----|-----|-----|-----|----|
| 17. Constructed (Nos). | ... | ... | ... | ... | 15 |
| 18. (a) Renovated (No). | .. | .. | .. | .. | 1 |

Education

| | | | | | |
|-------------------------------|----|----|----|----|---|
| 19. New Schools started (No). | .. | .. | .. | .. | 1 |
|-------------------------------|----|----|----|----|---|

Social Education

| | | | | | |
|-------------------------------------------------------|----|----|----|----|-----|
| 20. Adult literacy | .. | .. | .. | .. | .. |
| (i) No. of Adult literacy centres of functioning (No) | | | | | 13 |
| (ii) No. of adults made literaries (No) | .. | .. | .. | .. | 500 |
| 21. Reading rooms/or libraries (No) | .. | .. | .. | .. | 3 |
| 22. Community recreation centres (No) | .. | .. | .. | .. | 5 |
| 23. Youth clubs and farmers' clubs unions (a)No. | .. | .. | .. | .. | 38 |
| 24. Mahila Samities/Mandals (a) No. | .. | .. | .. | .. | 3 |
| 25. Community entertainment organised (No). | .. | .. | .. | .. | 13 |

Participation in Summer Camp

| | | | | | |
|-----------------------------------------------------------|-----|----|----|----|----|
| 26. Village camps (other than youths and children camps). | | | | | |
| (i) No. of camps held | .. | .. | .. | .. | 1 |
| (ii) No. of villagers trained | ... | .. | .. | .. | 35 |

Communication

| | | | | | |
|-------------------------------------------|----|----|----|----|----------|
| 27. Culverts and bridges constructed (No) | .. | .. | .. | .. | 106 |
| 28. Earthwork done by the people (cft). | .. | .. | .. | .. | 1,18,200 |

Kutcha Roads

| | | | | | |
|-------------------------------------|----|-----|----|----|-----------|
| 29. New roads constructed (Miles) | .. | .. | .. | .. | 43 Miles. |
| 30. Existing roads improved (Miles) | .. | ... | .. | .. | 37 Miles. |

Rural Arts and Craft

31. No. of persons provided with additional past time employment, tradewise. 165

32. Total (i) to (iv) above (No) ... 36

33. Disease-free seed distributed (Layings) .. 860

34. Improved implements distributed No. ... 6

Co-Operation

35. Total of (a) to (d) above (No) ... 15

36. Total of (a) to (d) above (No) ... 1202

Housing

37. No. of new houses constructed (No) ... 30

38. No. of existing houses improved (No) ... 1

Local bodies

39. No. of non-statutory bodies like village-councils-vikash mandals, etc., started. 81

40. No. of panchayat and other statutory bodies started. 4

General

41. Families benefited by development activities ..

(a) No. of families benefited ... 1800

(b) Pre cent of total families in Project area- (benefited). 44 per cent.

42. No. of meeting held of Project Advisory Committee 2

People contribution

43. Labour (value in lakhs) ... 0.15

44. Cash and other contribution (value in lakhs) ... 0.05

Shri J. J. M. NICHOLS-ROY [Cherrapunji (Reserved for Scheduled Tribes)] : In reply to (d), it is stated "A statement showing the works done so far is placed on the Library Table". It is very inconvenient for Members of this House to get the statement from the Library Table. So it would be more convenient if the statement is placed on the table before each hon. Member.

Shri GAURISANKAR BHATTACHARYA (Gauhati) : (Pointing to the table near the Speaker's dais) Is that not the Library Table for our purposes ?

Mr. SPEAKER : This is called the Library Table.

The question now comes to the capacity of the Government Printing Press to print all these things. We have now to cyclostyle all these things because it is not possible for the Government Printing Press to print them.

Shri RUPNATH BRAHMA (Minister, Community Development) : The list of work is pretty long and if the hon. Member wants I can read it out.

Mr. SPEAKER : The hon. Member may get it on the table adjacent to the table of the Speaker.

Tribal Belts or Blocks in Assam

Shri BIRENDRA KUMAR DAS [Patacharkuchi (Reserved for Scheduled Tribes)] asked :

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

- (a) The names of the Tribal Belts or Blocks in Assam with their jurisdiction or areas in details ?
- (b) Whether it is a fact that immigrants and others are encroaching daily in the Tribal Belts or Blocks in a large number ?
- (c) Whether the encroachers will be evicted soon ?
- (d) If the answer to (c) above be in the affirmative, when and in what period of time ?
- (e) Whether Government propose to inflict specific punishment to the encroachers ?
- (f) If not, why not ?

Shri HARESWAR DAS (Minister, Revenue) replied :

38. (a)—A list of the Tribal Belts and Blocks so far constituted is placed on the Library Table. (*Vide* Appendix II).

(b)—Such encroachments in some districts are reported.

(c) & (d)—Unauthorised occupation of land is not encouraged. Encroachers particularly non-tribals not protected by Chapter X of the Assam Land and Revenue Regulation are generally evicted and will be evicted where necessary. It is difficult to set a time limit.

(e)—There is no provision for specific punishment except, forcible eviction, forfeiture of crop and in case of persistent encroachment daily fine.

(f)—Does not arise.

Shri DHIRSING DEURI [Lahrihat (Reserved for Scheduled Tribes)] : (U.S. 38) টাইবেল বেল্ট বা ব্লকত অনা টাইবেলক মাটি পট্টা দিয়াৰ গভৰ্ণমেণ্টৰ কিবা নীতি আছেনেকি ?

Shri HARESWAR DAS (Minister, Revenue) : চৰকাৰৰ তেনে কোনো নীতি নাই। টাইবেল বেল্টত, টাইবেল মানুহে মাটি পাব আৰু অন্যান্য বেকৰাড মানুহেও সুবিধা পাব। আন মানুহে নাপায়।

Shri DHIRSING DEURI : জুব গাঁৱ টাইবেল ব্লকত আন মানুহ মাটি পাইছেনে নাই ?

Shri HARESWAR DAS : নটিচ নহলে কোৱা টান।

Dr. SRIHARI DAS (Barpeta) : Encroachments in some districts are reported—What are those districts ?

Shri HARESWAR DAS : Kamrup and North Lakhimpur Subdivision are the two districts.

Shri NILMONEY BORTHAKUR (Dibrugarh) : The very purpose of tribal belt will be defeated if the non-tribals are not checked from encroaching in such belts.

Shri HARESWAR DAS : Tribal belts are constituted according to provision of Chapter 10 of the Land Revenue Regulation and the belts are not exclusively meant for tribals.

Shri LALIT KUMAR DOLEY [Moran (Reserved for Scheduled Tribes)] : May I know what is the meaning of tribal belts ?

Shri HARESWAR DAS (Minister, Revenue) : I refer my Friend to Chapter 10 of the Land Revenue Regulation.

Shri LALIT KUMAR DOLEY [Moran (Reserved for Scheduled Tribes)] : When was the law enforced ?

Shri HARESWAR DAS : The law was enacted in 1947.

Shri LALIT KUMAR DOLEY : When the law was enforced. How is it that encroachers came in ?

Shri HARESWAR DAS : Those who break the law are encroachers.

Shri JAHAN UDDIN AHMED (Bilasipara) : Are we to know that Government is not actually enforcing the law ?

Shri HARESWAR DAS : That is not the point.

Mr. SPEAKER : The question is—Are these encroachers coming in due to Government inability to enforce the law ?

Shri HARESWAR DAS : That is not exactly the point and it is not Government inability to enforce the law, but here in our State there are large areas generally covered by thick and big jungles where the encroachers took the opportunity of coming in. But whenever these things are reported or brought to the notice of the Government, such illegal encroachers are evicted.

Shri KARKA CHANDRA DOLEY [North Lakhimpur (Reserved for Scheduled Tribes)] : নিম্নোক্ত কৈছে যে—টাইবেল্ট বেল্টত আন Backward class ব মানহেও preference পাব যদি এয়ে হয়—তেন্তে টাইবেল্ট বেল্টক 'বেকওয়ার্ড বেল্ট' নটক টাইবেল্ট বেল্ট বোলা হয় কিয় ?

Shri HARESWAR : আইনত আছে ।

Mr. SPEAKER DAS : His question is that these tribal belts are meant for the protection of tribals and other backward classes. There is a category of this in the Constitution and also Government follows it. Now why these belts are called tribal belts and not tribal and backward classes belts ?

Shri HARESWAR DAS : These are called tribal belts as these were so named in the 1945 Government Resolution, according to which Chapter X of the Land Revenue Regulation was drafted. Both tribals and other backward classes are allowed to settle in these belts.

Shri KARKA CHANDRA DOLEY [North Lakhimpur (Reserved for Scheduled Tribes)] : অধ্যক্ষ মহোদয়, ইয়াৰ পৰাই বুজা যে ক্ৰমান্বয়ে চৰকাৰে ট্ৰাইবেলৰ স্বাৰ্থবিলাক নষ্ট কৰি যাব খুজিছে। আজি বেকৱাৰ্ড ক্লাছৰ অধিকাৰ দিছে কাইলৈ আনক দিন এইদৰে।

Shri HARESWAR DAS (Minister, Revenue) : Sir, this is a separate question but I may say that what my Friend has said is not correct, because we have got about 18,000 square miles of land in the whole State, where we can settle people and one-third of it is included in the tribal belts; so the tribals do not suffer. For seven lakhs tribals we have about 6,000 square miles of land and for about 74,00,000 non-tribals we have about 12,000 square miles of land.

Shri MAHADEB DAS [Barpeta (Reserved for Scheduled Castes)] : মাননীয় মন্ত্ৰী মহোদয়ে ট্ৰাইবেল বেল্টত বেকৱাৰ্ড মানুহক সুবিধা দিয়াৰ কথা কৈছে মই জানিব খুজিছোঁ ইয়াত অনুসূচিত জাতিৰ মানুহকো মাটি পোৱাত সুবিধা দিব নে?

Mr. SPEAKER : His question is—other than tribals, which classes are called Backward classes?

Shri HARESWAR DAS : There is no specific classification but these classes are generally determined according to the religions they profess and according to the state of civilisation they live in.

Shri LALIT KUMAR DOLEY [Moran (Reserved for Scheduled Tribes)] : What are the religions of the people?

Shri HARESWAR DAS : Religion is not the criterion to determine the tribals. A tribal may be a Hindu or non-Hindu but there are two distinctions, namely, beef eating and non-beef eating. Beef eaters are not Hindus. So beef eating is a test.

Shri BAIKUNTHA NATH DAS [Rangiya (Reserved for Scheduled Tribes)] : Will the Minister-in-charge try to explain which class of people comes under the category of tribal people?

Shri HARESWAR DAS : We do not define them. President named them.

Mr. SPEAKER : Who decides this question—Whether a particular person belongs to a backward class or not?

Shri HARESWAR DAS : If the question comes, the Government decide it. About the tribals there is no difficulty to decide whether he is a tribal or not, regarding the backward classes, it is difficult to decide anything, we cannot decide it.

Voices Who decides?

Shri HARESWAR DAS : The President of India decides it.

Papers relating to the Constitution of Tribal Blocks under Dhing Circle of Nowgong District

Shri BIRENDRA KUMAR DAS [Patacharkuchi (Reserved for Scheduled Tribes)] asked :

39. Will the Revenue Minister be pleased to state—

- (a) Whether it is a fact that the relevant papers in connection with the constitution of Tribal Blocks under Dhing Circle of Nowgong district have been lost in the Government office concerned at Shillong ?
- (b) If so, what steps Government have taken to detect the person who has lost the papers ?
- (c) What further steps Government have taken for constitution of the Tribal Blocks in absence of the relevant papers ?

Shri HARESWAR DAS (Minister, Revenue) replied :

39. (a)—It is not a fact.

(b)—Does not arise.

(c)—The proposal in question is under examination and certain further particulars have been called for from the Deputy Commissioner.

Re-Settlement of Betbari Mauza in Barpeta Subdivision

Shri MAHADEV DAS [Barpeta (Reserved for Scheduled Castes)] asked :

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

- (a) Whether Betbari Mauza in Barpeta Subdivision has been settled with Shri. Madan Chandra Das, a Mauzadar ?
- (b) If so, whether he has been authorised to collect Revenue ?

- (c) If not, why not ?
- (d) Whether any party moved the Hon'ble Assam High Court against the orders of the Government and to stay the settlement of the Mauza ?
- (e) Whether any party moved the Government of Assam against the order of settlement made in favour of Shri Madan Chandra Das ?
- (f) Whether the Government of Assam passed any orders staying the settlement made with Shri Madan Chandra Das ?
- (g) If so, why there is delay in passing final orders and for vacating the stay orders made by the Government of Assam ?
- (h) Whether the Government is aware that the Raiyots of this Mauza are facing great hardship in coming to Barpeta from Betbari for payment of their revenues ?
- (i) If so, whether the Government would be pleased to vacate the said stay order so that collection of the revenue may be made by the Mauzadar of Betbari Mauza ?

Shri HARESWAR DAS (Minister, Revenue) replied :

40. (a)—Yes.

(b)—No.

(c)—As Shri Krishna Prasad Mazumdar has filed a *mandamus* petition in the High Court challenging the appointment, charge of the Mauza has been given to Sub-Deputy Collector pending disposal of the petition by the High Court.

(d)—Yes.

(e)—No.

(f)—Yes.

(g)—Because the case is still sub-judice.

(h)—No. Government have not received any complaints.

(i)—Does not arise.

Shri MOHI KANTA DAS (Barchalla): Does the Government consider that it causes hardship to the people of Betbari Mauza to come to Barpeta for the payment of revenue ?

Shri HARESWAR DAS (Minister, Revenue): There may be some hardship, Sir. We are not in a position to do anything now because of the High Court case.

Shri MOHI KANTA DAS: Will the Government consider the question of sending a Sub-Deputy Collector there for the purpose of collection of the land revenue ?

Shri HARESWAR DAS: That we cannot do, Sir. We have one policy throughout the whole State of Assam in the matter of collection of land revenue.

Shri GHANASHYAM TALUKDAR (Sorbhog): Who has moved the Assam High Court against Madan Chandra Das ?

Shri HARESWAR DAS: It is possibly the other man—Shri Krishna Prasad Majumdar, who was selected by the Deputy Commissioner.

Shri GHANASHYAM TALUKDAR: What are the reasons for the disputes, Sir ?

Shri HARESWAR DAS: It is sub-judice, Sir.

Mr. SPEAKER : Yes.

Shri GHANASHYAM TALUKDAR: Who are the other persons wanting the settlement ?

Shri HARESWAR DAS: There are 3 persons—Shri Krishna Kumar Misra, Shri Krishna Prasad Majumdar and Shri Madan Chandra Das.

Forest Villages in the District of Nowgong

Shri DHIRSINGH DEURI [Laharighat (Reserved for Scheduled Tribes)] asked :

41. Will the Minister-in-charge of Forests be pleased to state—

- (a) The names of the Forest Villages constituted in the District of Nowgong upto the end of 1957 ?
- (b) Whether any facilities in the way of roads, schools, tube wells, pucca wells and dispensaries were afforded to these villages ?
- (c) If so, what are the names of those villages showing the benefits afforded to each ?

Shri HARESWAR DAS (Minister, Forests) replied :

41. (a)—The names of the Forest Village and Taungya Village in the District of Nowgong upto the end of 1957 are given below :—

In Western Range (Dharamtul)

1. Hatigarh Taungya Village.
2. Sibakunda Taungya Village.
3. Borgaon Taungya Village.
4. Amsoi Taungya Village.
5. Gegra Taungya Village.
6. Dapanibari Taungya Village.
7. Silchang Taungya Village.
8. Nellie Taungya Village.
9. Laskardubi Taungya Village.
10. Tegheria Taungya Village.
11. Deosal Taungya Village.

In J. V. Range (Dahoka)

1. Burigaon Forest Village.
2. Udmari Forest Village.
3. Gangadisa Taungya Village.
4. Ambari Forest Village.
5. Ghaniapar Forest Village.

6. Hatikhali Taungya Village.
7. Sildharampur Taungya Village No. I.
8. Sildharampur Taungya Village No. II.
9. Sildharampur Forest Village.
10. Chelabar Taungya Village.
11. Chelabar Forest Village.
12. Jungthung Taungya Village.

In Northern Range

1. Bamuni (Hatikhali) Taungya Village.
2. Borhola Forest Village.
3. Salana Forest Village.
4. Salana Taungya Village.
5. Bapudalani Forest Village.
6. Kukrakata Taungya Village.
7. Bagser Taungya Village.
8. Ghorakhati Taungya Village.

In K. V. Range (Hojai)

1. Nandapur Forest Village.
2. Habaipur Taungya Village.
3. Kumrakata Taungya Village.
4. Kaki Taungya Village.
5. Kaki Forest Village.
6. Lankajan Taungya Village.
7. Lankajan Forest Village.
8. Gosaigaon Forest Village.

In Gorajan Range

1. Laokhowa Taungya Village.
2. Singimari Forest Village.
3. Kaliadinga Taungya Village.
4. Lalunggaon Taungya Village.
5. Haldiasuti Taungya Village.

In Kachua Range

1. Pomila Taungya Village.
2. Lutumai Taungya Village.
3. Domaihagi Taungya Village.
4. Gorakhahania Taungya Village.

(b)—Facilities in the way of roads, "schools, tube wells and pucca wells are afforded to a good number of Forest Villages. But no dispensary facility is afforded to any of them.

(c)—The following Forest and Taungya Villages are provided with the facilities shown against each of them:—

- | | | |
|--------------------------------|-----|-----------------------------------------------|
| 1. Hatigarh Taungya Village | ... | Forest Road & Ring-Well. |
| 2. Sibakunda Taungya Village | ... | Ring-Well. |
| 3. Borgaon Taungya Village | ... | Forest Department Road. |
| 4. Amsoi Taungya Village | ... | Forest Department Road. |
| 5. Gegra Taungya Village | ... | Forest Department Road, School and Ring-Well. |
| 6. Dapanibaria Taungya Village | ... | Forest Department Road, School and Ring-Well. |
| 7. Silchang Taung Village | ... | Forest Department Road. |
| 8. Nellie Taungya Village. | ... | Trunk Road. |
| 9. Laskardubi Taungya Village | ... | Public Works Department Road. |
| 10. Tegheria Taungya Village | ... | Trunk Road. |
| 11. Deosal Taungya Village | ... | Trunk Road. |

J. V. Range (Daboka)

- | | | |
|----------------------------------------|-----|-------------------------------------------------------------|
| 1. Burigoan Forest Village | ... | Forest Department and Public Works Department Road, School. |
| 2. Udmari Forest Village | ... | Do do. |
| 3. Gangadisa Taungya Village | ... | Do do. |
| 4. Ambari Forest Village | ... | Forest Department Road, School, Ring-Well. |
| 5. Ghaniapar Forest Village | ... | Do do. |
| 6. Hatikhali Taungya Village | ... | Do do. |
| 7. Sildharampur Taungya Village No. I. | ... | Public Works Department Road, School. |
| 8. Do do No. II. | ... | Do do. |
| 9. Sildharampur Forest Village | ... | Public Works Department Road. |
| 10. Chelabar Taungya Village | ... | Tube Well. |
| 11. Chelabar Forest Village | ... | Do. |
| 12. Jungthung Taungya Village | ... | Do. |

Northern Range

- | | | |
|----------------------------------|---------|------------------------------------------------------------|
| 1. Bamuni (Hatikhali) Village. | Taungya | Forest Department Road. |
| 2. Borhola Forest Village | ... | Forest Department Road. |
| 3. Salana Forest Village | ... | Forest Department Road, Ring-Well. |
| 4. Salana Taungya Village | ... | Do do. |
| 5. Bapudalani Forest Village | ... | Nil. |
| 6. Kukrakata Taungya Village | | Trunk Road and Forest Department Road. |
| 7. Bagser Taungya Village | ... | Trunk Road and Forest Department Road. |
| 8. Ghorakhati Taungya Village... | | Trunk Road and Forest Department Road and Tube Well. |

K. V. Range (Hojai)

- | | | |
|---------------------------------|-----|--------------------------------------------------|
| 1. Nandapur Forest Village | ... | Forest Department Road and Ring-Well. |
| 2. Habaipur Taungya Village | ... | Do do. |
| 3. Kumrakata Taungya Village... | | Forest Department Road. |
| 4. Kaki Taungya Village | ... | Forest Department Road, School and Ring-Well. |
| 5. Kaki Forest Village | ... | Do do. |
| 6. Lankajan Taungya Village | ... | Forest Department Road and Ring Well. |
| 7. Lankajan Forest Village | ... | Do do. |
| 8. Gosaigaon Forest Village | ... | Nil. |

Gorajan

- | | | |
|----------------------------------|-----|------------------------------------------|
| 1. Laokhowa Taungya Village | ... | Ring-Well. |
| 2. Singimari Forest Village | ... | School and Ring-Well. |
| 3. Kaliadinga Taungya Village | ... | Forest Department Road. |
| 4. Lalunggaon Taungya Village... | | Forest Department Road and Ring-Well. |
| 5. Haldiasuti Taungya Village | ... | Forest Department Road and Tube Well. |

Kachua Range

- | | | |
|---------------------------------|-----|------------------------------------|
| 1. Pomila Taungya Village | ... | Public Works Department Road. |
| 2. Lutumai Taungya Village | ... | Forest Department Road and School. |
| 3. Domaihagi Taungya Village | ... | Do do. |
| 4. Gorakhahania Taungya Village | ... | Do do. |

Shri DHIRSING DEURI [**Laharighat (Reserved for Scheduled Tribes)**]: প্রশ্নোত্তর পৰা দেখা যায় যে ৪৮ খন Forest village ৰ ভিতৰত মাত্ৰ ৯খন স্কুল আছে। বাকী Forest village ৰ নিমিত্তে কি Education facilities দিয়া হৈছে।

Shri HARESWAR DAS (**Minister, Forests**) প্রশ্নোত্তরত যি লেখা আছে তাৰ বাহিৰে আক নাই।

Shri DHIRSING DEURI: চৰকাৰে জানেনে যে তাৰ স্কুলৰ শিক্ষক সকলে আজিকো পতি দৰমহা পোৱা নাই ?

Shri HARESWAR DAS: সেই খবৰ জনা নাই।

Shri BISWADEV SARMA (**Balipara**): Sir, in reply to question 41 (b) it is stated that no dispensary facility is afforded to any of them. May I know why no medical facility is afforded to the forest villagers ?

Shri HARESWAR DAS: That depends upon the number of villagers, availability of doctors and many other things, Sir.

Mr. SPEAKER: The question is why there are no medical facilities ?

Shri HARESWAR DAS: I have no explanation, Sir. I have stated the reasons above. If the number of villages increases we refer to the Medical Department for providing necessary medical facilities.

Shri BISWADEV SARMA: Is it a fact that the Government allot dispensaries only on the strength of the population ?

Shri HARESWAR DAS: These are forest villages scattered all over the State. In a forest village there may be

4 or 5 families, or 40 or 50 families. So it is not possible to open a dispensary for every villages.

Shri LILA KANTA BORA (Kaliabar): Sir, in the reply it is stated that there are facilities for schools, etc., in the Forest Villages. May I know how many schools are there?

Shri HARESWAR DAS: (Minister, Forests): I have no exact information, Sir. If my friend wants to know the number I shall make an enquiry and let him know.

Dr. Sri HARI DAS (Barpeta): May I know what steps Government propose to take to afford medical facilities to the Forest Villages?

Shri HARESWAR DAS: The question will be examined when the number of villagers increases. If there is sufficient number of people, a dispensary may be opened.

Shri KARKA CHANDRA DOLEY [North-Lakhimpur (Reserved for Scheduled Tribes)]: এই Forest village অত বাস কৰা লোক সকলৰ ভোট দিয়াৰ অধিকাৰ আছে নে?

Shri HARESWAR DAS: It is a matter of Constitutional right.

Shri JAHANUDDIN AHMED (Bilasipara): May I know if any mobile dispensary can be provided?

Shri RUPNATH BRAHMA (Minister, Medical): Sir, as the matter relates to Medical Department, I may clarify the position. In the Forest Villages we have extended certain medical facilities and as a matter of fact we have opened a number of dispensaries near in the Forest Reserves to afford medical facilities to the Forest villagers. Our policy at the moment is to open a dispensary within the radius of five miles. The mobile dispensaries which we have provided for the plains Tribal areas also visit the Forest Villages as far as possible.

Shri DHIRSINGH DEURI [Laharighat (Reserved for Scheduled Tribes)]: প্রত্যেক গৃহস্থৰ নিমিত্তে কিমানকৈ মাটি allot কৰা হয়, মই জানিব পাৰো নে।

Shri HARESWAR DAS: Possibly about 12 bighas per family.

Shri LALIT KUMAR DALEY [Moran (Reserved for Scheduled Tribes)]: Which are the major community constituting the Forest Villages, Sir ?

Shri HARESWAR DAS (Minister, Forests): I cannot say off hand, Sir. It will require investigation.

Shri BISWADEV SARMA (Balipara): May I know whether the Panchayat Act is extended to the Forest Villages ?

Shri HARESWAR DAS: That I do not know, Sir. My information is that it does not apply.

Ring-Well in some Villages of Dimapur Area

Shri BIRENDRA KUMAR DAS (Patacharkuchi: Reserved for Scheduled Tribes) asked :

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

(a) Whether it is a fact that all the ring-wells installed through the initiative of the N.E.S. Blocks in some villages of Dimapur area have not proved successful and that water from these wells are unfit for human drink ?

(b) What was the money thus involved ?

(c) Whether Government propose to take necessary steps to rectify this as soon as possible ?

Shri RUPNATH BRAHMA (Minister, Community Projects) replied :

42. (a)—Only four ring-wells were undertaken for construction since the inception of the Bokajan C. D. Block in some villages near about Dimapur. Two ring-wells were unsuccessful as one ring-well collapsed in the process of fitting rings and the other could not be completed for want of cement. Water of the completed ring-wells is not unfit for human consumption. Two have been duly completed and people have been drinking water out of these.

(b)—A sum of Rs.751 (Rupees seven hundred and fifty-one only) was incurred for construction of the above two ring-wells.

(c)—The two incomplete ring-wells will be completed before the rainy season commences.

Shri DANDESWAR HAZARIKA (Morongi): With regard to Question No.42 (a), may I know whether Dimapur is included in the Bokajan N.E.S. Block, Sir ?

Shri RUPNATH BRAHMA (Minister, Community Projects): It is clear from the reply, Sir. Actual Dimapur is not included. Villages near about Dimapur are included.

Shri BHUBAN CHANDRA PRADHANI (Golakganj): It is said that "A sum of Rs.751 was incurred for construction of the above two ring-wells". May I know, Sir, whether the sum is sufficient for construction of 2 wells.

Shri RUPNATH BRAHMA [That] varies according to the condition of the soil in which a ring-well is sunk, Sir.

Shri GHANASHYAM TALUKDAR (Sorbhog): How many N.E.S. Blocks will be established this year, Sir.

Shri RUPNATH BRAHMA: It has not yet been decided, Sir.

Shri BHUBAN CHANDRA PRADHANI: What are the essential considerations that are necessary for selecting the areas in N.E.S. Block ?

Mr. SPEAKER: This question was replied to in the last Session and subsequently some correction was made in the reply by the Government.

Shri LALIT KUMAR DALEY [(Moran Reserved: for Schedule Tribes)]: Sir, I do not exactly remember what was the reply given during the last Session in this connection, but I remember that one of the factors for giving priority for allotment of N. E. S. Block was probably the easy availability of the means of communication. May I know if this is one of the chief factors?

Mr. SPEAKER: I do not think this question is necessary as I have already stated a reply to this question was given on a previous occasion on the floor of this House by the Minister or the Deputy Minister, Community Projects.

Shri DANDESWAR HAZARIKA (Morongi): May I know, Sir, whether an Hon. Member has the right to ask

and receive reply from the Hon'ble Minister to the same question that had once been asked and replied to on the floor of the House ?

Mr. SPEAKER: I am not going into that point now. What I say is that the question that has been put to by the Hon. Member was once replied to on the floor of the House on a previous occasion.

Shri LALIT KUMAR DOLEY [Moran (Reserved for Scheduled Tribes)]: Will the Hon'ble Minister be pleased to say whether Government will give priority in the matter of allotment of N.E.S. Block to Backward areas ? That is my question, Sir.

Shri RUPNATH BRAHMA (Minister, Community Projects): Yes, Sir, backwardness is one of the factors for consideration in the matter of location of N.E.S. Block.

Proposal for Extension of N. E. S. and C. D. Blocks in the State

Shri PRABHAT NARAYAN CHOUDHURY (Nalbari-East) asked :

43. Will the Minister-in-charge of Community Development and N.E.S. Blocks be pleased to state—

- (a) Whether it is proposed to extend N. E. S. and C. D. Blocks to the entire State by the end of the Second Plan ?
- (b) How far it has succeeded proportionately during the five years of the First Plan and two years of the Second Plan ?
- (c) Whether it can be expected that the remaining Blocks will be completed during the next three years ?
- (d) If so, what are these proposed Blocks with headquarters of each ?
- (e) Whether Government did not consider it necessary to start N. E. S. and C. D. Blocks in the area of Nalbari Thana during the past years ?
- (f) Whether Government are aware of the problems of Nalbari Thana which is very thickly populated ?
- (g) Whether Government propose to start N. E. S. or C. D. Block in Nalbari Thana during the current years ?

Shri RUPNATH BRAHMA (Minister-in-charge of Community Development and N.E.S. Blocks) replied:

43. (a)—This was the original contemplation, but as a result of the recommendations of the Study Team for Community Development and National Extension Service as appointed by the Committee on Plan Projects set up by the Government of India, the question is under review by the Government of India as well as by the State Government as to whether the programme should be extended for a further period of three years to cover the entire country by October, 1963.

(b)—This State has been provisionally delimited into 152 Blocks. Out of these, 27 blocks were opened during the First Five-Year Plan and 30 Blocks were opened during the first two years of the Second Plan.

(c)—The matter is now under examination as explained in (a) above.

(d)—Does not arise in view of (c) above.

(e)—In starting a N. E. S. or C. D. Block, Government have to consider the needs of the State and Districts as a whole, not merely of the area of a thana. While allotting Blocks in the District of Kamrup in the past years, Government had to assess the needs of other areas not merely of Nalbari thana. As a matter of fact, Government generally accept the recommendation of the District or Subdivisional Development Board in the matter of allotment of a Block in a District or Subdivision.

(f)—Yes, but there may be a similar problems in other areas as well.

(g)—This will depend upon the recommendation of the District Development Board, Gauhati and Government's decision for allotment of a Block to the Gauhati Subdivision in the next series after examining the needs of other areas of the whole district and the State, as well as on the number of Blocks that is going to be allotted by the Government of India in the next series.

Shri BISWADEV SARMA (Balipara): Is it a fact, Sir, that the decisions of the Subdivisional Development Boards are floated by Government on many occasions ?

Shri RUPNATH BRAHMA (Minister, Community Project): No, Sir, it is not a fact.

Shri TAJUDDIN AHMED (Tarabari): May I know, Sir, what is the procedure for selecting the site for headquarters stations of National Extension Service Blocks?

Shri RUPNATH BRAHMA: I do not know, Sir, how that question comes up. This question under reply relates only to Nalbari Area.

Mr. SPEAKER: No, the question relates to the entire State. Here at 43 (a) it is said, "Whether it is proposed to extend National Extension Service and Community Development Blocks to the entire State by the end of the Second Plan ?" So the question is relevant.

Shri BHUBAN CHANDRA PRADHANI (Golakganj): Is the question of contiguity an assential factor and more essential than the backwardness in selecting the area ?

Shri RUPNATH BRAHMA: Yes, Sir, that is one of the important considerations for selection of the site.

Shri JAHANUDDIN AHMED (Bilasipara): May I know, Sir, whether the opinion of the National Extension Service Block Advisory Committee are taken into consideration in the matter of selecting the site of the headquarters ?

Shri RUPNATH BRAHMA: Selection is made on the recommendation of the different Development Block Sub-committees.

Shri JAHANUDDIN AHMED (Bilasipara): My question is whether the recommendations of the National Extension Service Block Advisory Committees are accepted ?

Shri RUPNATH BRAHMA: Yes, the views of the representatives of the people who are in the Committees are surely taken into consideration.

Shri SURENDRANATH DAS (Patacharkuchi: Reserved for Schedule Tribes May): I know, Sir, how much land is required for location of the Headquarter Station ?

Shri RUPNATH BRAHMA: (Minister, Community Project): I am not quite sure of that, but I think about 30 to 40 bighas of land is required, not be correct, Sir.

Mr. SPEAKER: But an Hon'ble Minister must not make an incorrect statement. He may ask for notice if he was not sure.

Shri TAJUDDIN AHMED (Tarabari): Is it a fact that the headquarters of the National Extension Service Block of Barpeta was selected in a particular site by the Sub-divisional Development Committee first and subsequently another site was selected from Shillong ?

Shri RUPNATH BRAHMA: I want notice of that question.

Functions of the Advisory Board of the Community Projects

Shri BIRENDRA KUMAR DAS (Patacharkuchi: Reserved for Scheduled Tribes) asked :

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

(a) What are the functions and duties of the Advisory Board of the Community Projects ?

(b) Whether Schemes and Projects such as roads, bridges, culverts, ring-wells, etc., are to be prepared by the Project Officers or by the Advisory Board of the Community Projects ?

Shri RUPNATH BRAHMA (Minister-in-charge of Community Projects) replied :

44. (a)—The functions and duties of the Project Advisory Committee are chiefly to advise in the planning and implementation of the Community Development Programme in the area.

(b)—Comprehensive Schemes under different heads incorporating specific provisions according to requirements of different localities are first prepared by the Project Executive

Officer/Assistant Project Officer, as the case may be, in consultation with the District Departmental Heads. The schemes are then discussed, amended if necessary and approved by the Project Advisory Committee?

Shri DEVENDRA NATH HAZARIKA (Saikhowa): Is it a fact that the limit of the deviation of schemes by the Project Advisory Committee is very narrow as these are prepared by P. E. Os. or Assistant P. E. Os. prior to discussion in the Committee?

Shri RUPNATH BRAHMA (Minister, Community Project:) I propose to look into the matter, Sir.

Shri DEVENDRA NATH HAZARIKA: Is it a fact that the amount of fund under the different heads of account is fixed by the Government and the Project Executive Officers and Advisory Committee have very little room to make adjustments according to the needs of the local conditions?

Shri RUPNATH BRAHMA: I cannot say off hand what is the trouble there. Any how, I shall look into the matter.

Shri SARBESWAR BORDOLOI (Titabar): May I know, Sir, at what interval meetings of the Advisory Committees are to be held?

Shri RUPNATH BRAHMA: I require notice of the question, Sir.

Shri SARAT CHANDRA GOSWAMI (Kamalpuri): May I know, Sir, who is responsible for execution of the major irrigation schemes which come under the C. D. Block and the National Extension Service Block?

Shri RUPNATH BRAHMA: It is the responsibility of the Project Executive Officer with the help of the irrigation Branch of the Agriculture Department.

Shri SARAT CHANDRA GOSWAMI: Is it a fact that the executing agency has been recently handed over to the Embankment and Drainage Wing of the Public Works Department?

Shri RUPNATH BRAHMA : I want notice of the question, Sir.

Shri SARBESWAR BARDOLAI (Titabar): Is there any rules of procedure to guide the deliberations of the Project Advisory Committees ?

Shri RUPNATH BRAHMA (Minister, Community Project): I require notice of the question, Sir.

Shri DEBENDRA NATH HAZARIKA (Saikhowa): Sir, with regard to (b), do the Government know that the District Departmental Heads and the Project Executive Officials have less knowledge than the members of the Project Advisory Committee regarding requirements of road, bridges, etc.

Mr. SPEAKER: That would be a matter of opinion. Government would not be able to say anything about this.

Shri DEBENDRA NATH HAZARIKA : Is it a fact, Sir, that schemes are prepared by the officers and only approval is obtained from the Advisory Committee ?

Shri RUPNATH BRAHMA The reply is already there that "Comprehensive Schemes under different heads incorporating specific provision according to requirements of different localities are first prepared by the Project Executive Officer, Assistant Project Officer as the case may be in consultation with the District Departmental Heads. The schemes are then discussed, amended if necessary and approved by the Project Advisory Committee".

Mr. SPEAKER: The function of the Committee is only to approve them. That will perhaps be more correct answer.

Dr. SRIHARI DAS (Barpeta): If a scheme is not approved by the Advisory Committee will it be implemented ?

Shri RUPNATH BRAHMA If it is not approved by the Committee how can it be implemented?

Creation of N. E. S. Blocks on the basis of Rural Panchayat area

Shri ABDUL HAMID CHOUDHURY (Karimganj-South, asked :

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

(a) Whether Government received in pursuance of their instruction in this behalf, any recommendation from the Karimganj Development Board to create N. E. S. Blocks on the basis of Rural Panchayat area ?

(b) Whether the recommendation suggested, amongst others, creation of an N. E. S. Block with Kaliganj and Nilambazar Rural Panchayat areas ?

(c) If so, when will it be given effect to ?

Shri RUPNATH BRAHMA (Minister-in-charge of Community Projects) replied :

45. (a)—Yes.

(b)—The question is under consideration of Government.

(c)—Does not arise in view of reply in (b) above.

Roads in Batahgilla, Natundeba and Pacchimbarbhag Mauzas

Shri PRABHAT NARAYAN CHAUDHURY (Nalbari-East) asked :

46. (a) Will the Minister-in-charge of the Public Works Department (Roads and Buildings) be pleased to state whether he is aware that there is no proper road communication including Public Works Department Road in about 25 villages of Batahgilla and Natundeba Mauzas and a few villages in Pacchimbarbhag Mauza, where about 12,000 people are suffering from the above reason ?

(b) Whether the Department lately received a number of public petitions and representations for taking up of Bandhan-toli-Bhenbhen Namati Hahdoli Road by Public Works Department ?

(c) If so, whether Government have taken up steps for survey of the road with a view to take up the road soon ?

(d) Whether Government propose to take up the road forthwith to alleviate sufferings of the agriculturists ?

Shri DEBESWAR SARMAH [Minister, Public Works Department (R. and B. Wing)] replied :

46. (a)—As no maps showing the boundary of the Mauzas are available in this Headquarters Office, no specific information whether there are any Public Works Department roads in the area could be collected from existing records. However Government accept the information as supplied by the Member.

(b)—Only one representation dated 8th November 1957 was received from the questioner, Shri Prabhat Narayan Chaudhury, M. L. A.

(c) & (d)—The proposal will be placed before the next meeting of Assam Roads Communication Board for their recommendation and survey and also construction work will be taken up only when the proposal is recommended by them and accepted by Government and funds are available for the purpose.

Vehicular Traffic on North Trunk Road at Ghograpur Railway Station

Shri PRABHAT NARAYAN CHAUDHURY (Nalbari-East) asked :

47. Will the Minister-in-charge of Public Works Department (Roads & Buildings) be pleased to state—

- (a) Whether Government are aware of the difficulty of vehicular traffic on North Trunk Road on 99th mile at Ghograpur Railway Station crossing ?
- (b) Whether Government are aware that provision of Railway crossing over the old first half mile of Ghograpur-Demodaidham (now a link of the present G. D. Road) will remove the difficulty ?
- (c) Whether Government propose to improve the link immediately and move the Railway authority for immediate provision of level crossing there ?

Shri DEBESWAR SARMAH [Minister, P. W. D. (Roads and Buildings Wing)] replied :

47. (a)—Government have no information.

(b) & (c)—The proposal will be examined and if necessary action will be taken to remove the difficulty.

Full fledged Dispensary for Udarband

Shri TAJAMMUL ALI BARLASKAR (Udarband) asked :

48. Will the Minister-in-charge of Medical be pleased to refer his reply to the unstarred question No.148 (d) on the 4th July 1957 during the Assembly Session and state—

(a) Whether he has received any report from the Civil Surgeon, Cachar about the need of a full-fledged dispensary at Udarband ?

(b) If so, what action has been taken on it ?

(c) If not, will the Minister be pleased to call for the report immediately and take early action ?

Shri RUPNATH BRAHMA (Minister, Medical) replied :

48. (a), (b) & (c)—The matter will be taken up during 1958-59. The Civil Surgeon, Cachar is being asked to submit the report in respect of establishment of a dispensary at Udarband, along with other cases.

The Industrial Disputes (Appellate Tribunal) (Assam Amendment) Bill, 1956

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Labour): Sir, I beg to move that the recommendation of the Governor as conveyed in his message dated the 4th January, 1958 as regards the Industrial Disputes (Appellate Tribunal) (Assam Amendment, Bill, 1956, be taken into consideration.

Mr. SPEAKER: The Motion moved is that the recommendation of the Governor as conveyed in his message dated the 4th January, 1958 in respect of the Industrial Disputes (Appellate Tribunal) (Assam Amendment), Bill, 1956, be taken into consideration.

Shri KAMAKHYA PRASAD TRIPATHI: Sir, I beg to move that the recommendation be adopted.

Mr. SPEAKER: The Motion moved is that the recommendation be adopted.

(The Motion was put and adopted.)

The Assam Court Fees (Amendment) Bill, 1958

Shri DEBESWAR SARMAH (Finance Minister): Sir, I beg to move that Assam Court Fees (Amendment) Bill, 1958, be taken into consideration.

I may inform the hon. Members that with the introduction of decimal system of coinage, it has become essential for amending the rates of fees payable under the Act in terms of multiples of five Naye Paise. Accordingly it is proposed to refix the existing values of court-fees in terms of decimal system of coinage and also to increase the rates of Court-fees in a few cases with a view to augmenting the revenues of the State.

Mr. SPEAKER: The Motion moved is that the Assam Court fees (Amendment) Bill, 1958 be taken into consideration.

Shri GAURISANKAR BHATTACHARYA (Gauhati): Sir, I have got an amendment.

Sir, I beg to move that the Assam Court-Fees (Amendment) Bill, 1958, be circulated for the purpose of eliciting public opinion thereon before the 15th April, 1958.

The reason for moving this Motion on my part is rather simple. In the Statement of Objects and Reasons and also in the explanation just given by the Hon'ble Finance Minister it has been stated that there are two purposes for which this Amendment Bill has been brought. One purpose is that in view of the fact that our coinage system has been changed to the decimal system, our stipulations in the Court-fees Act, specially in the Schedules thereon, are also to be changed accordingly. The second purpose is that there should be slight increase in the rates of Court-fees. Now, Sir, so far as the first reason is concerned, there is no dispute from me in view of the change in the coinage system in which the annas and pies should necessarily go and Naye Paise should come in. But with regard to the second reason I have got serious objections. It might be said that I could have brought the objection in the form of amendments to the different clauses or sub-clauses. But instead of doing that I have preferred the present Motion. I have done this because this Bill will touch the pocket of vast mass of the people. So, in this State where everything is done "most democratically" it is essential, if we want to raise any fees or tax, that the people should have sufficient notice about the Government proposal so that they can make necessary representation on such proposal. Secondly, if we do raise something it is always proper to tell

about it very clearly and directly, not only from the point of social ethics but also from the point of view of law.

We all know, Sir, that though direct taxation is sometimes more unpopular and though objection to it is sometimes vociferous, yet direct taxation is a better thing from the popular point of view than indirect taxation because in direct taxation people know what is coming and they become prepared for it. But in the present context of our social understanding and educational level, it is very difficult for the common mass people to understand the implications of an indirect tax or a tax which goes with a big mask.

Now, Sir, let us examine this question from the facts and figures as given in the Bill itself. Let me cite only a few illustrations. We find, for example, in clause 2, Amendment of Schedule I, Article I, it has been sought to make the fee 50 N.P. where the amount does not exceed Rs.100. It is stated, "When the amount or value of the subject-matter in dispute does not exceed one hundred rupees, for every five rupees, or part thereof, of such amount or value", the fees will be 50 N.P. Let us examine what was the corresponding fee in the previous Act as amended up-to-date. It was six annas. Does it require much knowledge of mathematics, Sir, to see that 50 N.P. makes not six annas but eight annas? So, here in the name of transforming the old system of coinage into the decimal system, in place of six annas the fees have been raised to eight annas. Is not it, therefore, a very important measure? When a fee or a tax is raised at the rate of 33.3 per cent should there not be sufficient time for the people to ventilate their opinion? Up till now the procedure followed in this House was that whenever any important Bill was sought to be brought by Government, it used to be published in the Gazette quite ahead of time, and the Gazette being the most authentic public document the entire people were expected to know what Government proposal was and they could, through their elected representatives, give the necessary briefing as to what attitude they should take in the matter. It is no doubt true that we here are elected representatives of the people, but that democracy is not an ideal democracy, that functioning is not the most democratic functioning, when people have got sovereignty only for five minutes in five years just at the time of casting votes. So, even in this system of representative Government, where people rule indirectly through their representatives, efforts are made for closer and more intensive contact with the people by the representatives of the people. I beg in this connection also to hold that in these matters, in particular, rather

the Greek view of democracy was more ideal or the democratic institutions of our tribal brethren in the hills is much more democratic than the much vaunted democracy of ours to-day because the levy of not even a single Naye Paise could be brought without the entire tribal people being consulted. As we have got no such provision in our Constitution for a referendum or initiative, though there are such provisions even in some of the bourgeois Constitutions like the Constitution of Switzerland, yet when our Government was following the procedure of publishing the Bill quite ahead of time in the Gazette, the people could to a certain extent assert their democratic right in the matter. But very unfortunately, this time this Bill has come only the other day. So, we could not refer it to our constituents, nor the constituents did get an opportunity to study the Government proposals. Now, it is not only with regard to those who would be instituting suits upto the limit of Rs.100, but also in respect of suits exceeding the value of Rs.100 that the rates of levy have been revised. We find that when the value exceed Rs.100 but does not exceed Rs.150, previously the fee was Rs.1-10-0 and now it has been made Rs. 1-75 N.P., i. e., Rs.1-12-0. When the value exceed one hundred and fifty rupees but does not exceed one thousand rupees, previously the rate was only Rs.1-2-0, but now it is proposed to be made Rs.1-20 N.P. Here also there is a rise. Now, I should also like to refer to *ad valorem* fees in the Schedule. We find that where previously for the value upto Rs.5 it was six annas, in its place it is 50 N.P. i. e., 8 annas; upto Rs.10, previously where it was 12 annas now it has been made one rupee; upto Rs.15, where it was Rs.1-2-0 it is made Rs.1-50 N.P., i. e., Rs.1-8-0; where upto Rs.20 it was Rs.1-8-0, it has been made Rs.2. I need not go to further details; I am only giving these illustrations. On the contrary, if we go to the last part of the Schedule, what do we see? Where the value would be, say, upto Rs.2,05,000, previously where it was Rs.3,261-14-0, in its place it has been made Rs.3,270-75 N.P. That is to say, where the amount is Rs.2,05,000 the increase has been only by nine rupees. In terms of percentage what does it come to? For the poor people, those who come with suits of only Rs.5, Rs.10, Rs.100, Rs.500 and so on, the increase has been 33-3 per cent. So far as the poor and lower middle classes are concerned, the increase has been 33-3 per cent and in the case of bourgeois who generally come in for suits for lakhs of rupees the increase has been -27 per cent only. In the case of richer section of the people we only see that 'the blood is thicker than water'. But when we speak of the masses, for whom we shed our tears, in their case we increase the rate of tax up to 33-3 per cent

and in the case of 'Lakhpatis' we have increased it only up to 27 per cent. This is our democracy ! In the Constitution there is a sacred thing. In the very Preamble of the Constitution, it has been stated that we pledge ourselves for justice, we pledge ourselves for equal amount of security and justice—social, economic and political. Why should justice be so very costly for poor people? If poor people have to get redress in the courts of law, the price of justice becomes so very heavy on them that they cannot pay for it. So it is only proper that justice is meted out to our poor people according to the Preamble of the Constitution, and then only it becomes real democracy. In the very Preamble of the Constitution, it has been stated that justice, freedom, equality and fraternity are the four pillars on which stands our Constitution. So, if we want to keep these four pillars strong and stronger then the thing which we should do is that justice is made free or at least easily accessible to the poor people.

When people live in society, there is bound to come some amount of litigation. As there is private property in our society there will be civil suits and that is bound to come. Because there are suits, because people have to come to the courts, they are made to pay heavily for it. If that is the attitude of the Government then the Government itself is responsible for keeping a society which creates litigants. So long as there is capitalism, and so long as there is private-ownership there is bound to be litigants and civil suits. We ourselves are not only keeping private property but also we allow to keep the means of productive and instruments of production in the hands of the bourgeois and if thereafter we sneer at the people and make them pay in a degree that the poor people cannot bear. With this attitude we shall not prove ourselves true to our profession, however strong and stubborn we might be. It is therefore an insult to the Constitution itself when without proper notice to the people Government has come forward with such proposals. Of course, I quite realise that in a State where we are making efforts for reconstruction of a social welfare State money is also necessary. If we oppose wherever some increase in the rate of taxation is proposed by Government, it will not be commensurate with the reconstruction of social welfare State. If there be any increase in the rate of taxation proposals, my submission is that let it be more on the people who can pay more and let them bear the burden of taxation who are strong enough to bear it. Taxation must be equitable, it must be on the basis of the capacity of the people to pay. For example, a man who comes with a suit for lakhs of rupees, it could be easily understood that he has got the capacity

to pay. So, if there be any increase in the rate of tax, in the other way, the poorer section of the people should pay 27 per cent and the richer section should pay 33·3 per cent, then I could have understood it. But our clock of democracy moves in the other way round. I, for one, believe more in deeds than in words.

Some people might doubt whether this is a question for eliciting public opinion or whether it might take time. Or some one may like even to say that it may be a dilatory step and that there is no necessity for circulating the Bill for eliciting public opinion. But Sir, after having considered the matter carefully, I could only say that it should be circulated for eliciting public opinion or public re-actions which is very essential, and at the same time, that the measure should be passed within this Assembly Session itself. Now, this Session of the Assembly will sit up to 1st May, 1958, and therefore there is sufficient time for eliciting public opinion which could be done within 15th of April, so that after receiving the public opinion this august House may consider the matter and place necessary amendments and then the Government may come with a proper amending Bill which might be passed during the present Session of this Assembly. I know for publicity a little time will be required. But I want to be helpful to the Government and I want that Government should pass such a Bill and at the same time I want that the Government should be responsive to public opinion and so in order to make the two ends meet I have proposed this. I hope and trust that the Government will take steps for eliciting public opinion on the Bill within the time which I have mentioned earlier. I hope the Government will consider the observations that I have made and will not hesitate to accept my Motion.

Mr. SPEAKER : The amendment moved is that the Assam Court Fees (Amendment) Bill, 1958, be circulated for the purpose of eliciting public opinion thereon before the 15th April, 1958.

Shri JAHNUDDIN AHMED (Bilasipara) : Mr. Speaker, Sir, I rise to support the Motion moved by my Friend Mr. Bhattacharyya. Sir, in supporting this Motion for circulation for public opinion of the Assam Court Fees (Amendment) Bill, 1958, I feel Sir, that the public at large should be consulted in this matter. As my Friend has already said that the public may give their opinion within the 15th of April next and after that we are sitting for another 15 or 16 days, this Bill can

be passed in this Session and just to obtain public opinion in this matter the time is not so very short. I think the Bar Libraries in the districts will be able to give their opinion in this short time also. As you know, Sir, the Bar Libraries in the districts and subdivisions represent the public at large and if we get the opinions of the Bar Libraries and also some public men it will be really a good thing for Government to have their opinion and then after due consideration of these opinions, we can pass the Bill within this Session of the Assembly. Therefore I would like to request Government to accept the Motion which has been moved by my Friend, Mr. Bhattacharyya.

With these few words, Sir, I support the Motion of my Friend, Mr. Bhattacharyya.

Shri TARUN SEN DEKA (Narbari West): Mr. Speaker, Sir, in explaining the objects and reasons of this Amendment Bill, in the note the Minister-in-charge, has rightly mentioned one thing and this is this:—"to refix the existing values of Court Fees in terms of decimal system of coinage..." I welcome this because introduction of decimal system of coinage is necessary. The other part of this amendment on which many of our hon. Friends have dealt with, is, regarding the proportion of increment of fees. I object to it, because in filing plaints, making written statement, etc., in the table shown here in the schedule is when the amount Rs. 95 but does not exceed Rs. 100, the fees will be Rs. 10 ; but according to the old Act it was Rs. 8-2-0 as. So the increment in the case of Rs. 95 to Rs. 100 is Re. 1-14-0 as from Rs. 100 to Rs. 110 in the new schedule it is shown as Rs. 11-75 np. and in the old Act it was Rs. 9-12-0 as. It exceeds by about Rs. 2. And also in the new schedule it is shown that when the amount is Rs. 1 lakh but does not exceed Rs. 1 lakh and 5 thousand, the fees to be paid is Rs. 2,520-75 np, but according to the old Act it is Rs. 2,511-14-0. So the increment which has been shown for bigger amounts is not proportionate, it is much less. So it is quite evident that it will bring a great hardship to the common people who generally go to Court for small cases of only one hundred or two hundred rupees or even of twenty or twenty-five rupees, while the rich people whose transactions involve lakhs and lakhs of rupees, they are rather given scope to pay less. From this it is clear that this amendment has brought something drastic in the change regarding the proportion of increment of fees to cases of low amounts and it will generally cause great hardship to the poor litigant public. So the Motion moved by my Friend, Shri Bhattacharyya that

the Bill should be circulated for eliciting public opinion is a sound one and I also support it because I feel that if without getting the favourable opinion from the common masses the amendment is passed it will be undemocratic and improper. I also feel as humble lawyer that the existing court fee which is scheduled in the original Act is really not low in view of present economic hardship of the common man. The original court fee cannot be paid in many cases by the common people and for that they cannot come to the Courts.

With these words, Sir, I support the Motion moved by my Friend, Shri Bhattacharyya.

Shri HIRALAL PATWARY (Panery) : অধ্যক্ষ মহোদয়, মাননীয় শ্রীযুত গোবীন্দৰ ভট্টাচাৰ্য্য ডাঙৰীয়াই যিটো সংশোধনী প্ৰস্তাৱ উত্থাপন কৰিছে মই তাক সমৰ্থন কৰি কেই আঘাবমান কথা উলুকাইব খুজিছোঁ।

আমাৰ ৰাষ্ট্ৰীয় নেতা সকলৰ বৰ্ত্তমান নীতি হৈছে সমাজবাদী শাসন গ্ৰহণ কৰা আৰু এখন মঙ্গলময় ৰাষ্ট্ৰ স্থাপন কৰা। যদি সেয়ে হয় তেন্তে মই ভাবোঁ যে এই বিলখন সৰ্বসাধাৰণৰ মত সংগ্ৰহৰ অৰ্থে পঠোৱা উচিত। কাৰণ ইয়াত দেখিবলৈ পাইছোঁ যে ৫০, ১০০, ১৪০ টকা এনেধৰণৰ মোকদ্দমাও আদালতত কৰিব লাগে। যদিহে সমাজবাদী ৰাষ্ট্ৰ গঠন কৰিবলগীয়া হয় তেনেহলে অলপ টকাৰ কাৰণে আদালতলৈ যোৱা কিমান যুক্তি সঙ্গত হ'ব মই ভাপি পোৱা নাই। মই বিবেচনা কৰোঁ যে চৰকাৰে যিবিলাক পঞ্চায়ত অনুস্থান গঠন কৰিছে তাৰ জৰিয়তে হাজাৰ টকাৰ কমৰ মোকদ্দমা বিলাকৰ বিচাৰ হ'ব লাগে। তেতিয়াহলে বহুতখিনি খৰচ বাচি যাব; কিয়নো ইয়াত কোৰ্ট ফি দিব নালাগে। বহুত ক্ষেত্ৰত দেখা গৈছে যে দুখীয়া মানুহে মোকদ্দমা কৰি ধনীৰ পৰা টকা আদায় কৰিবলৈ অপাৰগ হয়, কিন্তু ধনী মানুহে দুখীয়াৰ ওপৰত মোকদ্দমা কৰি টকা আদায় কৰিবলৈ বাধ্য কৰে। এইটো সঁচা কথা। গতিকে মই ভাবোঁ যদিহে টকা আদায় কৰিবলৈ বাধ্য কৰে। এইটো সঁচা কথা। গতিকে মই ভাবোঁ যদিহে চৰকাৰে দুখীয়া মানুহ বিলাকক ওপৰলৈ আনিবলৈ বিচাৰিছে আৰু ওপৰৰ শ্ৰেণীৰ মানুহক অলপ তললৈ আনি এখন সমাজবাদী ৰাষ্ট্ৰ স্থাপন কৰিবলৈ বিচাৰিছে, তেনেহলে আমাৰ প্ৰত্যেক দৃষ্টিভঙ্গি এনেকুৱা ধৰণৰ হ'ব লাগিব যাতে দুখীয়া মানুহক সদায় প্ৰত্যক্ষ বা পৰোক্ষ ভাবে সাহায্য কৰিব পৰা যায়। আনি দেখিবলৈ পাইছাঁ যে দুখীয়া গাৱলীয়া মানুহে আদালতলৈ আহিলে feeৰ তো কথাই নাই, তেওঁবিলাকৰ অহাযোৱা কৰোঁতে যি কষ্ট হয়, টাউনত ২/৩ দিন যেনেকৈ থাকিব লগীয়া হয়, আৰু উকিল মহৰী ধৰিবলগীয়া হয়, তাত মাননীয় Finance Ministerৰ ভাষাত কবলৈ গলে কেবেলাতকৈ গুটি ডাঙৰ হৈ যায়। গতিকে টকা পোৱা দূৰৰ কথা, তেওঁবিলাকে নিজৰ গাঠিৰ ধন উলিয়াবলৈহে বাধ্য হয়। সেই কাৰণে মই এই সংশোধনী প্ৰস্তাৱটো সমৰ্থন কৰিছোঁ যাতে এই বিলখন সৰ্বসাধাৰণৰ মত সংগ্ৰহৰ অৰ্থে পঠোৱা হয় আৰু সৰ্বসাধাৰণৰ মত গ্ৰহণ কৰাৰ পিচতহে বিলখন গ্ৰহণ কৰা হয়। এয়ে মোৰ মত।

***Shri DEBESWAR SARMAH (Finance Minister) :** Mr. Speaker, Sir, I am sorry to have to oppose the Motion for eliciting public opinion, because it does not involve such principle which affects the masses of the people or the average population of the State. Now, there can be reason for circulation of Bill for public opinion when the Bill involves some financial principles, some customary laws, some social enactments and such other things. But the present Bill in question

is particularly meant for rounding up some amount in terms of Naya Paise. Sir, I am sorry that my Friend, Shri Bhattacharyya, did not give the whole truth to the House. He simply wanted to build up his arguments in such way that the Bill go to give relief only to the rich and all such sort of things without trying to know the truth of the matter.
(Interruptions).

I am sorry that Shri Bhattacharyya has not given the truth to the House but he has given an illustration that in Schedule I Article A—upto rupees one hundred we had increased it by 33 1/3 per cent. Sir, I am sorry that my Friend has perhaps delivered his speech inadvertently and without reason. He has failed to see that in the old Bill itself there are two slabs—when the amount or value of the subject matter in dispute does not exceed rupees seventy-five, for every five rupees or part thereof, the amount of fee is annas 6. Now let us see the other part of schedule—when such amount or value exceeds seventy-five rupees for every five rupees or part thereof, upto one hundred rupees, the amount of fee is annas 8. So the second part of the slab does not discord at all. Only in the first portion there has been some disturbance in increment. So the danger that one hundred rupees has been increased by 33 1/3 per cent is not there.

***Shri GAURISANKAR BHATTACHARYYA (Gauhati):**
Mr. Speaker, Sir, I want to make my personal explanation because it appears the Minister has misunderstood me.....
(The Minister did not give way).

***Shri DEBESWAR SARMAH (Finance Minister):**
Similarly* Sir, it has been said by him as well as by others that we are taking less from the people who are affected by the higher slab and more on those who are included in the lower slab, that is not correct. No one has been given concession and no concession has been made. My Friend was reading from the preamble of the Constitution and, therefore, he has placed his arguments as such, but we are here not for distribution of other people's property. We feel that justice should be done to all alike. Sir, the real fact is that our Friends over-looked the notice that was issued from Assembly Secretariat regarding amendments. They completely forgot it. Not a single amendments have been tabled. Now finding that it is 10 'O clock, some one has gone to the court for the sake of the common men and others have.....

*Speech not corrected.

***Shri GAURISANKAR BHATTACHARYYA (Gauhati):** Sir, when the rules provide for what I have done here, the Minister should not insult the House in this way.

***Mr. SPEAKER:** Under rules 73, the hon. Member has the right to move the amendment at this stage, provided it relates to referring it to Select Committee or for eliciting public opinion.

***Shri DEBESWAR SARMAH (Finance Minister):** My submission to the Chair is that the redoubtable champion of the common man slept over the question of putting any amendments.

***Shri GAURISANKAR BHATTACHARYYA :** I take exception to his remark.

***Mr. SPEAKER:** I do not think we need go into this at all. Let us discuss the main question. His amendment is in order.

***Shri DEBESWAR SARMAH:** I am developing my point, Sir. It is not what it should be in such a Bill. If it is a question of two annas in place of three annas the amendments are proper, but wherein other principles are involved and the average people are concerned it may be referred for eliciting public opinion. But in such Bills which come almost frequently to fix the limit whether it should be 50 Naya Paise or it should be 45 Naya Paise, I think this is mainly a dilatory tactics which.....

***Shri NILMONEY BORTHAKUR (Dibrugarh):** Sir, the Minister has made an insinuating statement which amounts to breach of privilege. His statement that the Member slept over his duty is an insinuation which is a breach of privilege.

***Shri GAURISANKAR BHATTACHARYYA (Gauhati):** This may be referred to the Committee of Privileges, Sir.

***Mr. SPEAKER:** It is not for me here to decide whether it is a breach of privilege. But any involvement of personal attack in addition to creating bad blood, leads to the wastage of the valuable time of the House which can be judged in terms of Naya Paise. Therefore, I suggest that in discussion we should keep steer clear of all personal remarks

or insinuation which not only creates ill-will but also destroys good-will without which the proper and objective discussion is not possible. This also sets bad example.

Has the Hon'ble Minister made his observations ?

***Shri DEBESWAR SARMAH (Minister, Finance):**
Yes, Sir.

***Shri GAURISANKAR BHATTACHARYA (Gauhati):**
On an personal explanation, Sir, I preferred the motion for eliciting public opinion, because we felt this a fundamental matter of principle where the common people has been taxed 33·3 per cent. This is why instead of coming by amendments to the clause, I came by a motion on the consideration itself which is within the rules framed by this House. So I think the Finance Minister will not please misunderstand me and make this sort of insinuation.

***Mr. SPEAKER:** I shall put the amendment before the House. The question is the Assam Court Fees (Amendment) Bill, 1958 be circulated for eliciting public opinion thereon before the 15th of April 1958.

(The House divided)

AYES—9

- | | |
|------------------------------------|--------------------------------|
| 1. Shri Birendra Kumar Das | 5. Maulavi Jahan Uddin Ahmed |
| 2. Shri Gaurisankar Bhattacharyya. | 6. U Jor Manik Siem of Myliem. |
| 3. Shri Ghanasyam Talukdar | 7. Nilmoney Borthakur |
| 4. Shri Hiralal Patwary | 8. Dr. Srihari Das |
| | 9. Maulavi Tajuddin Ahmed |

*Speech not corrected.

NOES—44

- | | |
|------------------------------------------|---------------------------------|
| 1. Shri Siddhi Nath Sarma. | 24 Shri Lalit Kumar Daley |
| 2. Shri Moti Ram Bora. | 25. Pu Lalmawia. |
| 3. Shri Rup Nath Brahma. | 26. Shri Lila Kanta Borah |
| 4. Shri Debeswar Sarmah. | 27. Shrimati Lily Sen Gupta. |
| 5. Shri Kamakhya Prasad Tripathy. | 28. Shri Mahadev Das |
| 6. Shri Mohi Kanta Das. | 29. Shri Mahammad Idris. |
| 7. Shri Girindra Nath Gogoi. | 30. Shri Manik Chandra Das |
| 8. Mrs. Ushra Borthakur. | 31. Shri Mohidhar Pegoo. |
| 9. Dr Ghanashyam Das. | 32. Shri Molia Tati |
| 10. Shri Indreswar Khound | 33. Shri Narendra Nath Sarma. |
| 11. Shri Baikuntha Nath Das. | 34. Maulavi Nurul Islam |
| 12. Shri Bhuban Chandra Pradhani. | 35. Shri Omeo Kumar Das. |
| 13. Shri Bishnu Lal Upadhyaya. | 36. Maulavi Rahimuddin Ahmed. |
| 14. Shri Biswadev Sarma | 37. Shri Rajendra Nath Barua. |
| 15. Shri C. Thuamluaia. | 38. Shri Ram Nath Das |
| 16. Shri Devendra Nath Hazarika | 39. Shri Ramnath Sarma. |
| 17. Shri Dhirsingh Deuri. | 40. Shri Sarat Chandra Goswami |
| 18. Shri Fakhruddin Ali Ahmed | 41. Shri Surendra Nath Das. |
| 19. Shri Joga Kanta Barua. | 42. Shri Tamijuddin Prodhani |
| 20. Shri Kamala Prasad Agarwala | 43. Shri Tankeswar Chetia. |
| 21. Shri Karka Chandra Doley. | 44. Capt. Williamson A. Sangma. |
| 22. Maulavi Kobad Hussain Ahmed. | |
| 23. Prof. (Shrimati) Komol Kumari Barua. | |

Maulvi JAHANUDDIN AHMED (Balasipara) : Mr. Speaker, Sir, in the Lounge room we cannot hear the ringing of the bell, so it puts us in great inconvenience to come to the House when the Division Bell rings. This time I was in the Lounge room ; I did not hear the Bell ringing. Some other persons had to inform me that the Division Bell has rung and so I have run to come into the House.

Mr. SPEAKER: I shall get it checked up and get it rectified.

The result of the division is:

Ayes 9 : Noes 44.

So the amendment is lost.

Now the question is that the Assam Court-Fees (Amendment) Bill, 1958, be taken into consideration.

(The Motion was adopted.)

Shri DEBESWAR SARMAH (Minister, Finance) : Mr. Speaker, Sir, I beg to move that the Assam Court-Fees (Amendment) Bill, 1958, be passed.

Shri NILMONEY BORTHAKUR (Dibrugarh) : Mr. Speaker, Sir, the aim of this Bill is to refix the existing values of court-fees in terms of decimal system of coinage and also to increase the rates of court-fees in some cases with a view to augmenting the revenues of the State. In a welfare State like ours the object of the Government is to give help and relief to the poorer section of the people so that they can press their claims in the court of law and get justice. But here we find that instead of making justice free it has been made more costly. In a welfare State we find that the incidence of taxation on the richer section of the people is being lessened.

Mr. SPEAKER : The hon. Member may not discuss the contents of the Bill because we are in the final stage of it.

Shri NILMONEY BORTHAKUR : What I want to emphasise is about the proposed enhancement of court-fees in some cases, and if that is done then the people of lower income group will have to bear an additional burden of taxation. Through the introduction of decimal system of coinage we are going to be given an additional advantage of making our calculations easier so that we can reduce our calculation difficulties to a great extent. But here the decimal system is introduced in a manner to enhance the taxation of the people, and it will hit the people, particularly the poor section of the people hardest ; and that too in a welfare State.

Therefore, Sir, I oppose the passing of this Bill.

Shri GAURISANKAR BHATTACHARYYA (Gauhati):

Sir, may I add something at this last stage to place a request before the Government with regard to this Bill?

Of course my Motion has been lost and from the analysis of the voting it is quite clear that the Bill will be passed in this House. However, I want to state before passing of this Bill what we saw in actual practice. For example, there is a system of affixing 12 annas worth of court-fee stamps on petitions or applications for certain matters. But for months together at least in the Gauhati Courts we have not got 12 annas worth of court-fee stamps. So, in place of this the public had to fix 1 rupee court-fee stamps. In asking for copies court-fee stamps of 4 annas denomination are to be fixed, but they were not available.

Mr. SPEAKER: I quite appreciate the anxiety of the hon. Member. But in this particular case we are in the third reading of the Bill where expression of the grievances of the public would not be quite relevant and possibly useful.

Shri GAURISANKAR BHATTACHARYYA : My point is that when there will be no longer 12 annas or 4 annas court-fee stamps, Government should see that not only in the Bill there should be some provision for court-fee stamps of the worth of 75 Naye Paise and 25 Naye Paise but they should actually be produced so that the people can purchase them. It is not only at Gauhati but in other places as well that court-fees of such lower denomination are not made available to the general public in sufficient quantities. So, it is to be seen that for want of such stamps of lower denomination people are not forced to purchase stamps of higher denomination and let there be no back-door policy to keep the market dry. Government will please see that such things are not encouraged.

***Shri DEBESWAR SARMAH (Finance Minister):** Sir, for want of Court-fees stamps of lower denomination sometimes there may be some difficulties and inconvenience which the litigant people and some others have to feel for which I am very sorry. We will, however, look into this matter.

The other point raised by Shri Borthakur is that the people of lower income group will be affected. I want to point out categorically that it does not affect the low-income group or the poorer section of the people as such. It affects only those people who take recourse to law courts, and happily

their number in our State is not very great. Moreover, looked at from the practical point of view, whether the court fee for a suit of, say, Rs.100 is Re.1-12-0 or Rs.2, the expenditure for the unfortunate litigant comes almost to same thing. I hope I will not be far incorrect if I say that there are few lawyers who would like to work at 5 per cent or $2\frac{1}{2}$ per cent in suits involving round about Rs.100 or Rs.200. So, in the ultimate analysis this Act will not materially affect. On the other hand, this State, which is very hard of finance due to inelasticity of our resources, will in all get about 3 lakhs of rupees and that without hitting any big sections of the people. So, I trust there should be no misgiving in any section of the House as to the effect on the people. It will be almost negligible ; perhaps one would not feel any difference whether it is 37 Naye Paise or 50 Naye Paise. Because other avenues of expenditure are mounting up they would see that their expenditure remains the same. So, I submit that in respect of this Bill the hon. Members may rest assured that it is not the intention of Government to hit any sections of the people.

Mr. SPEAKER : The question is that the Assam Court Fees (Amendment) Bill, 1958, be passed.

(The Motion was adopted.)

The Assam Stamp (Amendment) Bill, 1958

***Shri DEBESWAR SARMAH :** Mr. Speaker, Sir, I beg to move that the Assam Stamp (Amendment) Bill, 1958, be taken into consideration.

I may inform the hon. Members that in view of the Government of India's decision to print stamps in new denominations of 5 Naye Paise and multiples thereof with effect from 1st April 1958, it has become imperative on the part of the State Government to amend the existing rates of stamp duty for instruments in the State List to suit the new denominations. In one or two instances there are very slight increases, such as in place of 28 Naye Paise it has been made 30 Naye Paise ; in place of 19 Naye Paise it has been made 20 Naye Paise and like this. Only in one place, in case of drawn suits in 3 parts, the fee has been increased from 9 Naye Paise to 15 Naye Paise.

Mr. SPEAKER : Motion moved is that the Assam Stamp (Amendment) Bill, 1958, be taken into consideration.

*Speech not corrected.

Shri GAURISANKAR BHATTACHARYYA (Gauhati) : Mr. Speaker, Sir, I beg to move that the Assam Stamp (Amendment) Bill, 1958, be circulated for the purpose of eliciting public opinion thereon before 15th April 1958.

Sir, in this case the position is much simpler. In the Court-fees (Amendment) Bill, it was stated in the printed Statement of Objects and Reasons that the purpose of the Government was not only to refix the values in terms of decimal coinage, but also to increase the rates of court-fees. But in the present case, it appears from the printed Statement of Objects and Reasons that the Government has got only one purpose, a very honest purpose, a very true purpose, true to 'Satyameva Jayate. Here, we find that the purpose is only to introduce the decimal system of coinage. Of course, now in the speech of the Finance Minister he has admitted that there might be some variations here and there, some slight increase.....

Shri DEBESWAR SARMAH (Finance Minister) : In rounding up.

Shri GAURISANKAR BHATTACHARYYA: Yes, in rounding up. Let us see what sort of rounding up this is and how true the Government is to the printed Statement of Objects and Reasons ! When the amount of the suit does not exceed Rs.200, if drawn singly, the previous fee was four annas six pies ; in its place it has been made 30 N.p. 25 N.p. makes four annas ; that means for half anna five N.p. will be charged. And we know six N.p. make an anna. So, instead of this being fixed at 25 N.p., instead of Government giving up one N.p., Government think just by way of adjustment to take from the pocket of the poorest man 5 N.p. And it will be only a rounding up of figure! Instead of this, the poor Government giving up one N.p. it is better to take from the poorest of the poor 5 N.p. ! This is the kind of rounding up, Sir ! Then, if drawn in sets of three, in each part the previous charge was one anna six pies. Now, it has been made 15 N.p. though we know that 12 N.p. make two annas. Could not the rounding up be at 10 N.p. at least ? Even this would have exceeded one and half anna. If rounding up was the aim, then when 10 N.p. make more than one anna six pies, why instead of 10 it has become 15 N. p. ? Here the rounding up is at double-quick speed ! Sir, simple things should be stated in a simple manner. Government should have said that it was not simple rounding up, but that it wanted some thing more, in the name of rounding up it wanted to get something out of the poor man's pocket and bring it to the Stateg

exchequer. We should call a spade a spade. Sir, we are pledged to truth ; we have made 'Satyameva Jayate' our motto. This should not simply be a pious expression but should be observed in practice. When Government are in need of money and want to take it from the poor man, let the people know that they are paying ; let them know that the Government have come with proposals for increased taxation ; let them know it. Then in the subsequent list also, we find where it was nine annas previously, it has been made 60 N.p. ; the amount of four annas six pies has been made 30 N.p. ; the amount of three annas has been made 20 N.p. Is there any instance to show that in rounding up, a single Naye Paise has been given up ? On the contrary, not only 100 per cent increase in the name of rounding up has been made, but something more has been taken. So, I say, Sir, that this is not a simple rounding up and it is not proper when even the printed Statement of Objects and Reasons says that it is simply a question of rounding up. I need not go to old Greece to show that it is not democratic, nor should I ask any body to go to Franco's Facist Spain for inspiration.

I need not say that every-body gets inspiration from wherever he seeks—some from old Greece or India, some from Franco's Facist regime and from America. But the point here is that in our poor State things are not done as they appear to have been done and this is my complaint in this case. I cannot agree to this principle. This is not a question of bringing in amendments to a particular clause of an otherwise good proposal ; but the question is that the basis of the very principle is not representing the facts in a proper manner and proper way by the Government.

Mr. SPEAKER : The amendment moved is [that the Assam Stamp (Amendment) Bill, 1958, be circulated for the purpose of eliciting public opinion thereon before 15th April, 1958.

Shri DEBESWAR SARMAH (Minister, Finance) : Mr. Speaker, Sir, in spite of my best efforts, I have failed to see how our motto "Satyameva Jayate" is affected. I think there is no flaw in Arithmetic. There is a ceiling which we have rounded up only. But the complaint is that—"Why did you not round it down ?" Sir, the matter stands on a different footing. For example, if it is 11 N.p. why did we raise it to 15 N.p. I plead guilty having rounded up in that way. But if something regarding ceiling is concerned I believe my announcement is similarly correct when there is the question of

development of the State and when there are demands for assistance to educational institutions and for construction of roads and bridges and all that sort of thing. We are all for implementation of these demands. If this little trimming and a little round up fetch a little amount of money in this case, I don't think it will fetch more than Rs.15,000 altogether, to the State coffer. If my hon. Friend grumbles and quarrels for that, I do not know what to say. So I trust that the hon. Mover of the Motion will be graciously pleased to see to the real state of affairs and withdraw the Motion.

Shri GAURISANKAR BHATTACHARYYA (Gauhati) : Sir, after hearing what the Hon'ble Finance Minister has said, I would like to withdraw the Motion with the leave of the House.

(The motion was, by leave of the House, withdrawn.)

Mr. SPEAKER : The question is that the Assam Stamp (Amendment) Bill, 1958, be taken into consideration.

(The Motion was adopted.)

Shri DEBESWAR SARMAH (Minister, Finance) : Mr. Speaker, Sir, I beg to move that the Assam Stamp (Amendment) Bill, 1958, be passed.

Shri GAURISANKAR BHATTACHARYYA : Mr. Speaker, Sir, with regard to the Stamp also in the past we have found some difficulty specially at Gauhati.

(4 voice : Everywhere)

Sir, one of my hon. Friends says the difficulty has been experienced everywhere, particularly after the establishment of the State Bank's Branch in Gauhati. The Treasury at Gauhati remains with the Court. It is only on two days in a week that stamps are issued. So far as the villagers who come from interior villages are concerned, they are not expected to know that it is only on two days in a week that stamped papers are available. For example, if the stamps are made available only on Wednesday and Friday in a week and if a man has business at Gauhati on Monday and wants to get stamps which are required for affixing on certain deeds then

he will have to wait till next Wednesday or Friday. So Government should see that these difficulties are removed and the stamps are available to the public on all week days.

Secondly, in this case also, at the time of giving license to the vendors by Government they should see whether the vendors could keep sufficient quantity of stamps. When there are different denomination of stamps, it is not possible for those poor vendors to keep them in stock, the result has been that the vendors do not keep stamps of different denominations which are required by the public. So instead of leaving the stamps to be sold by commissioned vendors, Government should see that the selling of stamps should be entrusted to some clerks who can sell on week days. When there is a provision the stamps should be supplied on all week days. I hope the Government will look into the matter.

Shri DEBESWAR SARMAH (Finance Minister): Sir, I think what Shri Gaurisankar Bhattacharyya has stated is perfectly correct that the public are not supplied with different denominations of stamps by the vendors. We are thankful to Shri Bhattacharyya in this respect. Government will take necessary steps to see that stamps are available. We have also some amount of difficulty when we have to requisition the stamps from the Nasik Security Press. We will see what could be done in this respect.

Mr. SPEAKER: The question is that the Assam Stamp (Amendment) Bill, 1958, be passed.

(The Motion was adopted.)

Adjournment

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

After Lunch

(With the Deputy Speaker in the Chair.)

The Assam (Sales of Petroleum and petrolgum Products including Motor Spirit and Lubricants) Taxation (Amendment) Bill, 1958

Shri DEBESWAR SARMAH (Finance Minister): Mr. Deputy Speaker, Sir, I beg to move that the Assam (Sales of Petroleum and Petroleum Products including Motor Spirit and Lubricants) Taxation (Amendment) Bill, 1958, be taken into consideration.

Sir, this is a very simple piece of legislation. It only ensures that frivolous appeals with a view to take time for payment of the assessed amount must not be taken. Sir, as the law stands at present, if an assessee simply files an appeal, he will have to pay only what he admits to be the tax but not what he has been assessed of. So by this amendment if the appellant wants to appeal, he will be able to do so but will have to pay the assessed tax and in case he wins his case he will get rebate afterwards.

Mr. DEPUTY SPEAKER: I put the Question.

(The Motion was put as a Question from the Chair and was adopted).

Shri DEVESWAR SARMAH (Finance Minister): Mr. Deputy Speaker, Sir, I beg to move that the Assam (Sales of Petroleum and Petroleum Products including Motor Spirit and Lubricants) Taxation (Amendment) Bill, 1958, be passed.

Mr. DEPUTY SPEAKER: There is no amendment. So I put the Question.

(The Motion was put as a Question from the Chair and was adopted).

The Assam Amusements and Betting Tax (Amendment) Bill, 1958

Shri DEVESWAR SARMAH (Finance Minister): Sir, I beg to move that the Assam Amusements and Betting Tax (Amendment) Bill, 1958, be taken into consideration. There is an amendment in this regard.

Shri NILMONEY BORTAHKUR (Dibrugarh): Sir, I beg to move that the Assam Amusements and Betting Tax (Amendment) Bill, 1958, be referred to a Select Committee. Now, Sir, in the Statement of Objects and Reasons of this Bill it is stated that, under the existing provisions of Section 8(1)(a), the whole of the sale proceeds have to be devoted for charitable purposes without any charge for the takings, or expenses of the entertainments, in order to get the exemption. So it is difficult for amateur parties to get the exemption under this Section. Hence it is proposed to allow 25 per cent for expenses of the entertainment.

Mr. DEPUTY SPEAKER: In moving the Bill to be referred to a Select Committee, the hon. Member should also

mention the date by which the Select Committee should submit its report as also the names of the hon. Members he suggests to form that Committee.

Shri NILMONEY BORTHAKUR (Dibrugarh): The Select Committee will submit its report by the 15th April, 1958. The Committee shall consist of the Minister-in-charge of the Bill, Shri Gourisankar Bhattacharyya, M.L.A., Shri Biswadeb Sarma, M.L.A., Shri Nurul Islam, M. L. A., Shri Kamala Prasad Agarwalla, M. L. A. and the Mover. Now, Sir, in the principal Act exemption is provided also for entertainments of educational character. I am quoting the relevant Section. It is Section 8 (i) (b), "that the entertainment is of a wholly educational character (any question on that point to be determined in the case of difference by the Provincial Government in the Department of Education), etc." Also in (c) "that the entertainment is provided for partly educational or partly scientific purposes by a society not conducted or established for profit". In this case also the party or group who gives the entertainment is exempted from entertainment tax, but here in this Bill is provided that for charitable purposes, expenses are also to be taxed. So this is not in accord with the object of the Bill. That is why I suggest that the amendments proposed should be in keeping with the spirit of the Bill.

Then again, Sir, in clause 5 of the amending Bill which seeks to amend Section 4 of the principal Act, here, in the proviso it says—"Provided that the provisions of this Section shall not apply to the proprietors and the officers of the Government on duty". Here of course the definition of "proprietor" is given but the definition is such that it also includes manager, organiser and any person responsible for, or for the time being, in charge of the management thereof. In this case therefore, Sir, any person who is in charge of the entertainment at the time will be exempted from the operation of the relevant section. This means that exemption shall also be given to owners, managers and their deputies. I do not see the propriety of introducing this proviso. If the proprietors have to pay, the money goes to themselves, but the Government deserve amusement tax. So this provision which is sought to be inserted that deprive the State exchequer a certain amount of amusement tax. On the other hand, officers on Government duty, for example, if a police-man in uniform going to bazar, happens to be near a cinema hall, he gets free admission. This is vague. It must be specifically stated that a Government officer on duty mean

a Government officer deputed for a specific purpose, *i. e.*, one who is on duty in a show house or cinema hall etc., as adumbrated in this Act or any other Act that may be applicable. So this specification must be there, otherwise this will lead to corruption.

Then again, we find in clause 10 of this amending Bill "No Court shall take cognizance of any offence under this Act, or under the rules made thereunder except with the previous sanction of the Commissioner and, no Court inferior to a first class Magistrate shall try such offence". In one sense it is quite right that if the right of instituting cases under this Act is given to smaller fries mismanagement may follow in most cases. So the previous sanction of the Commissioner is sought to be obtained before instituting such cases. But on the other hand we find say, in the Sales Tax Act that Government have given this power of sanction to the district officers because they say that the Commissioner of Taxes is already overburdened. But in the present case Government do not consider the Commissioner to be overburdened and therefore the power of sanction is sought to be given to him. This is very anomalous and it would only mean that there would be inordinate delay in instituting the cases. Therefore, I think, that the new clause which is sought to be incorporated in the Bill requires modification. There are also other anomalies in the Bill and some of the wordings are not happy. I therefore recommend that this Bill be referred to a Select Committee which will give a report on this Bill along with their recommendations by the 15th of April, 1958.

Mr DEPUTY SPEAKER : The amendment moved is that the Assam Amusements and Betting Tax (Amendment) Bill, 1958 be referred to a Select Committee consisting of the following Members :—

- (1) The Minister-in-charge.
- (2) Shri Gaurisankar Bhattacharyya.
- (3) „ Biswadev Sarma.
- (4) „ Kamala Prasad Agarwalla.
- (5) „ Nurul Islam and

(6) The Mover (*i. e.*, Shri Nilmoney Borthakur.)

The Committee is to submit its report before the 15th April, 1958.

Shri GAURISANKAR BHATTACHARYYA (Gauhati) :
Mr. Deputy Speaker, Sir, in supporting the motion moved by my Friend Shri Borthakur, I beg to draw the attention of the House to three points. Two of these points we find in the Statement of Objects and Reasons, and as regards the third point, I do not know how far it will be actually fitted in this Bill. Let us first see paragraph 3 of the Statement of Objects and Reasons of this Bill. It has been said "In connection with various laws, officers of the Taxation, the Police as also some other Government departments have to secure admission for discharge of their duties and as such provision has been made for exempting them from securing admission only on tickets by payment of the tax". I think, by making this provision Government will give some Government officers and Police-men unbridled opportunity of enjoying cinema shows without paying anything. The number is not limited. If it would have been said that only one Police officer or an officer of such rank would be allowed to go, that would have been understandable. But when the number or rank is not specified by such a vague provision there will remain scope of misuse of this opportunity and instead of going for the purpose of only checking taxation there may not be wanting of instances in future when any and every such officer would take advantage of this provision and will be thronging the cinema houses. That will, apart from affecting the State revenue and the proprietor of the Cinema House also have an unsalutary repercussion on the public, because if these officers would like to see cinema shows under the existing circumstances they have to pay for the ticket and also along with the ticket for the amusement tax. Even if the proprietor for some reason or other gives a free pass, he has to pay the tax which is due to Government and in the matter of amusement tax there should be no discrimination between some sections of Government officers and the public in general. So, naturally, whoever wants to see a cinema shows, be he a Government officer, a Police man or a member of the public, he ought to pay to the Government exchequer in the form of amusement tax. But under the present provision the Government officers get the opportunity of evading the tax and that extent the State would lose. The amount may not be much, but apart from the monetary point of view there is

another aspect, *i. e.*, the social aspect. What will be the repurcussion or reaction of the general public? The reaction will be that these Government officers do not pay and that they are taking some special favour. But, Sir, there should be no special favour in a democratic State. There is scope of misuse of that provision. Hence, I think, that there should be a limit to the number of such officers and this can be done by a thorough examination by a Select Committee.

Secondly, it has been said in paragraph 4 of the Statement of Objects and Reasons—"Under the existing provisions of the Act, the Superintendents and the Inspectors of Taxes themselves of their own accord can launch prosecution for violation of the provisions of the Act and the rules made thereunder". Was it bad provision? Under this provision only an officer of the status of a Superintendent or an Inspector can launch such prosecutions when there is violation of the Act. Now, Government strangely enough proposes to divest those officers of this power. Has Government in its file numerous instances of misuse of this power given to these responsible officers? Has the number of false or frivolous prosecutions increased of late tremendously that the Government should think it proper to divest these Superintendents and Inspectors of the power of launching prosecution? And what is the alternative suggested? The alternative suggested is that there must be previous permission from the Commissioner before a prosecution is launched. Sir, shall I be off the mark, if I say that Government here is guided by their eagerness to shield their "class brothers." As we all know, the owners of cinema halls are not quite ordinary people having capital only of a few thousands of rupees, but in the modern society, in the present circumstances, to have a fairly big and good cinema hall, the owner of the hall must be able to invest more than a lakh of rupees, he must be a substantial man, a man of status. Government perhaps do not like to see that a man of such high status, a man who belongs to the class of "*lakh patis*", on whose "donations" the Party-in-power is so much dependent should not be allowed to be prosecuted either by the Inspector or the Superintendent. I am sure this amendment has been brought only for the purpose that the *lakhpati* cinema owners may have time to appeal, to come to Shillong to have interviews, contact the Ministers and departmental heads dealing with the matter of granting licence, etc.

Therefore, we find here that these rich cinema owners will have every opportunity to push up prosecutions all throughout. Government appears to be very much concerned about the rich cinema owners and so it appears to be one of the reasons for this change, this delegation of functions to the Commissioner divesting the Superintendents and Inspectors of the functions. In this connection, we may compare the statement of objects and reasons of another Bill which is going to be placed to-day before the House, namely, the Assam Taxation (On Goods Carried by Road or Inland Water-ways) (Amendment) Bill, 1958. There it is said that at present only the Commissioner can do it but now it has got to be changed. Sir, the above Bill reads "Under Section 25 of the Principal Act, no Court can take cognizance of any offence under this Act or under the rules made thereunder except with the previous sanction of the Commissioner. Now due to increase of works day by day as result of introduction of new taxation Acts, the Commissioner is over-burdened. So it is proposed to authorise to delegate his aforesaid functions to another person appointed under Section 6 to assist him". A large number of cinemas in the Mofussils and elsewhere are springing up and will be springing up. How is it possible for the Commissioner to look to all these things in all the districts and subdivisional headquarters and even in Mofussil areas? If the Commissioner is even now over-burdened, how will he with the works increasing every day cope with the situation? Or, is the Government of opinion that the Commissioner stands today only as a sinecure officer? There is another aspect of the matter. We all know that it takes a lot of time for a file to pass from one department to another and still more time is required for attending to the petitions from far away places, say from Hojai or elsewhere to reach the Commissioner; then in the Commissioner's office as the situation stands to-day, the matter will be pending in his office for sometime. After passing through the different stages of formality, even if sanction is granted ultimately, investigation and prosecution is bound to be delayed and ultimately justice becomes defeated because for persons of such financial capacity, those who can invest lakhs of rupees, who can manage to have witnesses or possible witnesses easily purchased, even administration of justice may become a purchasable commodity.

I am afraid, things will not be improved by the proposed change. Moreover, Sir, there are perhaps not many instances where Superintendents and Inspectors showed guts enough to carry out their duties satisfactorily under the existing circum-

stances. Even if the Superintendents or Inspectors may be smart enough to prosecute ordinary men, when he has to prosecute the big substantial persons, he will thank his stars if he can somehow or other escape himself from the unpleasant task of prosecuting the rich cinema owners. So, in this connection, there is perhaps, no fear that these officials would abuse the powers invested with them. Rather they will go on backing the rich persons who in turn will try to evade prosecution or punishment. Therefore, subject to correction, I am of the opinion that here the real purpose of the proposed change is to give a special privilege to the capitalists who own cinema houses.

Now, the third thing is that Government should give attention to the use of cinema houses as centres of audio-visual education and not as amusement centres only. I think, it is high time that we consider this industry not only from the taxation point of view but also consider it from moral point of view as well as from the public point of view. Government ought to have considered the matter from all other aspects also. It is very well known that cinemas play an important role in the society. At the same time, they can also play very dangerous and degrading roles as far as moral is concerned. We have seen that in most cases very nasty things are displayed by the cinema houses, very unpleasant posters of half naked and almost nude female pictures are displayed both inside and outside the cinema houses.

We have also seen that Hollywood type of pictures depicting and eulogising murder, decoity, arson, etc., are being shown in the cinema houses and these horrible things will surely ruin our juveniles. We shall be very glad if all these things are taken into consideration by the Government before this Bill is finally passed by this House. Sir, these observations are within the scope of the Bill and Government could have thought of providing suitable measures against all these degrading things, so that all these things may be discussed in details and concrete suggestions and improvement may be made. I think Government will do well to refer the Bill to a Select Committee.

Shri DEBSEWAR SARMAH (Finance Minister): Sir, this is a simple measure ; the amendment sought is simple and it is in the interest of the Government and others as will be seen from the statement of objects and reasons, which is as

follows—"Under the existing provisions of Section 8 (1) (a) the whole of the sale proceeds have to be devoted for charitable purposes without any charge for the takings for expenses of the entertainments, in order to get the exemption. So it is difficult for amateur parties to get the exemption under this Section. Hence it is proposed to allow 25 per cent for expenses of the entertainment; further the Cinema exhibitors are to pay Rs.2 per show in addition to the entertainment tax. There are some proprietors who are making very good profit from the Cinema business. It is therefore, proposed to raise this tax to 10 per cent of the amount received by the proprietor, or Rs.5 per show whichever is less."

These are reasonable things. We need not go to a Select Committee.

Now in connection with the Officers of the Taxation Department or Police or other Government Officer, I submit, Sir, even now I do not think any one of them purchase any tickets when they go to the cinemas or board a bus. So to prevent open violation of the law and when these officers are required to go on duty, provision has been made for exempting them from securing admission only on tickets by payment of the tax.

Sir, much has been said about the abuse of power as a result of withdrawal of delegation of powers for sanction from the Commissioner of Taxes. I suppose this is a very healthy provision. Of course our Friends have introduced the question of class conflict, *Lakhapatis* and all that. Sir, I am not concerned with any *Lakhapatis* or anything of the kind.

These are simple and small things. I submit there is no occasion for these simple things to go to a Select Committee. Even if it goes to a Select Committee, my Friends will say whatever they have said here now. I therefore request my Friend to withdraw his amendment.

(The amendment was withdrawn by leave of the House).

Shri DEBESWAR SARMAH (Finance Minister): Sir, I beg to move that the Assam Amusements and Betting Tax (Amendment) Bill, 1958 be passed.

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

**The Assam Taxation (on goods carried by Roads or
Inland Water-ways) (Amendment) Bill, 1958**

Shri DEBESWAR SARMAH (Minister, Finance): Sir, I beg to move that the Assam Taxation (on Goods carried by Roads or Inland Water-ways) (Amendment) Bill, 1958 be taken into consideration.

Sir, I may inform the hon. Members of the House that a legislation is necessary to authorise the Commissioner to delegate his power to sanction taking of cognizance of an offence under this Act to other officers appointed to assist him, in order to facilitate immediate disposal of cases.

Further, it proposes to authorise imposition of penalty for breach of rules, and also it aims at removing the possibility of evasion of carriage tax on tea carrying tea by in other containers such as gunny bags instead of in chests, by taking advantage of the fact that the Act refers to only carriage in chest and not in any other container. This is the main provision, Sir. Therefore we are seeking to substitute the word 'chest' for 'container'.

Mr. DEPUTY SPEAKER : The question is that the Assam Taxation (on Goods carried by Roads or Inland Water ways) (Amendment) Bill, 1958, be taken into consideration.

(The Motion was adopted.)

Shri DEBESWAR SARMAH : Sir, I beg to move that the Assam Taxation (on Goods carried by Roads or Inland Water-ways) (Amendment) Bill, 1958, be passed.

(The motion was put and adopted)

Assam Sales Tax (Amendment) Bill, 1958

Shri DEBESWAR SARMAH (Finance Minister) : Sir, I beg to move that the Assam Sales Tax (Amendment) Bill, 1958 be taken into consideration. Sir, this is a Bill which has been introduced to substitute the Ordinance which was passed some-time back. It may be recalled that the Central Government levied additional excise duties in lieu of State Sales Tax on textiles, sugar and tobacco and its products, and in lieu of that the Government of Assam would be given Rs. 85 lakhs annually by the Finance Commission, 2.73 per cent of the residuary amount after deducting the difference of the States' share.

Now that the Central Government has taken powers from 14th December 1957, but from 14th December till 31st of March 1958 there will be goods either in the stock or in transit. This Bill enables the Government to assess taxes on these floating goods. There will be no tax on these goods after 1st of April. Again there will be some dealers who will import goods from other States at 1 per cent Inter-State Sales-Tax and if they are registered here, the State Government will not be able to levy taxes on that account. To stop evasion, powers have been taken in this Bill. It is proposed to reduce sales tax on ready-made garments also.

With a view to avoid locking up of revenue unduly and also to avoid some appeals which are filed simply to avail of time for payment of the tax due, amendment of the first proviso to sub-section (1) of Section 30 of the Assam Sales Tax Act, 1947 is considered necessary. These are the salient points, Sir.

Mr. DEPUTY SPEAKER : The question is that the Assam Sales Tax (Amendment) Bill, 1958, be taken into consideration.

(The Motion was adopted.)

Shri DEBESWAR SARMAH : Mr. Deputy Speaker, Sir, I beg to move that the Assam Sales Tax (Amendment) Bill, 1958, be passed.

Mr. DEPUTY SPEAKER : The question is that the Assam Sales Tax (Amendment) Bill, 1958, be passed.

(The Motion was adopted.)

The Assam Finance (Sales Tax) (Amendment) Bill, 1958

Shri DEBESWAR SARMAH (Minister, Finance): Mr. Deputy Speaker, Sir, I beg to move that the Assam Finance (Sales Tax) (Amendment) Bill, 1958 be taken into consideration.

Sir, this Bill may be said to be a sister Bill to the one just passed, *i.e.*, the Assam Sales Tax (Amendment) Bill, 1958. The other Bill deals with textiles as also certain categories of tobacco, tobacco leaves and Mola Dhapat. This Bill seeks to levy additional excise duty on cigarettes, cigar and smoking tobacco, sugar, Bidi and such other things. Previously there was an Ordinance in this respect. This Bill now seeks to repeal that Ordinance and provide for levy of Sales Tax on floating stocks to the extent of sales effected up to 31st March, 1958 in accordance with the decision of the Central Government and the instructions and the conference of the Finance Ministers held in New Delhi recently.

***Shri NILMONEY BARTHAHAKUR (Dibrugarh):** Mr. Deputy Speaker, Sir, in this Bill it has been provided that the goods which are in the stocks of the dealers are taxable. But if the stock is not released before the 31st March, 1958, they will be taxable neither by the Central Government nor by the State Government. Is that the position?

***Shri DEBESWAR SARMAH :** Because the goods which were on transit or in stock on the 14th of December—these goods will be subject to taxation. But thereafter the goods are being taxed at the source. This Bill has been brought in with a view to stop evasion of tax on the floating goods of two categories one-category of goods which are in transit and the other category of goods in stock on that date.

Mr. DEPUTY SPEAKER : The question is: That the Assam Finance (Sales Tax) (Amendment) Bill, 1958 be taken into consideration.

(This was adopted.)

Shri DEBESWAR SARMAH : Now, I beg to move that the Assam Finance (Sales Tax) (Amendment) Bill, 1958 be passed.

Mr. DEPUTY SPEAKER: The question is that the Assam Finance (Sales Tax) (Amendment) Bill, 1958, be passed.

(The Motion was adopted.)

*Speech not corrected.

The Societies Registration (Assam Fifth Amendment) Bill, 1958

Shri DEBESWAR SARMAH (Minister, Finance): Mr. Deputy Speaker, Sir, I beg to move that the Societies Registration (Assam Fifth Amendment) Bill, 1958, be taken into consideration.

Sir, this Bill is needed for the introduction of decimal system of coinage. With the introduction of decimal system it has become necessary to amend the rate of fees payable under the Acts and Rules in terms of multiples of five Naye Paise. It is therefore proposed to introduce the system of decimal coinage in matters of realisation of fees payable under the Societies Registration Act, 1860.

Mr. DEPUTY SPEAKER: The Motion moved:

That the Societies Registration (Assam Fifth Amendment) Bill, 1958 be taken into consideration.

(The Motion was adopted).

Shri DEBESWAR SARMAH: I beg to move that the Societies Registration (Assam Fifth Amendment) Bill, 1958, be passed.

(The Motion was put and adopted).

The Assam Agricultural Produce Markets Bill, 1958

Shri KAMAKHYA PRASAD TRIPATHY (Education Minister for Minister, Agriculture): Mr. Deputy Speaker, Sir, I beg leave to introduced the Assam Agricultural Produce Market Bill, 1958.

Mr. DEPUTY SPEAKER: Motion moved that leave be granted to introduce the Bill.

(The Motion was put and adopted).

(The Secretary then read the title of the Bill whereupon the Bill was deemed to have been introduced).

The Assam Agricultural Produce Market Registration Bill, 1958

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Education for Minister, Agriculture): Mr. Deputy Speaker, Sir, I beg leave of the House to introduce the Assam Agricultural Produce Market Registration Bill, 1958.

Mr. DEPUTY SPEAKER: Here is a Message from the Governor :

“I recommend under Article 207(1) of the Constitution of India that the Assam Agricultural Produce Market Registration Bill, 1958, be introduced and moved in the Assam Legislative Assembly.

Sd./- S. FAZAL ALI
Governor of Assam.

Mr. DEPUTY SPEAKER: The Motion moved is that leave be granted to introduce the Assam Agricultural Produce Market Registration Bill, 1958.

(The Motion was put and adopted).

(The Secretary then read the title of the Bill whereupon the Bill was deemed to have been introduced).

The Assam Tea Plantations Provident Fund Scheme (Amendment) Bill, 1958

Shri KAMAKHYA PRASAD TRIPATHY (Minister, Labour): I beg leave of the House to introduce the Assam Tea Plantations Provident Fund Scheme (Amendment) Bill, 1958.

Mr. DEPUTY SPEAKER: Motion moved that leave be granted to introduce the Bill.

(The Motion was put and adopted);

(The Secretary then read the title of the Bill whereupon the Bill was deemed to have been introduced).

The Industrial Disputes (Appellate Tribunal) (Withdrawal of Assam Modification Orders) Bill, 1958

Shri KAMAKHYA PRASAD TRIPATHY (Minister, Labour) : I beg leave of the House, Sir, to introduce the Industrial Disputes (Appellate Tribunal) (Withdrawal of Assam Modification Orders) Bill, 1958.

(Leave having been granted by the House, the Secretary read the title of the Bill and the Bill was then deemed to have been introduced).

Adjournment

The Assembly was then adjourned till 9 A. M. on Friday, the 7th March, 1958.

R. N. BARUA,

Shillong:
The 4th December, 1958.

Secretary, Legislative Assembly,
Assam.

APPENDIX II

Statement showing the names of Tribal Belts or Blocks in Assam with their jurisdiction or area in details in connection with the answer to the unstarred question No. 38 (a):—

1. North Lakhimpur (sub-mountane) Tribal Belt—Area 6,00,160 bighas in the district of Lakhimpur.

Lands within the following boundaries:—

North—District Boundary.

South—North Trunk Road.

East—The Subansiri River.

West—District Boundary.

2. North Lakhimpur (Riverine) Tribal Block—Area—4,93,680 bighas in the district of Lakhimpur.

Lands within two miles along the North Bank of Lohit and land within one mile along both the banks of its principal tributaries, viz., Charikoria, Subansiri, Ranganadi and Dikrong.

3. Sidli Tribal Belt—Area—4,61,509 bighas in the district of Goalpara.

Comprising mouzas—4th Circle Sidli, 5th Circle Sidli, 6th Circle Sidli, parts of Ripu I lying on the north of 4th and 6th Circle Sidli, Chirang Duar, mouzas 3rd Circle Sidli-East and 3rd Circle Sidli-West (excluding the villages of Khayerbari, Nangalbhang, West Joypur and Nepalpara), and villages Taktara, Gaubari, Batagaon, Gosaigaon, Nalbari, Dholapara, Asrabari, Pakriguri, Sam-Thaibari, Maigaon, Kajalgaon, Nillbari, Dhaligaon and Kukurmari of mouza 2nd Circle Sidli.

4. Bijni Tribal Block—Area—302,545 bighas in the district of Goalpara.

Part of mouza Bijni within the following boundaries:—

North—Manash Reserve Forest.

East—Manash River.

South—Assam Railway line.

West—Eastern boundary of mauzas Chirang and 3rd Circle Sidli (East) and Ai River and excluding the immigrant villages of Pashchim Gumar-gaon, Palansuguri and Chikapara I and II.

5. Gohpur Tribal Block—Area—5,666 bighas in the district of Darrang.

Comprising villages Saru Tamuli, Ganai Chapari Bar Tamuli, Tamuli N. C. of mouza Kallangpur and Chirakhowa, Miri N. C., Bijisuti Miri N. C., Charabandha, Rajabahar, Charaibari N. C., Tinchukia N. C., Pichala N. C. and Pichala Mirigaon of Gohpur mouza and bounded as follows:—

North—By the villages N. C. Lohitmukh, Rajabari N. C. Bejisuti Jarani, Khariapam N. C. Chakala No. 2, Rajabahar N. C., Mijhikuchi N. C., Mijhikuchi No. 2 and Kamdewal N. C.

East—Khatargaon N. C. and the North Lakhimpur Subdivision.

South—Southern boundary of Darrang district upto the Western point of Gahpur mouza which touches the Western boundry of Chirakhowa Miri N. C. and the Southern boundary of villages Bar Tamuli, Tanai Chapari and Saru Tamuli.

West—Hatijan N. C.

6. Balipara Tribal Belt—Area 19,36,000 bighas in the district of Darrang.

Comprising the areas in the plains of the Balipara Frontier Tract.

7. Abor-Mismi-Tirap Tribal Belt—Area 34,84,800 bighas in the district of Lakhimpur.

Comprising the area in the plains of Abor Hills, Mishmi Hills districts (Sadiya Frontier Tract) and of the Tirap Frontier Tract.

8. Gobardhana Tribal Block—Area—38,348 bighas in the district of Kamrup.

Comprising villages—1. Silbari, 2. Simulbari, 3. Khagrabari, 4. Gobardhana, 5. Chouraguri, 6. Jengrengpara, 7. Kalbari, 8. Golagaon, 9. Mayangpara, 10. Simulguri, 11. Bahbari, 12. Pubsafakhamar, 13. Dalogaon, 14. Nimua, 15. Khusrabari, 16. Matanga, 17. Barghopadilarpathar, 18. Thekiajani, 19. Sanpayra, 20. Banmaja, 21. Bunmajapathar, 22. Dhekiajanipathar, 23. Narsingbari and 24. Rajdhakmal of Gabardhana mouza and bounded as follows :—

North—Bispani, Sunbari, Kuthurijar, Raghabbil, Jyati and Barangabarigaon.

East—Ujanbanbarigaon, boundary line of Bijni mouza Bhakuamari and Kayemarigaon.

South—Bilasiparapathar and boundary line of Bijni mouza.

West—Boundary line of Kharija Bijni mouza, Balipur, Gamariguri, Hatapara, Dumaruguri Kalpani, Uttar-Safakhamar, Bangshibaripathar, Bangshibarigaon, Bhatopukhuri and Aikharibilarpathargaon of Gobardhana mouza.

9. Bajigaon Tribal Block—Area 6,526 bighas in the district of Kamrup.

Comprising villages—1. Bajegaonpathar, 2. Bajengaon, 3. Katajargaon and 4. Mairarjarpathar of Gobardhana mouza and bounded as follows :—

North—Safakhamar, Bangshibaripathar and Bangshibari-gaon.

East—Aikharibilarpathar, Otagaon and boundary line of Hewli mouza.

South—Jakhilibilarpathargaon.

West—Katajarpathar, Domani and Khoirabarigaon.

10. Khrija Bijni Block—Area—27,542 bighas in the district of Kamrup.

Comprising villages 1. Bhangnahari, 2. Nij-Damogaon, 3. Bagidara, 4. Uttar Burikhamar, 5. Sukrungbarigaon, 6. Sukrungbripathar, 7. Dimajuli, 8. Makhnabari, 9. Chamthabari, 10. Akshiguri, 11. Labdanggurigaon, 12. Akshiguripathar, 13. Maynamatagagaon, 14. Maynamatapthar, 15. Bhatarmari and 16. Nij-Dakua of Kharija-Bijni mouza and bounded as follows:—

North—Kahitama N. C. Kahitamagaon Kahitamapathar, and Bhalagurigaon.

East—Labdangguripathar, Adalguri, Barapetta, Kajiamati, Poragaon.

South—Unnekuri, Dakhin-Burukamar, Datoragaon and Chuliakata.

West—Tekaimari and border of Goalpara district.

11. South Kamrup (Choyagaon) Tribal Belt—Area 3,02,352 bighas in the district of Kamrup.

Comprising mouzas Luki, Bakeli, Boko, Bangaon, Barduar, Bholagaon and the part of Chaygaon Panton Mouza to the west of Kulsi river and bounded as follows:—

North—Boundary of Pachimchamaria and Pubchamarla mouza, Kulsi river and Gauhati Circle boundary.

East—Gauhati Circle boundary and Khasi and Jaintia Hills district boundary.

South—Khasi and Jaintia Hills district boundary.

West—The Goalpara district boundary.

12. Tabulpur Tribal Belt—Area 4,62,637 bighas in the district of Kamrup.

Comprising mouzas Pub Baska, Defeli, Kaumbaha, Kumarikata and Betna and bounded as follows:—

North—Bhutan Hills.

East—Kalaigaon Circle of Darrang District.

South—Kamalpur Circle and Rangiya Sub-circle.

West—Tihu circle boundary.

13. Baska Tribal Belt—Area 3,77,512 bighas in the district of Kamrup.

Comprising mauzas Uttar Baska, Dakhin Baska, Paschim Baska and Madhya Baska and bounded as follows:—

North—Bhutan Hills.

East—Pub Baska mauza and Rangiya thana.

South—Nomati, Batasgila and Paschim Banbhag mauza.

West—Kaklabari, Manikpur and Pub Bojali mauzas and Pathacharkuchi thana of Barpeta Subdivision.

14. Chapaguri Tribal Belt—Area 2,64,010 bighas in the district of Kamrup.

Comprising mauzas Chapaguri and Kaklabari and villages 1. Bhuyanpura, 2. Karebari, 3. Khustrartari, 4. Bargaon, 5. Majrabari, 6. Kunguri, 7. Ghoramara, 8. Hahchara, 9. Baghmara, 10. Batiamari, 11. Palsiguri, 12. Kamalabari, 13. Rajabil, 14. Udhiaguri, 15. Salbari, 16. Pakriguri, 17. Sarania, 18. Tangabari, 19. Karnachara, 20. Hudukhata, 21. Hudukhatapathar and 22. Ramchartari of Bijni mauza and bounded as follows:—

North—Game Reserve, Forest Reserve and Gohainbhita village.

East—Poschim Baska mauza.

South—Majimpur mauza and Kathalmurighat, Chengeli mari, Pakalagi, Panpara, Madhapur, Dhumarpathar, Pakriguri-pathar, Tangabaripathar, Chikadol, Halongbari Sutpara of Bijni mauza Hastinapur mauza and Panialguri, Sandarbhittha of Bijni mauza.

West—Kalamatipathar, Chamuggatigaon, Gatigaon, Aaohata, Kahibari of Bijni mauza.

15. South Kamrup (Gauhati) Tribal Belt—Area 7,72,464 bighas in the Kamrup district.

Comprising mauzas Dhakinrani, Ramsarani (excluding Bharalumukh village, Fatasilgaon N. C., Kamakhya, Maligaon, Garpandu, Kumarpara, Maj Jhalukbri and Uttar Jhalukbri), Beltola, Panbari (excluding Bharalumukh town, Gauhati town, Sarania town and village Ulubari town, village Ulubari, Bamunimaidan, Nunmati, Latasil, Kharghuli, Independence Garden, Hill Garden, Chunsali Tea Garden Fatasil N. C., and Clarence garden, Sonapur and Dimoria excluding villages lying two miles north of Railway line) and bounded as follows :—

North—The Brahmaputra river, Kamakhya, Maligaon, Garpandu, Kumarpara, Maj Jhalukbari, Uttar Jhalukbari, Fatasilgaon N. C., Bharalumukh town and village, Gauhati town, Ulubari town, Ulubari village, Sarania town village, Bamunimaidan, Nunmati village, Clarence garden, Kolong river, Malaibari, Malaibaripathar, Malaibari jungle, Pub Malaibari, Nij-Dimoria and Aujari village No. 3.

East—Nowgong district.

South—Buolagaon mouza of Chaygaon circle and Khasi and Jaintia Hills district boundary.

West—Chayani mouza.

16. Kalaigaon Tribal Belt—Area—12,08,782 bighas in the district of Darrang.

Comprising mouzas Sekhar, Majikuchi, Chinakona, Harisingha, Dakua, Silpota, Ambagaon, Basilajhar and Orang.

17. Dalagaon Tribal Block—Area 28,306 bighas in the district of Darrang.

In Dalgaon mouza (Mangaldai Circle). Comprising of villages 1. Chutiapara, 2. Geruagaon, Aithanjhar, 4. Moholiapara, 5. Deorigaon, 6. Dhopguri, 7. Simaluguri, 8. Jhargoon, 9. Bholabari, 10. Ladabari, 11. Bijalibari, 12. Karaibari, 13. Chengelimara, 14. Dalakati. 15. Dalakati jungle, 16. Pakaribari, 17. Garogaon and 18. N. C. Madhagohain.

18. Tetelibhanguri Tribal Block—Area 10,117 bighas in the district of Darrang.

In Sambari mauza (Mangaldai circle) comprising villages
1. Tetelibhanguria, 2. Teteligore, 3. No.2 Jhargaon,
4. Owarpara, 5. Bardowarneja, 6. Puniagaon, 7. Bardowarbil
and 8. Mareabagarpar.

19. Kacharipara Tribal Block—Area 9,656 bighas in the district of Darrang.

In Samabari mauza (Mangaldai circle) comprising the villages 1. Kacharipar, 2. Bebejiagaon, 3. Chilabandha, 4. No.1 Majgaon and 5. Chenialpara.

20. Tezial Tribal Block—Area 8,867 bighas in the district of Darrang.

In Kalaigaon mauza (Kalaigaon circle) comprising the villages 1. Niz-Kalaigaon, 2. Batiamari, 3. Habibhanga, 4. Tezial, 5. Naptipara and Kalitapara.

21. Bhuyankhat Tribal Block—Area 9,299 bighas in the district of Darrang.

In Kalaigaon mauza (Kalaigaon circle) comprising the villages 1. Hatibandha, 2. Barjhar, 3. Bongaon, 4. Bhuyankhat, 5. Madeligaon.

22. Bhalukajari Tribal Block—Area 2,466 bighas in the Nowgong District.

Comprising villages 1. Pabhakati, 2. Bhalukajari, 3. Boramari N. C. of Mayong mouza and bounded as follows:—

North—Villages Sandakhaiti, Phaliamari Habi, Boramari, Burgaon N. C.

East—Burgaon N. C. village boundary.

South—Villages Garakhiadhap and Habibhangi.

West—Villages Garubandha and Habibhangi N. C.

23. Ghagua Tribal Block—Area 27,866 bighas in Nowgong District.

Comprising villages 1. Garjan, 2. Gagamaripam, 3. Panikouri, 4. Gamariguri, 5. Bebejia, 6. Sarubari, 7. Bar Gamari, 8. Bhalukaguri, 9. Bhakajari, 10. Katalamara,

11. Harabari, 12. Pakamura, 13. Barunguri, 14. Onjaripathar, 15. Barmanipur, 16. Manipur Number 1, 17. Manipur Number 2, 18. Nowagaon, 19. Bhoiraguri, 20. Kowargaon of Nij-Ghagua mauza and bounded as follows:—

North—Village Karatipam, Udari Khanagharia Beel, villages Satkhabari, Khokua Habi, Goroimaripathar, Block Number 29, Barthal, Sorudhuoni Duoni, Chakdhar Bari Bhongamur.

East—Western boundary of Dandua mouza villages Ahatguri, Natuagaon and Ghoramora.

South—Villages Basanaghat, Oujarigaon Ulubari, Boghora-pahar N. C., Bahakajaripathar, Bij-Ghagua, Dibika and Kalbari.

West—Chotagamariguri, Sukatipota Habi and Kacharijan.

24. Tetelia Tribal Block—Area 37,751 bighas in the district of Nowgong.

Comprising villages 1. Kacharigaon, 2. Kumoigaon, 3. Sukhnagogn, 4. Tetelia, 5. Koroibari, 6. Jurgaon, 7. Hatiholonga, 8. Chanvabari Diksand, 9. Chanuabari, 10. Mantabari, 11. Barbari, 12. Chanuabaripathar, 13. Mikirbari, 14. Dahoti, 15. Ejarbari, 16. Meruagaon, 17. Jorengabari, 18. Bakarichapari, 19. Gonamara Number 2, 20. Koraiguri, 21. Athubhanga, 22. Gonamara number 2, 23. Charaihagi, 24. Owabari, 25. Damal of Nijtetelia mauza and bounded as follows:

North—Village Kholagaon, Kumaipahar N. C. Tetelia-pahar N. C., Kalbari, Singimaritup, Marakolong number 1, Tengaguri and Hekenamara.

East—Western boundary of Uttarkhola mouza.

South—The river Kopili and village Bardalpathar, Jagi, Dayangiagaon and Bhakatgaon.

West—Eastern boundary of Mayong mouza.

25. Gobha Tribal Block—Area 30,190 bighas in Nowgong District.

Comprising villages 1. Guripathar, 2. Paschim Nagaon, 3. Nakhola, 4. Kuyadalphar, 5. Ghunsa Habi, 6. Nakhola-grant, 7. Tegheria, 8. Gayang, 9. Kharbeel, 10. Bangthai, 11. Hatiamukha, 12. Bagfar, 13. Udhmari, 14. Thakurdoba, 15. Hatiamukh jungle, 16. Bihita of Gobha mauza and bounded as follows:—

North—Villages Dongbari, Dongabari jungle, Bangalbari jungal, Chakumaku, Paliguri, Chanimari Habi, Jun Beel, Baghjap and the Kopili river.

East—The Kopili River.

South—Villages Naldhora, Sindisor Habi, Deosal, Sonaikuchi Forest Reserve, Nakhola N. C. and Paschim Nagaon N. C.

West—Kamrup district boundary.

26. Palahguri Tribal Block—Area 28,071 bighas in Nowgong District.

Comprising villages 1. Garangkuchi, 2. Gayelia, 3. Kumarkuchi N. C., 4. Kumarkuchi, 5. Kuthuri Bagicha, 6. Phaka i Habi of the Gobha mauza, 7. Amguri N. C., 8. Amguri, 9. Killing Bagicha, 10. Nilli N. C., 11. Barpaik Bangaligaon, 12. Barpaik Nelli, 13. Morabari, 14. Palahguri, 15. Barkhal, 16. Bar-Ati, 17. Dauoti Habi, 18. Dahali-Mokoriya, 19. Mokoriya, 20. Banpara Darabani, 21. Nijkhola of the Uttarkhola mauza and bounded as follows:—

North—Sonaikuchi Forest Reserve, Villages Bamungaon Sarumatiparbat, Borjolah, Bhoogdoba and Bhogdaba Beel.

East—Village Kholapathar and Kholahat Forest Reserve.

South—Kholahat Forest Reserve, United Khasi and Jaintia Hills, Sonaikuchi Forest Reserve,

West—Sonaikuchi Forest Reserve.

27. Amsoi Tribal Block—Area 19,926 bighas in Nowgong District.

Comprising villages 1. Balichora Mikirgaon, 2. Nij-Sahari, 3. Amsoi, 4. Meragar, 5. Dainipukhuri, 6. Bura

Raja, 7. Balichora Dalani, 8. Dhowa Dalani, 9. Balikuchigaon, 10. Sirmola Beel of the Sahari mauza and bounded as follows:

North—Villages Pashim Bola and Pub Bola, the Kopili River, villages Hatbar and Silbheta.

East—Bundura Hill N. C.

South—Balikuchi Grant and the Kholahat Forest Reserve.

West—Kholahat Forest Reserve and village Khowapar and Ahatguripam.

28. Bagariguri Tribal Block—Area 25,759 bighas in Nowgong District.

Comprising villages 1. Tarabari Tup, 2. Tarabari, 3. Thekeraguri of the Uttarkhola mauza, 4. Saobari, 5. Khahigar, 6. Laophulabari, 7. Bagariguri of the Sahari mauza, 8. Bessapati, 9. Chatabari, 10. Khanajan, 11. Potakolong, 12. Balipara of the Barpujia mauza and bounded as follows:—

North—Villages Nalhanga, Bhatabari, Bhaktgaon, Manipur, Kachadhar Beel, Jarabari, Alikuch and Burhagaon.

East—Western Boundary of Raha mauza, villages Molankata, Kohargaon and Bamunijan.

South—Villages Khalihamari, Kamagaon and Airawat Beel.

West—Eastern boundary of Uttarkhola mauza and villages Marikolong, Dihuki Chamaka and Lukakuchi.

29. Barkacharigaon Tribal Block—Area 22,090 bighas in Nowgong District

Comprising villages 1. Kumargaon, 2. Dayangiagaon, 3. Kuarichuk, 4. Lalungpar, 5. Nibukali, 6. Dakhin Gomari Ati, 7. Baligaon, 8. Barkacharigaon, 9. Barkandali Mikirpar, 10. Barkandali, 11. Titajurigaon, 12. Jalandhagrang number 2,

13. Chota Kandali grant numbers 2 and 14. Jalandha grant numbers 1 of Kandali mauza and bounded as follows:—

North—Chutiagaon and Ghogar Jalah of Singiapotani mauza.

East—Chota Kandali grant number 1 of Kamrup Circle boundary.

South—Kamrup Circle boundary, Bankandali grant numbers 1 and 2 and Jalandha grant number 1 (Western Part).

West—Sutargaon, Chengmora, Uttar Gomari Ati, Solmari Karhalarkhat and Chota Kandali.

30. Bardolong-Lanka Bheta Tribal Block—Area 22,176 bighas in Nowgong District.

Comprising villages :—1. Kharikhana, 2. Kharikhana N. C., 3. Bardolong N.C., 4. Ali Singa 5. Ali Singa N. C., 6. Natunali Singa, 7. Natun Ali Singa N. C., 8. Chambora N. C., 9. Chambaria, 10. Gariapathar, 11. Cariapathar N. C., 12. Nangalbhangra, 13. Nangalbhangra N. C., 14. Ghinjuri N. C., 15. Lankabheta, 16. Lankabheta N. C., 17. Panchbgardar N. C., 18. Panjabi-basti of mouza Lanka and bounded as follows :—

North—Chimlai, Dablong, Lankapati, Piparpukhuri villages.

South—Mikir Hills.

East—Rail line and Piparpukhuri.

West—Kapili par N. C. and Kapili river.

31. Amguri chang-Phulaguri chang Tribal Block—Area 6,851 bighas in Nowgong District.

Comprising villages 1. Amguri chang and 2. Phulaguri chang of Duar Bagari mouza and bounded as follows :—

North—A. T. Road.

East—Deochung chang and Suang Forest Reserve.

South—Common Boundary of Duar Bagari and Duar Salana mouzas.

West—Amgurigaon of Duar Bagari mouza.

