

Assam Legislative Assembly Debates

OFFICIAL REPORT

FIRST SESSION OF THE ASSAM LEGISLATIVE
ASSEMBLY ASSEMBLED AFTER THE SECOND
GENERAL ELECTION UNDER THE
SOVEREIGN DEMOCRATIC REPUBLICAN
CONSTITUTION OF
INDIA

BUDGET SESSION

VOLUME I

No.20

The 4th July, 1957



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Proceedings of the First 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 Thursday, the 4th July, 1957.

PRESENT

Shri Deva Kanta Borooah, B.A., LL.B., Speaker, in the Chair, the nine Ministers, the eight Deputy Ministers and eighty-one Members.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral answers were given)

Re : Relief and Rehabilitation loan

Shri GAURISANKAR BHATTACHARYYA (Gauhati) asked :

*53. Will the Minister-in-charge of Relief and Rehabilitation be pleased to state—

- (a) How many Relief and Rehabilitation loans were issued to applicants from the area of Patharkandi Thana, Ratabari Thana, Silchar Thana and Katigora Thana in Cachar in the period between January and March 1957 ?
- (b) How many of these recipients were recommended by the Congress candidates in the last General Election from the Constituencies covered by these Thanas ?

Shri HARESWAR DAS (Minister, Relief and Rehabilitation) replied :

53. (a)—The number of loans issued during the period are—

| | | | |
|--------------------|-----|-----|-----|
| Patharkandi Thana | ... | ... | 193 |
| Ratabari Thana | ... | ... | 185 |
| Silchar Thana ... | ... | ... | 683 |
| Katigora Thana ... | ... | ... | 160 |

(b)—None.

Shri GAURISANKAR BHATTACHARYA (Gauhati) : What is the amount involved ?

Shri HARESWAR DAS (Minister, Relief, etc.) : That I cannot say off-hand.

Mrs. JYOTSNA CHANDA (Silchar—West) : Will the Minister-in-charge be pleased to state how many of these recipients were recommended by the other political parties ?

Shri HARESWAR DAS : That is a question which I cannot reply off-hand.

(Starred Question No. 54 standing in the name of Maulana Abdul Jalil was not put and answered due to the absence of the Questioner).

Re: Municipal Bill, 1956

Shri RANENDRA MOHAN DAS (Karimganj—North) asked :

*55. Will the Minister-in-charge of the Local Self-Government be pleased to state—

(a) When the Municipal Bill of 1956 was passed by the Assembly ?

(b) When it will come into force ?

Shri SIDDHINATH SARMA (Minister, Local Self-Government) replied :

55. (a)—The Assam Municipal Bill, 1956, was passed by the Assam Legislative Assembly in its meeting held on the 7th September 1956.

(b)—The assent of the Governor to the Bill has not as yet been obtained as it has been found that section 154 of the Bill is *ultra vires* and void being inconsistent to Article 31 of the Constitution. Action for amending section 154 will be taken.

Shri RANENDRA MOHAN DAS : Why was it not brought before the House during the last 8 months for amendment ?

Shri SIDDHINATH SARMA (Minister, L.S.G.): Sir, this is the first sitting of the Assembly after that Bill was passed.

Shri RANENDRA MOHAN DAS (Karimganj—North): Then, Sir, we can expect the Bill in the next session of the Assembly for necessary amendment.

Re: Shifting of Golaghat Jail from its present site

Shri DANDESWAR HAZARIKA (Morongi) asked :

*56. Will the Minister-in-charge of Jails be pleased to state—

(a) If they have lately received representations from the public regarding shifting of the Golaghat jail from its present site ?

(b) If so, what steps have since been taken by Government to remove public grievances ?

Shri CHATRA SING TERON (Minister, Jails) replied :

56. (a)—Yes, one representation has been received from the Secretary, Bar Association, Golaghat.

(b)—The Subdivisional Officer, Golaghat, has been requested to give his views and suggestions.

Shri DANDESWAR HAZARIKA (Morongi): Will the Minister-in-charge be pleased to state whether he had received a representation from the Rate Payers' Association of Golaghat regarding this matter ?

Shri CHATRA SINGH TERON: No, Sir, not from the Rate Payers' Association of Golaghat, but from Golaghat Bar Association on 28th May, 1957 and that letter was posted to me on 2nd April, 1957. Immediately after receipt of that letter, I issued an order to the Inspector General of Prisons to take necessary steps and to examine the whole matter.

Shri SARBESWAR BORDOLOI (Titabar): What is the opinion of the Hon'ble Minister ?

Mr. SPEAKER: Order, order.

Jalah Masalpur Kumari Khota Road and bridge over the Kaldia

Shri SURENDRA NATH DAS (Patacharkuchi) asked :

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

(a) When the Jalah Masalpur Kumari Khota Road was taken up by the Government ?

(b) Why the bridge over Kaldia river is not constructed ?

Shri SIDDHINATH SARMA (Minister, P. W. D.) replied :

57. (a)—The portion of the road from Kumari Khota to Masalpur (10 miles in length) was taken up for construction during the month of February, 1955 at an estimated cost of Rs.2,21,300 and the construction work is in progress. The proposal for construction of the remaining portion (from Masalpur to Jalah) was placed before the Assam Road Communications Board during its 5th Meeting held on the 10th December, 1956, but was not approved by the Board.

(b)—The bridge over Kaldia falls on this latter portion of the road (*i. e.*, from Masalpur to Jalah) and hence the question does not arise.

Compensation for Ration (Rice) cut in the Tea Gardens

Shri GAURISANKAR BHATTACHARYYA (Gauhati) asked :

*58. Will the Minister-in-charge of Labour be pleased to state—

(a) Whether the Tea Planters in Assam have implemented the Supreme Court decision of 1952 in regard to payment of compensation for Ration (Rice) cut ?

(b) If not, what steps have been taken by the Government to make the Tea Planters implement the same ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Labour) replied :

58. (a)—Information has been received that the tea industry is making necessary arrangements for payment of the rice cut compensation.

(b)—Does not arise.

Shri SARBESWAR BORDOLOI (Titabar): Will the Minister-in-charge be pleased to state whether he is aware of the fact regarding formation of the A.T.P.A. ? Whether they are going to receive any grant for payment of compensation for ration (rice) cut ?

Shri KAMAKHYA PRASAD TRIPATHI : (Minister, Labour): It is quite contrary. As I said, it cannot come under the question. I require notice of it.

Re: Naga Disturbances in Assam

Shri DANDESWAR HAZARIKA (Morongi) asked :

*59. Will the Chief Minister be pleased to state—

(a) The number of families looted by the Naga rebels in the Lakhimpur, Sibsagar, Naga Hills and Mikir Hills districts since the disturbances broke out in the Naga Hills (the figures to be supplied district-wise) ?

(b) The number of private houses and Public Institutions burnt down by the rebels with the names of the owners of private houses district-wise ?

(c) The measures taken by Government to give relief to sufferers of the aforesaid districts ?

*60. (a) The number of arms and quantity of ammunitions forcibly taken away by the rebels from the above districts (the names and addresses of the owners of such arms and ammunitions to be given) ?

(b) The total number of arms and quantity of ammunition so far seized by the Police and Military from the rebels or surrendered by them ?

*61. The total amount of loss estimated to have been sustained by the Public and the Government due to such arson and looting by the rebels ?

*62. (a) The number of persons civil, military and police reported to have been either killed or captured by the rebels with their names and designations, if any ?

(b) What relief, if any, granted by the Government to the families of those persons so killed or captured ?

(c) The amount if paid in cash against each such family ?

*63. (a) The number and names of rebels captured and detained in Hazot ?

(b) The total expenditures incurred up-to-date by the State Government in maintaining law and order in the Naga Hills since the outbreak of these disturbances ?

(c) The approximate extra expenditure that will be necessary over the normal budget for the current years in maintaining law and order there ?

Shri BISHNURAM MEDHI (Chief Minister) replied :

59 to 63.—Materials are being collected from Officers concerned.

Shri DANDESWAR HAZARIKA (Morongi) : Is it a fact that Government instructed the Deputy Commissioners and the Subdivisional Officers to take possession of the guns of the villagers of the Naga Border Area ?

Mr. SPEAKER : The reply to the question is that materials are being collected, therefore the hon. Member will hold himself in patience.

Shri BISHNURAM MEDHI (Chief Minister) : The answer to the question is that materials are being collected from officers concerned.

Mr. SPEAKER : The hon. Member puts a supplementary that whether Government have taken any steps to prevent such acts like forcibly taking away arms and ammunition ? The answer to the question is that to prevent such acts like forcibly taking away arms, etc., Government have themselves informed the Deputy Commissioners and Subdivisional Officers for collecting materials.

Shri BISHNURAM MEDHI (Chief Minister) : That does not arise, Sir.

Mr. SPEAKER : That is my privilege. For the information of the hon. Member, I am saying that materials are being collected through the Deputy Commissioners and Sub-divisional Officers, wherever available. So, the hon. Member should hold himself in patience. Unless the materials are available, the Hon'ble Minister-in-charge is not in a position to give reply.

Re : Permanent Telegraph Office at Kamalabari in Majuli

Shri KARKA CHANDRA DOLEY [North Lakhimpur (Reserved for Scheduled Tribes)] asked :

*64. Will the Chief Minister be pleased to state—

- (a) Whether the Government have moved the Central Government (Ministry of Communication) for a permanent Telegraph Office at Kamalabari in Majuli for convenience of Majuli people ?
- (b) If so, when ?
- (c) If not, whether Government propose to move for the same ?

Shri BISHNURAM MEDHI (Chief Minister) replied :

64. (a) & (b)—The prominent members of the public of Kamalabari met the Union Minister for Communication during his visit in 1954 and represented to him the need for opening a Telegraph office at Kamalabari in Majuli.

(c)—The P. & T. Department has already taken up the matter and an arrangement for providing telegraph facilities between Kamalabari and Jorhat has already been worked out by the P. & T. Department who have also acquired a building at Kamalabari, procured special type of equipments and expect to complete the installation in about three months' time. The State Government propose to pursue the matter after watching the position for three months within which period all arrangements for starting the Telegraph office are likely to be completed.

Re : Steps taken to re-open the Schools damaged by cyclone at Tezpur Subdivision

Shri BISWADEV SARMA (Balipara) asked :

*65. Will the Minister-in-charge of Education be pleased to state—

- (a) What steps are being taken to re-open the schools damaged by the cyclone of 29th April last at Tezpur Subdivision ?
- (b) Whether it is a fact that the Schools of Charduar (N. E. F. A.) Mauza, a transferred area, are in a most deplorable condition for the last 5 years ?
- (c) What steps Government have taken for those Schools after the cyclone damage ?

Shri PURNANANDA CHETIA (Deputy Minister, Education) replied :

65. (a)—The question of giving grants to storm and cyclone-damaged educational institutions all over the State is under consideration of Government.

(b)—Government have no information. A report will be called for.

(c)—The question of giving grants to repair the buildings is under consideration of Government.

Shri DEVENRANATH HAZARIKA (Saikhowa) : When can these grants be expected ?

Shri PURNANDA CHETIA (Deputy Minister, Education) : Very soon.

Shri GOURI SHANKAR ROY (Katlicherra) : असम के और स्कूलों में मदद दी गयी है या नहीं ?

Shri PURNANANANDA CHETIA : Yes.

Re : Loss of gold from Dibrugarh Treasury

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked :

*66. Will the Home Minister be pleased to state—

- (1) Whether it is a fact that a heavy amount of gold disappeared from Dibrugarh Treasury during the last few months of this year ?

(2) If so, (a) What was the amount of gold ?

(b) When this gold was deposited in Treasury ?

(c) When this gold disappeared ?

(d) Whether any order for investigation has been issued ?

(e) Whether the investigation to detect the culprit or culprits has been completed ?

(f) If so, when ?

Shri MOTIRAM BORA (Minister, Home) replied :

66. (1)—The loss of 982 tolas of gold was detected on 18th March 1957 at the Dibrugarh Treasury. It is not possible to say when the loss actually took place.

(2) (a)—982 tolas.

(b)—A sealed box reported to have contained 982 tolas of gold was deposited in the Dibrugarh Treasury on 4th July 1945.

(c)—On 18th March 1957, when the Deputy Commissioner, Lakhimpur opened the sealed box said to contain the gold, for sale on auction ; no gold was found in the box although the seals were in tact.

(d)—Yes. The case is being investigated by Inspector of the C. I. D.

(e)—No. The case is under investigation.

(f)—Does not arise.

Shri DEBENDRANATH HAZARIKA (Saikhowa) :
Whether the officer-in-charge who sealed the box is still in the service of Government ?

Shri MOTIRAM BORA : I have got no information about that.

Shri KARKA CHANDRA DOLEY [North Lakhimpur (Reserved for Scheduled Tribes)] : ১৯৪৫ চনৰে পৰা ১৯৫৭ চনলৈকে যি সকল ডিপুটী কমিছনাৰ ডিষ্ট্ৰিক্টত আছিল তেখেতে সকলৰ নাম জানিব পাৰেনে ?

Shri MOTIRAM BORA : এইটো arise নকৰে আৰু দিয়াও টান।

Re: Gratuitous Relief allotted for Tezpur Subdivision

Shri BISWADEV SARMA (Balipara) asked :

*67. Will the Revenue Minister be pleased to state—

(a) The amount of gratuitous relief last allotted for Tezpur Subdivision ?

(b) The Mauzas in which they were distributed ?

(c) Whether it is a fact that a large number of people could not get the relief due to meagre fund ?

(d) If so, whether Government propose to consider about giving more relief to these deserving at early date ?

Shri HARESWAR DAS (Minister, Revenue) replied :

67. (a)—A sum of Rs.20,000 as gratuitous relief and Rs.50,000 as rehabilitation loan were sanctioned for the cyclone-affected people of Tezpur Subdivision.

(b)—Without obtaining a report from the Deputy Commissioner, Darrang, it is not possible to say in which Mauzas the amounts were distributed. But the amounts were sanctioned for the Subdivision as a whole.

(c) & (d)—The Deputy Commissioner has reported that the amounts sanctioned were found inadequate and as such the sanction of further relief is under consideration of Government.

Shri BISWADEV SARMA (Balipara) : Was there any further relief granted to this Subdivision ?

Shri HARESWAR DAS (Minister, Revenue) : Another Rs.10,000 has been granted as gratuitous relief.

Shri BISWADEV SARMA (Balipara): Whether the Minister mentioned those areas where people did not get relief ?

Shri HARESWAR DAS (Minister, Revenue): There was a representation that some areas did not get relief ; in the letter to the Deputy Commissioner we asked him to see that relief goes to those areas.

Shri DANDESWAR HAZARIKA (Morongi): Why this was allowed—for what purpose ?

Shri HARESWAR DAS : That is in question 67(a). The reply is there.

Shri DANDESWAR HAZARIKA: For which year ?

Shri HARESWAR DAS : It is this year, 1957.

Area of Panitola Town excluding the land belonging to Railway Department

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked:

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

- (a) What is the area of Panitola town excluding the land belonging to Railway Department ?
- (b) What is the population in this town according to latest Census excluding the Railway Staff ?
- (c) What are the benefits either to the State or to the public in ordering settlement of this so called town by designating one Settlement Officer ?
- (d) Whether the town is a recognised one or under the jurisdiction of the Rural Panchayat there ?

Shri HARESWAR DAS (Minister, Revenue) replied:

68. (a)—The area of Panitola town excluding the land belonging to Railway Department, roads and drains is 118B. 1K, 1L.

(b)—The total population of Panitola town according to the census report of 1951 is 807. The population of the Railway Staff is not known.

(c)—The Settlement Officer is appointed not for Settlement of Panitola town only. He is in-charge of resettlement work of Dibrugarh town and Tirap and Buridihing

Mauzas as well. The resettlement of Panitola town was due in 1943, but for war and other reasons the resettlement work could not be taken up before 1955. Moreover, the importance of the town and value of lands have greatly increased due to improvement of communication and development of trade and commerce since last resettlement and there is also a lot of change in use of land by this time. Due to these reasons resettlement operation of the town has been taken up ?

(d)—Panitola was declared as town in 1934 for the purpose of Assam Land and Revenue Regulation. The town is under the jurisdiction of Gharbandi Rural Panchayat.

Shri DEVENDRA NATH HAZARIKA (Saikhowa): Why the Settlement Officer did neither consult nor entertain any request of the Gharbandi Rural Panchayat regarding reserve plots of land there ?

Shri HARESWAR DAS (Minister, Revenue): I cannot reply off-hand ; I require notice.

Shri DEVENDRA NATH HAZARIKA: Will the Minister please make an enquiry ?

Shri HARESWAR DAS : Enquiry is not necessary because in resettlement there are several stages. In the first stage no such consultation is necessary. He has now almost completed the first stage.

(Starred Questions No. 69 standing in the name of Shri Radhika Ram Das (Palasbari) was not put and answered due to the absence of the Questioner.)

Re : Accumulation of Sales Tax standing in the name of certain firms of Karimganj

Shri RANENDRA MOHAN DAS (Karimganj-North)
asked :

*70. Will the Minister-in-charge of Finance be pleased to state—

(a) Whether it is a fact that there is big accumulation of Sales Tax since several years standing in the name of Radio Electronics and H. Das & Co., Karimganj ?

(b) If so, what is the total amount ?

- (c) From which year the arrear has been accumulating ?
- (d) What steps Government have taken for realisation of the same ?
- (e) Whether Government are aware of the names of the proprietors of the above-mentioned two firms ?
- (f) If so, who are they ?
- (g) Whether it is a fact that an industrial loan was lately granted to the above-mentioned firms ?

Shri DEBESWAR SARMAH (Minister, Finance) replied :

70. (a)—Yes, so far as Messrs. Radio Electronics are concerned.

There is no arrear against Messrs H. Das & Co.

(b)—Rupees 5,128-9-0.

(c)—Since 1949-50.

(d)—Bakijai proceedings were started for realisation of arrears relating to period ending 1951-52. For the rest Bakijai proceedings will be started if the dues are not paid within 30th June, 1957.

(e)—Yes.

(f)—(1) Shri Haradaya Das

(2) Shri Hironmoy Das

are proprietors of Messrs Radio Electronics and Shri Haradaya Das was the proprietor of H. Das & Co.

(g)—No.

Shri RANENDRA MOHAN DAS (Karimganj—North):
Are Government aware that Rs.100 has been fixed as the monthly instalment for the payment of these taxes ?

Shri DEBESWAR SARMAH : I have no information,
Sir,

Shri RANENDRA MOHAN DAS (Karimganj-North): Will Government please enquiry if Rs.1,000 is being paid every month, during how many years the whole amount will be liquidated ?

Shri DEBESWAR SARMAH (Finance Minister): According to our records we are issuing Bakijai proceedings for arrears till 1951-52, and, as I stated earlier, if the balance due to date, i. e., till the last date of assessment were not cleared by 30th June, Bakijai proceedings for the entire amount would be issued. So the question of payment of Rs.100 per month does not arise.

Shri RANENDRA MOHAN DAS: Is Shri Haradaya Das the Congress President of Karimganj District Congress and was he a Congress candidate for the last Assembly election ?

Shri DEBESWAR SARMAH: Personally I do not know—may or may not be.

Re : Construction of drainage, river Bunds and embankments

Shri DURGESWAR SAIKIA (Thowra) asked :

*71. Will the Minister-in-charge, P. W. D., be pleased to state—

- (a) Whether there are breaches in Dehing Bund in Dibrugarh Subdivision ?
- (b) If so, what is the number of such breaches and the location of each ?
- (c) If it is a fact that these breaches were due to lack of supervision ?
- (d) If so, whether Government have taken actions against the persons at fault ?
- (e) If not, whether Government will enquire into the matter ?
- (f) How many Mouzas in Dibrugarh and Sibsagar Subdivisions have suffered either for such lack of supervision or for not constructing Bunds on the river sides ?
- (g) If it is a fact that there is Bund on one side of the Desang River ?

- (h) If so, whether Government are aware that as there is no embankment on the right bank of the Desang, the people of Mahmora, Khaloi-ghogra, Bokota and Thowra have been affected by flood and whether Government propose to save these people by construction of Bund ?
- (i) If it is a fact that there was a proposal of construction of a Bund from Boliaghat to Dikhowmukh on the right bank of Dikhu River ?
- (j) If so, the reasons as to why this was dropped ?
- (k) If it is a fact that Government had certain plan for drainage of Jerenga Pathar of Sologuri Mouza in Sibsagar Subdivision ?
- (l) If so, whether Government have implemented the Scheme ?
- (m) If not, the reasons for dropping the Scheme ?
- (n) Whether Government are aware that the Diroi river which flows through Mahmora, Khaloi-ghogra, Bokota and Thowra Mouzas in Sibsagar Subdivision damages Ruby and Sali crops of the above Mouzas every year ?
- (o) If so, whether Government propose to construct Bunds on both sides of the river ?

Shri SIDDHINATH SARMA (Minister, Public Works Department): 71. (a)—Yes.

(b)—Eight breaches in all, two under the left bank of the Buridching river and six on the right. The locations of the breaches on the left bank are one at Chuari—kata about 12 miles upstream of Khowang and the other at Haldhi Bari about 4 miles downstream of Khowang. The breaches on the right bank are—one near Naharkatiya, two in Jokai Reserve Forest, one near Trunk Road at Kotuha-Barbeel and one about a mile downstream and another about three miles downstream of the Trunk Road.

(c)—No.

(d)—Does not arise.

(e)—Yes, enquiries are being made.

(f)—21 Mouzas in Dibrugarh and Sibsagar Subdivisions have suffered from inundation of some of their areas due to breaches in the embankments from erosion and submergence on account of unprecedented high floods during May last. The Deputy Commissioner, Dibrugarh, has reported that fourteen Mouzas of Dibrugarh Subdivision, five of which partly, were affected by the floods. The Deputy Commissioner, Sibsagar, has reported that seven Mauzas, one of which partly, were affected in the Sibsagar Sub-Division. The names of the Mouzas in the Sibsagar Subdivision are Panidehing, Netai, Khaloighogra, Bokata, Thowra, Cowarpur and part of Jokaisuk.

(g)—Yes, except for a length of 3.5 miles where there exist embankments on both banks of the Desang River in Bokota Mouza. The length of the portion where there is embankment only on the left bank is $22\frac{1}{4}$ miles from Nangalmaraghat Desang Mukh.

(h)—Government have no information that the people of Mahmora, Khaloighogra, Bokota and Thowra Mouzas have been affected by floods requiring protection by construction of embankments on the right bank of Desang River.

(i)—Yes.

(j)—The scheme is under progress.

(k)—Yes.

(l)—The scheme is under progress.

(m)—Does not arise.

(n)—Yes, during untimely floods.

(o)—The flood problems of these four Mouzas in Sibsagar Subdivision may be investigated with a view to ascertain the necessity of preventing the inundation of crop areas by flood spills of Deroi river or other sources and to find out a solution which may be technically sound and feasible,

Shri DURGESWAR SAIKIA (Thorwa): হালধিবাৰী দলঙৰ ওচৰত যি খিনি পানীয়ে ভাঙিছিলে সেইখিনি কি যোৱা বছৰত হৈছিল নেকি ?

Shri SIDDHINATH SARMA (Minister P. W. D.): Yes, Sir.

Shri DURGESWAR SAIKIA : যদি সেয়ে হয় তেন্তে কিমান দিনৰ মূৰত মেৰামতি কৰা হৈছিল ?

Shri SIDDHINATH SARMA (Minister, P. W. D.)
The work was done with the help of the villagers. Subsequently the villagers demanded a certain amount of money for the work the villagers had done, but the Public Works Department did not think that the amount which they demanded could be paid according to the schedule rates of Public Works Department. Sir, I had to visit the place and settled the matter. The villagers completed the payment. But sometime afterwards the villagers picked quarrels with the Public Works Department on the ground that the amount paid to them was not sufficient and demanded more money but the Public Works Department could not make more payment. The villagers and some of them removed the bamboos, other materials, etc.

Mr. SPEAKER: Do you mean to say that the villagers sabotaged the thing ?

Shri SIDDHINATH SARMA : It is explained, to Sir.

Shrimati LILY SEN GUPTA (Lahowal) : হাহ কাটি ফৰেষ্ট বিজাৰ্ভৰ ওচৰত যেতিয়া দিহিং নদীয়ে মঠাউৰি খহাই নিয়ে তেতিয়া এজোপা বিৰাট শিমলুগছ তলত ওলোৱা কথা চৰকাৰে জানেনে ?

Shri SIDDHINATH SARMA : I have no information, Sir.

Shrimati LILY SEN GUPTA: দিহিং নদীৰ খহনীয়া বান্ধিবৰ কাৰণে বাস্তাৰ যোগান ধৰোতে কিছমান ফটা বস্তা ওলোৱাৰ কথা চৰকাৰে জানেনে ?

Shri SIDDHINATH SARMA : Government have no information, Sir.

Shri LALIT KUMAR DALEY [Moran (Reserved for Schedule Tribes)]: Sir, so far the repairing works undertaken by the people themselves last year were not accepted as the main protection line of the Bund and accordingly the

Department concerned diverted the line. Are Government aware that the starting of work of this line was very late and hence the breach occurred because of over-flowing of flood water upon the incompleated portion of the line ?

Shri SIDDHINATH SARMA (Minister, P. W. D.) : No, Sir. The work was started in time and according to plan.

Shrimati LILY SEN GUPTA (Lahowal) : মই জানিব খুজিছো মঠাউৰি বন্ধাব বা মেৰামতি কৰা কামত গানী বেগ ব্যবহৃত হৈছিল নেকি ?

Mr. SPEAKER : The question is whether gunny bags have been used for construction for protecting the embankment ?

Shri SIDDHINATH SARMA : Yes, Sir. It is used where necessary.

Shrimati LILY SEN GUPTA : চৰকাৰে এই কথা জানেনে যে টিকাদাৰ বিলাকে ফটা ফুটা বস্তা দিয়েই কাম চলাইছিলে ?

Mr. SPEAKER : The question is whether Government is aware that the defective gunny bags have been supplied by the contractors ?

Shri SIDDHINATH SARMA (Minister P. W. D.) : Government have no information that defective gunny bags have been supplied.

Shri RANENDRA MOHAN DAS (Karimganj-North) Some scheme for Desang river was taken up. Why the north side was left at the mercy of the flood ?

Mr. SPEAKER : The question is why the north side was not protected and left at the mercy of the flood ?

Shri SIDDHINATH SARMA : At the time it was not considered necessary, Sir.

Shri DURGESWAR SAIKIA (Thowra) : ১৯৫৪ চনত শিৱসাগৰ জিলা কংগ্ৰেচৰ সভাপতিয়ে দিচাং মুখৰ বান্ধ মেৰামতিৰ সম্পৰ্কত এখন আৱক পত্ৰ দিয়াৰ কথা চৰকাৰে জানেনে ?

Shri SIDDHINATH SARMA : আৱক পত্ৰ দিব পাৰে। সেইবিলাক সাধাৰণত : অনুসন্ধানৰ কাৰণে পঠোৱা হয়।

Mr. SPEAKER : প্রশ্নটো অতি সহজ, চৰকাৰে আৱক পত্ৰ খন পাইছিল যে নাই ?

Shri SIDDHINATH SARMA (Minister P. W. D.): সেইটো মোৰ মনত নাই। দিব পাৰে।

Mr. SPEAKER : It means the same thing more or less.

Shrimati PADMA KUMARI GOHAIN (Moran): হালধীবাৰি বাক বন্ধাৰ সম্পৰ্কত ডিপাৰ্টমেণ্টৰ ভিতৰত কিবা মতানৈক্যৰ সৃষ্টি হৈছিল নেকি ?

Shri SIDDHINATH SARMA : The sanction has already been given.

Mr. SPEAKER : Honble Minister will please listen to the question and then reply. The question is whether there was some difference of opinion in the department and so the work could not be started ?

Shri SIDDHINATH SARMA : No, Sir, there was no such thing. Money for the work was sanctioned already.

Shrimati PADMA KUMARI GOHAIN: কাম হাতত লৈছে নে নাই—যদি লোৱা হৈছে কেতিয়া শেষ হব ?

Shri SIDDHINATH SARMA: টকা মন্ত্ৰৰ কম গতিকে কাম হাতত লোৱা নাই।

Shri DURGESWAR SAIKIA (Thowra): হালধীবাৰিৰ দলংখন কোন তাৰিখে ভাঙিছিল ?

Shri SIDDHINATH SARMA (Minister, P. W. D.): I require notice of this question, Sir.

Shri LALIT KUMAR DALEY [Moran Reserved for Scheduled Tribes] : It has been our experience that Government take steps to repair the breaches very late and, therefore, many breaches remain unrepaired before rains set in. Will the Government take proper steps to repair all the breaches in the early part of the winter so that work can be completed before commencement of rains ?

Shri SIDDHINATH SARMA : It is always done in proper time.

Shri DURGESWAR SAIKIA : দলং বিলাক যদি ঠিক সময়ত বন্ধা নহয় তেন্তে খাদ্য সমস্যা নহবনে ?

Mr. SPEAKER: Order, Order.

Shri KHOGENDRA NATH BORBARUAH (Amguri): নামদাঙৰ শিলসাকোৰ একফালমান আগতে এখন Sluice Gate দিয়া কথা আছিল সেই Gate এতিয়াও দিয়া হোৱা নাই।

Mr. SPEAKER: Order, order. The hon. Member should put a question and that can very easily be done by putting an interrogative before his sentence (*laughter*).

Shri KHOGENDRA NATH BARBARUA : নামদাং নৈৰ Sluice Gate দিম বুলি আজি ২ বছৰ খাল খালি Gate নকৰি খালি বালিৰে পোটাই আকৌ খালি কিমান টকা লোকচান কৰিলে চৰকাৰে জনাবনে ?

দ্বিতীয়তে দুইপাৰে মঠাউৰিৰ ক্ষতিপূৰণ দিওঁতে কিয় দুটা নিৰিখ বন্ধা হৈছে ? দুটা পাৰত দুটা নিৰিখ দিয়া সমীচীন বুলি চৰকাৰে ভাবেনে ?

Shri SIDDHINATH SARMA (Minister, P. W. D.) To which question does it relate, Sir ?

Mr. SPEAKER: Order, Order. This is a question about Dehing Bund. I am afraid my knowledge of geography is not commensurate with my responsibility in this behalf and so I am not in a position to say that the question is relevant. Next question.

Area of land settled with Nayagogra Tea Estate from Gohpur Forest Reserve in Darrang Division

Shri KARKA CHANDRA DOLEY (North Lakhimpur—Reserved for Scheduled Tribes) asked :

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

(a) What is the area of land settled with Nayagogra Tea Estate from Gohpur Forest Reserve in Darrang Division ?

(b) When it was settled with the said Tea Estate ?

Dr. GHANASHYAM DAS (Deputy Minister, Forests) replied :

72. (a)—No land in the Gohpur Reserve Forest has been so far settled with the Nayagogra Tea Estate in Darrang Division. The question therefore does not arise.

(b)—Does not arise.

****Shri KARKA CHANDRA DOLEY** ([North Lakhimpur Reserved for Scheduled Tribes]): গহপুৰ বিজ্ঞাভৱ ৪১০ বিঘা মাটি নয়াগগুৰা বাগিছাক দিয়া কথাটো মিছানেকি ?

****Dr. GHANASHYAM DAS** (Deputy Minister, Forest): We have no information, Sir.

****Shri KARKA CHANDRA DOLEY**: এই কথাটোৰ বিচাৰ কৰিবনে ?

****Dr. GHANASHYAM DAS** : Yes, Sir.

****Shri DANDESWAR HAZARIKA** (Morongi): Is there any application from the tea garden for settlement of such land ?

****Dr GHANASHYAM DAS** : We will enquire into the matter.

Amount of money spent in constructing the Ramnagar-Masimpur Road in Cachar

Shri GAURISANKAR BHATTACHARYYA (Gauhati) asked :

*73. Will the Minister-in-charge of Community Project be pleased to state—

(a) The amount spent in constructing the Ramnagar-Masimpur Road in Cachar under the Community Project ?

(b) Whether the Public Works Department looked after it ?

Shri MOHI KANTA DAS (Deputy Minister, Community Projects) replied :

73. (a)—Rs.17,627-8-0.

(b)—No, the Engineering staff of the Cachar Community Project looked after it.

Sbri GAURISANKAR BHATTACHARYYA (Gauhati): Is it a fact that this Ramnagar-Masimpur Road in Cachar does not exist except for a few patches here and there ?

Shri MOHI KANTA DAS (Deputy Minister, Community Projects): No, it is not a fact.

Shri GAURISANKAR BHATTACHARYYA : Will the Hon'ble Deputy Minister please state how many miles of this road do exist ?

Shri MOHI KANTA DAS : It is not possible to give accurate information now off-hand.

Mr. SPEAKER: When the question was about the road, I suppose the length of the road is relevant. The Minister should come forward to reply to such obvious and expected supplementary questions.

Shri MOHI KANTA DAS : I have already said the road exists.

Shri GAURISANKAR BHATTACHARYYA: For how many miles ?

Shri MOHI KANTA DAS The entire length.

Shri GAURSANKAR BHATTACHARYYA: What is the length of the road ?

Shri MOHI KANTA DAS: I shall supply the information to the hon. Member later.

Shri GAURISANKAR BHATTACHARYYA: Will the hon. Deputy Minister make an enquiry about the length of the road ?

Shri MOHIKANTA DAS: Yes, Sir.

Mrs. JYOTSNA CHANDA (Silchar-West) : How could it be possible for the Community Project to maintain the road while it is already defunct ?

Shri MOHI KANTA DAS: The road is not defunct.

Shri RANENDRA MOHAN DAS (Karimganj—North): In which year was the work taken up ?

Shri MOHI KANTA DAS (Deputy Minister Community Project—Silchar-West) : During 1955-56.

Mrs. JYOTSNA CHANDA : May I know whether the Hon'ble Deputy Minister is saying from his personal knowledge that the Community project is not defunct ?

Shri MOHI KANTA DAS: The Cachar Community Project has been normalised now. It has been divided into three normalised blocks. So, the project still exists.

Number of Unpaid Labour Days acquired by Forest Department

Shri GAURISANKAR BHATTACHARYYA (Gauhati) asked :

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

(a) The number of unpaid labour days acquired by the Forest Department during the last Financial Year—

(i) in Cachar, and

(ii) in Assam as a whole ?

(b) Whether Government propose to continue this practice ?

Dr. GHANASHYAM DAS (Deputy Minister, Forests) replied :

74. (a)—There is no system of unpaid labour and hence, the question does not arise. Instead of payment in cash, the Forest Villagers are allowed to remove free of royalty sufficient building materials to erect and maintain their houses and ten cart loads of fuel annually if they elect to render five days' labour in lieu of paying royalty.

(b)—Does not arise.

Shri GAURISHANKAR ROY (Katlicherra): May I know whether these five days' labour is not forced labour ?

Shri RUPNATH BRAHMA (Minister, Forests): It is not at all forced labour, Sir ; it is optional. From the reply it is clear that if the villagers elect to pay royalty or land revenue at full khiraj rates without rendering any labour, they can get the forest produce.

Shri GOPESH CHANDRA NAMASUDRA [Pathar-kandi—Reserved for Scheduled Castes] : এই শ্রম দেওয়ার জন্য কি সরকার কোন বসিদ দেন ?

Shri RUPNATH BRAHMA (Minister, Forests) : That is done, I think. It may not be exactly in the form of a receipt, but it is entered in the book.

Shri GAURISANKAR BHATTACHARYYA (Gauhati) : What is the total number of this sort of optional labour in the district of Cachar, and in the State of Assam as a whole ?

Shri RUPNATH BRAHMA : Sir, it is very difficult to understand from the nature of the question actually what the hon. Member means.

Shri GAURISANKAR BHATTACHARYYA : The question is already there. The Deputy Minister has already given the reply that there is no unpaid labour. My point is what the total number of such labours in the district of Cachar and in the State of Assam as a whole ?

Shri RUPNATH BRAHMA : Sir, I have already stated that it is very difficult to understand the nature of the question. Regarding the number of free labour the file is not with me at the moment. If the hon. Member wants the information I will give him the information afterwards.

Shri NILMONEY BORTHAKUR (Dibrugarh) : Will the Hon'ble Minister-in-charge of Forests kindly inform us whether it is a fact that the erosion affected families who were settled in the Balijan Reserve Forest near Digboi have been forced to give free labour ?

Shri RUPNATH BRAHMA : We have no such information.

Shri DANDESWAR HAZARIKA (Morongi) : Are Government aware that those forest villagers who cannot give free service to the Department are evicted by the Forest Department from the Forest reserves.

Shri RUPNATH BRAHMA : That is not a fact.

Shri DANDESWAR HAZARIKA : Will the Hon'ble Minister-in-charge be pleased to enquire about this ?

Shri RUPNATH BRAHMA : As I have already stated that they are not evicted. If the hon. Member could give

me some specific instances, I will enquire about them. Otherwise it is very difficult to say anything in reply to the question.

Shri LALIT KUMAR DOLEY [Moran (Reserved for Scheduled Tribes)] : Does the Honourable Minister know that the forest villagers who cannot give free labour to the Forest Department are to live just like beggars in the Forest Reserves as forest villagers ?

Shri RUPNATH BRAHMA (Minister, Medical) : To give free labour is optional. The Forest Department do not force forest villagers to give them free service. But when they live as forest villagers they are bound to be prepared to follow the forest rules.

Re: Non-recurring grant to Schools under Article 275

Shri SURENDRA NATH DAS (Patacharkuchi) asked :

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

- (a) The amount sanctioned for the last three years under Article 275 as non-recurring grant to the Schools ?
- (b) Whether it is a fact that some of these grants lapsed for want of time for distribution ?
- (c) If so, what is the amount so lapsed ?
- (d) Which are the Schools so deprived of grant and the amount involved in each case ?

Shri MOTIRAM BORA (Minister, Education) replied :

75. (a) to (d)—The information is being collected.

Number of Persons arrested in the Naga Hills since the outbreak of Naga Disturbances

Shri HARESWAR GOSWAMI (Rampur) asked :

*76. Will the Chief Minister be pleased to state—

- (a) How many persons have up till now been arrested in the Naga Hills since the outbreak of the present trouble there ?

(b) How many of such persons have been tried and how many convicted ?

(c) What is the number of persons who have voluntarily surrendered ?

(d) What is the total expenditure incurred by the Government up till now for the operation ?

Shri BISHNURAM MEDHI (Chief Minister): replied :

76. (a) to (d)—The information has been called for but not yet received.

Shri GAURISANKAR BHATTACHARYYA (Gauhati):
By what time we may expect to get the information ?

Shri BISHNURAM MEDHI: It is very difficult to say when we shall be able to give the information, because the communication in different areas is bad, particularly, during the rains.

Shri GAURISANKAR BHATTACHARYYA: May we expect that the information will be laid before the House by the next Session?

Shri BISHNURAM MEDHI: We cannot say definitely whether the information will be available by the next session of the Assembly. The question will lapse after the session is prorogued. In case the hon. Member send fresh notice of the questions, Government will try to collect the material.

Shri RANENDRA MOHAN DAS (Karimganj-North):
Is it not a fact that the Naga trouble is very serious now ?
Are not Government receiving daily reports ?

Shri BISHNURAM MEDHI: The daily reports are confidential reports. There are certain rules under which all these daily reports are not preserved for a long time. Otherwise I would have given the information.

QUESTIONS AND ANSWERS

UNSTARRED QUESTIONS

(To which answers were laid on the table)

Representation Demanding a Full-fledged Dispensary in Udarband Thana area

Shri TAJAMMUL ALI BARLASKAR (Udarband)
asked :

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

(a) Whether any representation has lately been received by Government from the people of Udarband Thana in Silchar Subdivision demanding a full-fledged dispensary in the area ?

(b) If so, what action has been taken thereon so far ?

(c) Whether it is a fact that there is not a single full-fledged dispensary in the whole of Udarband Thana ?

(d) Whether Government propose to sanction under such condition, a full-fledged dispensary with provision for indoor patients, for that area, immediately ?

Shri RUPNATH BRAHMA (Minister, Medical)
replied :

148. (a)—No.

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

(c)—There is a Government Subsidised Dispensary at Udarband.

(d)—The Civil Surgeon, Cachar, is being asked about the need of a Dispensary there and further action in the matter will be taken on receipt of his report.

Asphalting of Chikarighat-Golaghat Road

Shri NARENDRA NATH SARMA (Dergaon) asked :

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

(a) Whether it is a fact that the public of Golaghat recently gave several representations for taking up for asphalting the Chikarighat to Golaghat road which is the most important thoroughfare in the whole Subdivision ?

(b) Whether Government will be pleased to take any step to give asphalt to the above-mentioned road ?

Shri SIDDHINATH SARMA (Minister, P.W.D.) replied :

149. (a)—Yes.

(b)—This proposal to asphalt the remaining miles of this road was placed before the Assam Roads Communication Board in its last meeting held on 10th December 1956 and as per its recommendation, the scheme has been included in the programme of Road Development to be financed out of Central Road Fund (ordinary) Reserve. The Government of India's approval to the whole programme is awaited.

Shri NARENDRA NATH SARMA : May I know from the Hon'ble Minister-in-charge when do can we expect to get the approval of the Government of India ?

Shri SIDDHINATH SARMA : Expecting every day to get the approval of the Government of India.

Gratuitous Relief for Cyclone Storm and Fire-affected people of Assam.

Shri DANDI RAM DUTTA (Mangaldoi) asked :

150. Will the Revenue Minister be pleased to state—

(a) What are the different amounts of gratuitous relief granted to each Subdivision for cyclone and storm affected people of Assam from March, 1957 to up-to-date ?

(b) What are the amounts of gratuitous relief granted to each Subdivision for fire-affected people in the current year ?

Shri HARESWAR DAS (Minister, Revenue) replied :

150. (a) & (b)—The figures are shown below—

| | | | | | Cyclone Rs. | Fire Rs. |
|-----------------|-----|-----|-----|-----|----------------|-------------|
| Dibrugarh | ... | ... | ... | ... | 10,000 | ... |
| North Lakhimpur | ... | ... | ... | ... | 20,000 | ... |
| Tezpur ... | ... | ... | ... | ... | 20,000 | ... |
| Mangaldoi | ... | ... | ... | ... | 2,500 | 2,600 |
| Dhubri ... | ... | ... | ... | ... | ... | 2,000 |
| Goalpara | ... | ... | ... | ... | 6,000 | 2,235 |
| Silchar ... | ... | ... | ... | ... | 4,000 | ... |
| Hailakandi | ... | ... | ... | ... | 500 | ... |
| Karimganj | ... | ... | ... | ... | 2,500 | ... |
| Jorhat ... | ... | ... | ... | ... | 8,000 | 2,600 |
| Sibsagar | ... | ... | ... | ... | 2,500 | ... |
| Nowgong | ... | ... | ... | ... | ... | 200 |
| Gauhati | ... | ... | ... | ... | 1,500 | 4,300 |
| Total | | | | .. | 77,500 | 13,935 |

Shri DANDIRAM DUTTA (Mangaldoi) : টকাৰ পৰিমাণটে।
কেনেকৈ ঠিক কৰিছে ?

Shri HARESWAR DAS (Minister, Revenue) : According to demand.

Shri GAURI SHANKAR ROY (Katlicherra) : Demand from whom ?

Shri HARESWAR DAS : Demand from the affected people.

Maulavi NURUL ISLAM (Dhing): May I know how many applications for gratuitous relief have been received from Nowgong ?

Shri HARESWAR DAS: Applications are not received here. The Deputy Commissioner received them.

Shri DANDI RAM DUTTA: মঙ্গলদৈত ইমান কম টকা দিয়াৰ কাৰণ কি ?

Shri HARESWAR DAS: মঙ্গলদৈত বেচি মানুহ হয়তো affected হোৱা নাই।

Rate of Commission, Remuneration or Emolument to the Mouzadars and Gaonburas.

Shri NARENDRA NATH SARMA (Dergaon) asked :

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

(a) Whether Government propose to revise the rate of commissions to the Mouzadars of Assam or give some other facilities ?

(b) What is the remuneration or emoluments of the Gaonburas of Assam ?

(c) Whether the remuneration of the Gaonburas is duly and regularly paid ?

Shri HARESWAR DAS (Minister, Revenue) replied :

151. (a)—There is no such proposal under consideration at present except a proposal to raise the commission on Tauzi-bahir revenue from 5 per cent to 10 per cent.

(b)—Under the rules Gaonburas of Assam get annual remission of land revenue upto twenty bighas of cultivable land. Besides, Deputy Commissioners are allowed to award gold rings to the best Gaonburas of the district concerned in recognition of their good services. The number of gold ring awards has recently been increased from 24 to 44.

The Gaonburas have also been granted free medical facilities to the extent admissible to the State Government servants.

A proposal for grant of free-studentship to one son or daughter of each Gaonbura upto Matriculation standard is being examined.

(c)—Yes.

Reclamation of Kaptanpur Haor in the Silchar Sub-division.

Dr. RAM PRASAD CHAUBEY (Lakhipur) asked :

152. Will the Minister-in-charge of Agriculture be pleased to state—

(a) What amount of money has so far been spent for the reclamation of Kaptanpur Haor in the Silchar Subdivision ?

(b) How many acres of land have been made suitable for cultivation there ?

(c) How much money has been contributed by the villagers concerned ?

M. MOINUL HAQUE CHOUDHURY (Minister, Agriculture) replied :

152. (a)—A sum of Rs.36,000 approximate has so far been spent towards this particular reclamation project.

(b)—Eight hundred and sixty acres of land have been made suitable for cultivation.

(c)—Total charges payable by the cultivators towards tractor charges—Rs.36,400 approximate.

Charges paid upto date—Rs.24,000.

Re:Backward Classes

Shri NANDA KISHORE SINHA (Sonai) asked :

153. (a) Have the Government lately received any representation from the Muslim Fishermen and ex-tea garden labourers living in Assam for their inclusion in the list of the Backward Classes approved by the Government in consideration of their backwardness both socially and economically ?

(b) If so, what action has so far been taken in this regard ?

(c) If not, do Government feel that these particular classes of people should be given some benefit as are being given to other backward classes ?

Shri CHATRA SINGH TERON (Minister, Tribal Welfare) replied :

153. (a)—No.

(b)—Does not arise.

(c)—The tea garden labourers like Gonds, Mundas, Khonds, Oraons, Santhals, Savara and Pans are already treated as Backward Classes and as such members of ex-tea garden labourers belonging to these tribes are also treated as members of backward classes. If any representation from Muslim Fishermen for their treatment as members of any backward classes is received, the matter will be considered by Government on merit.

****Shri DEVENDRA NATH HAZARIKA (Saikhowa):**
Does the Hon'ble Minister-in-charge know about the findings of the Backward Classes Commission of the Government of India?

****Shri CHATRA SINGH TERON (Minister, Tribal Welfare):** Sir, the question relates to certain Muslim Fishermen for their treatment as members of any backward classes. So the question as asked by the hon. Member does not arise here.

Mr. SPEAKER: It does arise here. The hon. Member has the privilege to get the reply on this question.

****Shri CHATRA SINGH TERON:** Regarding the findings of the Backward Classes Commission, I have no information.

Re : Buddhist guest houses in Assam

Shri BISWADEV SARMA (Balipara) asked :

154. Will the Minister-in-charge of General Administration be pleased to state—

(a) The number of Buddhist guest houses proposed to be built in Assam?

(b) If so, whether it is a fact that one such guest house will be built at Rangapara for the benefit of the Buddhist monks and disciples?

Shri BISHNURAM MEDHI (Chief Minister) replied :

154. (a)—There is no such proposal under contemplation of Government.

(b)—Does not arise.

Shri BISWADEV SARMA Whether Government will consider about such a proposal?

Shri BISHNURAM MEDHI : At present the Government has not yet received any such proposal for their consideration.

Shri BISWADEV SARMA : May I know if there was any recommendation from the Government of India?

Shri BISHNURAM MEDHI : Sir, this is a new question. I want notice of it.

Re : Staff and buildings of Police Stations at rural areas

Shri NARENDRA NATH SARMA (Dergaon) asked :

155. Will the Minister-in-charge of Home be pleased to state—

(a) Whether there is any proposal to increase the staff as well as the buildings of the Police Station of rural areas?

(b) Whether Government are aware that the present strength of the police in rural areas is not enough to control the area of a Police Station?

Shri MOTIRAM BORA (Minister, Home) replied:

155 (a)—Yes.

(b)—Yes. Government is establishing Police Stations, Investigating Centres and Outposts in rural areas for better control of crimes according to demands, justified by statistics of crimes.

Shri NARENDRA NATH SARMA (Dergaon): With regard to reply (a); Sir, may we know the names and the number of the Police Station proposed to be increased?

Shri MOTIRAM BORA (Minister, Home): I am sorry, Sir, I cannot give the reply off-hand.

Shri DANDESWAR HAZARIKA (Morongi): Are Government aware that for want of accommodation some of these officers have got to stay outside?

Shri MOTIRAM BORA: There might be a solitary instance like that, but Government are not aware of it.

Shri NARENDRA NATH SARMA: Do Government propose to construct those quarters early?

Shri MOTIRAM BORA: Government propose to do so subject to funds being available.

Allotment of C.I. Sheets to Tezpur Subdivision

Shri BISWADEB SARMA (Balipara) asked:

156. Will the Minister-in-charge of Supply be pleased to state—

- (a) The number of bundles of C.I. Sheets allotted to each Subdivision of the State in the years 1955 and 1956?
- (b) What was the quota allotted to Tezpur Subdivision in those years?
- (c) What quantity of C.I. Sheets lifted so far?
- (d) What quantity of C. I. Sheets still remains unlifted for the Subdivision?
- (e) What quantity of C.I. Sheets allotted to Tezpur Subdivision for persons affected by the recent cyclone?
- (f) When was the general quota of C. I. Sheets distributed last at Tezpur and what quantity?
- (g) Whether Government propose to consider about allotting a special quota of C. I. Sheets for Tezpur in view of the cyclone damage and short supply of C.I. Sheets during the last 2 years?

Shri DEBESWAR SARMAH (Minister, Supply) replied :

156. (a)—The number of bundles of C.I. Sheets allotted to each Subdivision of the State during 1955-56 and 1956-57 is shown below. Figures relate to Financial years.

| Serial No. | Name of Subdivision | Quantity of C.I. Sheet allotted during— | | | |
|--|---------------------|---|--------|--------|---------|
| | | 1955-56 | | | 1956-57 |
| | | Adhoc | Normal | Total | Normal |
| | | (For flood relief, etc.) | | | |
| (1) | (2) | (3) | (4) | (5) | (6) |
| | | Bdls. | Bdls. | Bdls. | Bdls. |
| 1. Silchar | | 400 | 2,200 | 2,600 | 2,000 |
| 2. Hailakandi | | .. | 800 | 800 | 1,000 |
| 3. Karimganj | | 400 | 1,800 | 2,200 | 1,600 |
| 4. North-Cachar Hills | | .. | 600 | 600 | 600 |
| 5. Lushai Hills | | .. | 800 | 800 | 1,000 |
| 6. Nowgong | | 2,000 | 5,000 | 7,000 | 4,000 |
| 7. United Mikir Hills | | .. | 800 | 800 | 800 |
| 8. Naga Hills | | .. | 1,000 | 1,000 | 800 |
| 9. Jorhat | | 1,400 | 2,600 | 4,000 | 2,400 |
| 10. Sibsagar | | 2,000 | 3,000 | 5,000 | 2,400 |
| 11. Golaghat | | 1,000 | 2,200 | 3,200 | 1,800 |
| 12. Dibrugarh | | 1,400 | 5,165 | 6,565 | 4,600 |
| 13. North Lakhimpur | | 1,400 | 1,200 | 2,600 | 1,000 |
| 14. Shillong (including Jowai) | | .. | 4,200 | 4,200 | 4,050 |
| 15. Gauhati | | 4,600 | 6,120 | 10,720 | 5,000 |
| 16. Barpeta | | 800 | 2,220 | 3,020 | 2,000 |
| 17. Dhubri | | 2,200 | 3,820 | 6,020 | 3,400 |
| 18. Goalpara | | 600 | 1,820 | 2,420 | 1,800 |
| 19. Garo Hills | | .. | 1,000 | 1,000 | 800 |
| 20. Tezpur | | 800 | 2,420 | 3,220 | 2,400 |
| 21. Mangaldai | | 1,000 | 1,000 | 2,000 | 1,600 |
| Total | | 20,000 | 49,765 | 69,765 | 45,050 |

(b)—The quota of C.I. Sheets allotted to the Tezpur Subdivision during these years was 5,620 bundles.

(c)—The quantity lifted so far is 7,767 bundles which also include receipts against arrear quotas of C.I. Sheets prior to 1955.

(d)—The unlifted quantity for 1956-57 is 1,400 bundles.

(e)—The State Government moved Government of India for an *ad hoc* allotment of 1,000 tons C.I. Sheets for the Cyclone-affected people of the State but no allotment could be made by the Government of India due to non-availability of stocks with producers. But only recently the Iron and Steel Controller has made an *ad hoc* allotment of 200 tons from the stocks of Calcutta controlled stockists. Arrangements are being made for lifting of that quota through the registered stock holders of some cyclone-affected Subdivisions including Tezpur.

(f)—Two hundred and three bundles of C. I. Sheets were distributed last during May, 1957.

(g)—A special quota of 600 bundles of C. I. Sheets have been allotted for Tezpur Subdivision for cyclone-affected people out of 200 tons recently made available from the Calcutta Controlled Stockists by the Iron and Steel Controller.

Shri BISWADEV SARMAH (Balipara): With regard to (d), Sir, may I know why this quota was not lifted up-till now?

Shri DEBESWAR SARMA (Minister, Supply): I am sorry, Sir, this information is not now in my possession, but I propose to supply the information to the hon. Member later on.

Shri BISWADEV SARMA: With regard to (f), Sir, is it a fact that some C.I. Sheets were taken for the Community Project from the Deputy Commissioner, Darrang, and if so, have they been returned?

Shri DEBESWAR SARMAH: Government will enquire into the matter, and in case of any short-fall, that will be made up.

Re: Rangapara C. S. Shop.

Shri BISWADEV SARMA (Balipara) asked :

157. Will the Minister of Excise be pleased to state—

(a) Whether representation was lately made to Deputy Commissioner, Darrang for shifting the Rangapara C. S. Shop from its present site ?

(b) The steps have been taken in this behalf so far ?

(c) Whether Government propose to shift the same at an early date ?

Shri CHATRA SINGH TERON (Minister, Excise) replied:

157. (a)—A representation was submitted to Deputy Commissioner, Darrang, in March, 1956.

(b)—An enquiry was made but no alternative suitable site could be found.

(c)—The Deputy Commissioner has been directed to try again to find a less objectionable site and the matter will be considered on receipt of his report.

Re: Provident Fund Money accumulated under the Tea Plantation Provident Fund Act in Assam

Shri SARBESWAR BORDOLOI (Titabar) asked :

158. Will the Minister-in-charge of Labour be pleased to state—

(a) The total amount of Provident Fund money at present accumulated under the Tea Plantation Provident Fund Act in the gardens of Assam ? (figures to be shown subdivision-wise by showing separately amount of Employer's contribution and member's contribution.)

(b) How many gardens are left out from Provident Fund Scheme ? (Figures to be shown subdivision-wise).

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Labour) replied :

158. (a)—The amount of accumulations upto 31st May, 1957, is given below :—

| Subdivision | | | | Employers' con- tributions | Labourers' con- tribution (in- cluding bonus) |
|--------------------|-----|-----|-----|-------------------------------|--|
| | | | | Rs. | Rs. |
| Dibrugarh | ... | ... | ... | 6622430.80 | 11322430.80 |
| North Lakhimpur... | ... | ... | ... | 293633.14 | 642438.79 |
| Nowgong | ... | ... | ... | 544842.92 | 837263.12 |
| Kokrajhar | ... | ... | ... | 13872.92 | 41872.92 |
| Dhubri | ... | ... | ... | 70124.61 | 108379.95 |
| Goalpara | ... | ... | ... | 5414.15 | 7286.66 |
| Gauhati | ... | ... | ... | 24294.93 | 23294.94 |
| Barpeta | ... | ... | ... | 86964.86 | 138053.61 |
| Sibsagar | ... | ... | ... | 1750498.03 | 2860498.04 |
| Jorhat | ... | ... | ... | 2205431.46 | 3929008.14 |
| Golaghat... .. | ... | ... | ... | 1189349.30 | 2009349.29 |
| Tezpur | ... | ... | ... | 2723247.62 | 4536033.63 |
| Mangaldai | ... | ... | ... | 615148.10 | 1127835.15 |
| Silchar | ... | ... | ... | 778893.31 | 1158893.32 |
| Karimganj | ... | ... | ... | 477513.16 | 581513.16 |
| Hailakandi | ... | ... | ... | 309461.64 | 419566.76 |
| Total ... | | | | 17711120.95 | 29743718.23 |
| Grand total ... | | | | 47454839.23 | |

(b)—One hundred ninety-five gardens are outside the scope of the Assam Tea Plantations Provident Fund Scheme. These are :—

| | | | |
|-------------------|----|-----------------|----|
| Lakhimpur | 7 | Sibsagar | 25 |
| Dibrugarh | 29 | Jorhat | 38 |
| Tezpur | 10 | Golaghat | 25 |
| Mangaldai | 4 | Nowgong | 2 |
| Gauhati | 8 | Goalpara | 1 |
| Barpeta | 2 | Dhubri | 2 |
| Silchar | 11 | | |
| Karimganj | 15 | | |
| Hailakandi | 16 | | |

****Shri SARBESWAR BORDOLOI (Titabar):** With regard to repply at (a), Sir, may I know the reason for such a wide gap of difference between the total contribution of the employers and that of labourers ?

****Shri KAMAKHYA PRASAD TRIPATHI (Minister, Labour):** I think this is due to addition of $\frac{1}{3}$ rd bonus desposit with the labourers' contribution.

Re: the present stage of the retrenchment and lay-off cases of Cachar Plantation, 1952-53 lying before the Tribunal

Dr. RAM PRASAD CHAUBEY (Lakhipur) asked :

159. Will the Minister-in-charge of Labour be pleased to state—

- At what stage the retrenchment and lay-off cases of Cachar Plantations of 1952-53 are lying before the Tribunal ?
- How long will it take to come to a decision about all these cases ?
- What measures Government propose to take for the quicker disposal of the above cases ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Labour) replied :

159. (a)—The retrenchment and lay-off cases of Cachar have recently been referred afresh to the new Industrial Tribunal.

(b) & (c)—It is not possible to indicate the time factor which rests with the adjudicating machinery. Government have recently set up two adjudicating machineries for speedy disposal of all such cases.

Re: Requisition of Land

Shri GOPESH NAMASUDRA [(Patherkandi Re-served for Scheduled Castes)] asked :

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

(a) If some lands were requisitioned by Government for Patherkandi Aerodrome (East Project) in Karimganj Subdivision during the last war period ?

(b) If compensation was given to all persons concerned ?

(c) If not, why the compensation was not given during these long long years ?

(d) Whether Government propose to take steps for immediate settlement of the matter ?

Shri HARESWAR DAS (Minister, Revenue) replied :

160. (a)—No land was requisitioned for “East Project” but some lands were requisitioned under North and South Projects only.

(b)—Compensation in respect of North Project has been fully paid.

(c)—In case of South Project 86 per cent of the compensation (approximately) had been paid to the owners, but the balance could not be paid for want of sanction of fund by the Military Authorities in spite of prolonged correspondence by the Deputy Commissioner and the Revenue Department.

(d)—Yes, Government propose to pursue the matter.

**Construction of Circle Office of the Palasbari
new Circle**

Shri RADHIKA RAM DAS (Palashbari) asked :

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

(a) What amount has been sanctioned for construction of Circle Office of the Palashbari new Circle ?

- (b) What action has been taken to construct the same ?
- (c) Is it a fact that the Palasbari Circle Office is temporarily located at Gauhati ?
- (d) Will Government be pleased to construct the building of the Circle Office in the new town of Palasbari immediately ?

Shri HARESWAR DAS (Minister, Revenue) replied :

161. (a)—An amount of Rs. 24,192 has been sanctioned for construction of the Circle Office at Palasbari.

(b)—The Chief Engineer is being requested to take up the work early so that the construction work is completed within the current financial year.

(c)—Yes.

(d)—The Circle Office will be constructed at new Palasbari town near Mirza Hills.

****Shri RADHIKA RAM DAS (Palasbari)** : With regard to (a), Sir, when the amount was sanctioned ?

****Shri HARESWAR DAS (Minister, Revenue)** : That I cannot say off-hand, Sir, but I can supply the information to the hon. Member later.

****Shri RADHIKA RAM DAS** : Is that a fact that it was sanctioned two years back ?

****Shri HARESWAR DAS** : As I have already stated, Sir, the information can be supplied to the hon. Member later on

Non-payment of wages to labourers by Santhalia and Chencoorie Tea Estates in Cachar

Dr. RAM PRASAD CHAUBEY (Lakhipur) asked :

162. Will the Minister-in-charge of Labour be pleased to state—

- (a) Whether Government are aware that the management of some tea estates in Cachar, *viz.*, Santhalia and Chencoorie are not paying wages to labour for the last 4 weeks ?

(b) Whether Government are aware that the labourers are undergoing extreme financial stringency due to non-payment of wages and are living on starvation line ?

(c) What steps Government propose to take so that the labourers may get their wages early ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Labour) replied :

162. (a)—Yes.

(b)—Labourers have been hard-hit due to not getting their wages regularly.

(c)—Labour Officer, Cachar has already been instructed to file a suit under the Payment of Wages Act for the recovery of the arrear wages.

****Dr. RAM PRASAD CHAUBEY (Lakhipur):** Sir, in view of the fact that filing of suits, etc., is a very lengthy procedure and as the labourers are very much hard-hit due to irregular payment to them—a practice developing to almost a regular practice with the management of these tea gardens, do Government propose to take over the administration of those tea gardens which are not regular in payment to their labourers ?

****Shri KAMAKHYA PRASAD TRIPATHI:** This is Sir, a very important question. At present Government do not have any proposal to intervene in the matter. Government are, however, examining the position as to how in the case of such defaulting tea estates Government can intervene, and as soon as the legal position is clear, Government will take the House into confidence.

****Shri SARBESWAR BORDOLOI (Titabar):** Sir, are Government aware that at present legal proceedings under the Payment of Wages Act is a very lengthy procedure ?

****Shri KAMAKHYA PRASAD TRIPATHI :** Sir, as a matter of fact, all legal proceedings have a tendency to be lengthy. Therefore the only way to eliminate the hardship caused to the labourers by these long delays is to strengthen the labour organisations and to settle up the points of differences by negotiation with the employers.

Re: Fire at Shillong Barabazar**Shrimati LILY SENGUPTA (Lahowal)** asked :

163. Will the Chief Minister be pleased to state—

- (a) On how many times the Shillong Barabazar was gutted by fire from 1950 to 1957 ?
- (b) What was the total amount of loss incurred by people on these fires ?
- (c) What are the reasons for these fires ?
- (d) Whether any financial help has been given by Government to those persons who had been badly affected by these fires ?
- (e) If not, why not ?

Shri BISNURAM MEDHI (Chief Minister) replied :

163. (a)—4 times during the last 7 (seven) years.

(b)—The total loss estimated approximately was Rs.5,50,250.

(c)—The cause of the fires appears to be accidental. As regards the cause of the last fire that broke out in April 1957 investigations are still in progress.

(d)—After the last fire in April, 1957, an amount of Rs.5,000 was sanctioned from the Chief Minister's Flood and Famine Relief Fund for gratuitous relief to victims of the fire, who were in need of such assistance. The requirements of the affected people for controlled material like C. I. sheets were given special consideration to assist them in the reconstruction of their shops or stalls.

(e)—Does not arise.

****Shrimati LILY SENGUPTA :** Fire station ত যি fire officer থাকে তেওঁ ২৪ ঘণ্টা প্রস্তুত থাকেনে ?

****Shri BISNURAM MEDHI :** নিয়ম মতে থাকিব লাগে কিন্তু কোনো particular case ত আছিলনে নাই কব নোৱাৰে।

**Assam Samabay Resham Protisthan, Ltd. and Sualkuchi
Resham Samabay, Ltd.**

Shri RADHIKA RAM DAS (Palashbari) asked :

164. Will the Minister-in-charge of Sericulture and Weaving be pleased to state—

- (a) Whether Assam Samabay Resham Protisthan, Ltd. and Sualkuchi Resham Samabay, Ltd. at Sualkuchi are the Weavers Co-operative Societies ?
- (b) Is it a fact that the two Weavers Co-operative Societies lately applied for loan from the Government ?
- (c) Is it a fact that these two Co-operative Societies were sanctioned loans ?
- (d) Is it a fact that Telegrams were sent to these two Societies calling them to Shillong Office at 10 A. M. on the 25th March, 1957 ?
- (e) Is it a fact that the said Telegrams were sent from Shillong at 11 A. M. on the 25th March, 1957 ?
- (f) Is it a fact that due to this irregularity the Societies did not get the loans ?
- (g) Is it a fact that these two Societies have suffered much for want of loans ?
- (h) Is it not the policy of the Government to help such Institutions with loans ?
- (i) Whether Government will be pleased to see that these two Societies are paid loans immediately ?

**Shri KAMAKHYA PRASAD TRIPATHI (Minister,
Sericulture and Weaving)** replied :

164. (a)—Yes.

(b)—Yes.

(c)—Yes in 1955-56.

(d) & (e)—Telegrams were issued from this Office on 23rd March, 1957.

(f)—No. The Societies could not be granted the loans during 1956-57 for some irregularities in their accounts and want of latest audited balance sheets and certain other informations.

(g)—No information to that effect was received. Both the Societies were given loan of Rs.10,000 each in 1955-56.

(h)—It is the policy of the Government to help Weavers Co-operative Societies with loan admissible under the rules.

(i)—Government has already taken action for grant of loan of Rs.55,000 to the Assam Samabay Resham Pratisthan, Ltd. The case of other society is kept pending for want of certificate to be furnished by Co-operative Officer with regards to paid up Share Capital of the Society.

****Shri RADHIKA RAM DAS (Palashbari):** Will the Government be pleased to lay on the table a copy of the telegram referred to at (d) and (e) and confirm that the telegram was, dated 23rd and not 25th March, 1957?

****Shri KAMAKHYA PRASAD TRIPATHI (Minister, Sericulture and Weaving):** So far our information is concerned, it has been already supplied to the hon. Member.

****Shri RADHIKA RAM DAS:** Will Government be pleased to lay on the table of the House the copy of the telegram to show that it is exactly dated 23rd?

****Shri KAMAKHYA PRASAD TRIPATHI:** I do not have any objection, Sir, if it will only satisfy the hon. Member.

Scheme for the free supply of seeds and financial help to the scarcity and famine areas in the United Khasi-Jaintia Hills

Rev. J. J. M. NICHOLS-ROY (Cherrapunji Reserved for Scheduled Tribes) asked:

165. (a) Will the Minister-in-charge of the Tribal Welfare Department be pleased to inform this Assembly when the permanent Scheme for the supply of free seeds and financial help for scarcity and famine areas was started in the United Khasi-Jaintia Hills district?

(b) If it is a fact that the scheme is for the sake of helping the suffering people of the Border Area to enable them to get free seeds for planting and to help them to maintain themselves ?

(c) What kinds of seeds were distributed to the people of the Border Areas ?

(d) What is the total quantity of each kind of seed so distributed ?

(e) The names of persons to whom such seeds were distributed ?

(f) If it is a fact that the scheme has been discontinued from 1st April, 1957.

(g) If so, the reasons of its discontinuance ?

(h) How many persons were employed for this scheme ?

(i) Whether there is any plan to re-employ them ?

(j) Whether there is any plan to receive the scheme to help the cultivators in the border areas of Pakistan ?

(k) If so, when will it be again started ?

(l) Whether Government propose to do so without delay ?

(m) Whether it is a fact that the persons who were employed in the schemes worked until the 13th April, 1957, and that they were informed that the scheme was abolished from the 1st April, 1957 ?

(n) If so, whether these employees get their pay until the 13th April, 1957 ?

(o) By whose order was the scheme suddenly discontinued ?

(p) Whether it is a fact that it was done by the Under-Secretary of the Tribal Areas Department without even the knowledge of the Secretary of the Department ?

(q) Whether the scheme was started from the finance given by the Central Government or the State Government ?

- (r) Whether it is a fact that an amount of 5 lakhs of rupees was proposed to be spent for this purpose ?
- (s) What was the amount already spent ?
- (t) Whether there is such scheme in the Garo Hills and Lushai Hills also ?
- (u) If so, whether it has been discontinued there also ?

Shri CHATRA SINGH TERON (Minister, Tribal Welfare) replied :

165. (a)—The Agricultural part of the Scheme was started in October 1955 and the other part dealing with financial assistance was started in February, 1954.

(b)—Yes.

(c)—Cash and food crops like betel nuts, black peppers, grafts, potatoes, turmeric, ginger, cardamom, coffee, paddy, millets, maize, Kochu, Cocoanuts, etc., etc.

(d)—The quantity of seeds distributed free to the cultivators are :—

| | | | | |
|--------------------------------|-----|-----|----------|------|
| Black peppers cutting or vines | ... | ... | 12,000 | Nos. |
| Betelnut seeds about | ... | ... | 4,96,400 | Nos. |
| Paddy seeds | ... | ... | 692 | mds. |
| Cardamom seeds | ... | ... | 15 | lbs. |
| Coffee seeds | ... | ... | 717 | lbs. |
| Ginger Turmeric | .. | ... | 1,515 | mds. |
| Potato | ... | ... | 1,238 | mds. |
| Banana Suvkers | ... | ... | 345 | Nos. |
| Fruit grafts | ... | ... | 4,124 | Nos. |
| Topioca cuttings | ... | ... | 14,351 | Nos. |
| Millets seeds | ... | ... | 245 | mds. |
| Maize | ... | ... | 100 | mds. |
| Kochu | ... | ... | 654 | mds. |
| Cocoanuts | ... | ... | 250 | Nos. |

(e)—The information is being collected and when ready a complete list of the beneficiaries will be furnished to the Member. As far as it is known, about two thousand cultivators families received such free seeds and crops.

(f)—No. The Scheme was financed with loan assistance from the Government of India with a specified target of expenditure and for a specified period. The scheme has since been fully implemented and question of its discontinuance does not arise.

(g)—Covered by reply to (f) above.

(h)—Number of the staff employed under the scheme are:—

| | | | | | | |
|-----------------------------------|-----|-----|-----|-----|-----|----|
| Special Officer | .. | .. | ... | ... | ... | 1 |
| Agricultural Inspectors... | ... | ... | ... | ... | ... | 4 |
| Assistant Agricultural Inspectors | .. | ... | ... | ... | ... | 6 |
| Agricultural Demonstrators | ... | .. | ... | ... | ... | 16 |
| Head Assistants | ... | .. | ... | ... | ... | 1 |
| Accountant ... | ... | ... | ... | ... | ... | 1 |
| Lower Division Assistant | ... | ... | ... | ... | ... | 6 |
| Typist | ... | ... | ... | ... | ... | 1 |
| Grade IV | ... | ... | ... | ... | ... | 15 |
| Total | | | | | | 51 |

(i)—Eighteen of them has since been absorbed in the Agricultural Department and others though retrenched at present being surplus to requirements efforts are being made to absorb them in Agricultural Department as and when vacancies occurred.

(j)—There is no question of revival of the scheme which has since been fully implemented. But there are two other alternative schemes. One in the Article 275 Development Programme and another financed from the State revenues, in the current year which will also serve the same purpose. In the former scheme there is provision for free supply of seeds and manure, and also fruit grafts as under the latter scheme there is provision for distribution of agricultural loans.

(k)—It is expected that two alternative schemes referred to above will be implemented as soon as budget is passed.

(l)—Cover by reply to (k) above.

(m)—Yes. A skeleton staff had to be retained even after 1st April, 1957 to wind up the scheme.

(n)—No formal sanction for retention of the skeleton staff could yet be issued as the Finance Department want to get themselves satisfied with the need of retention of the staff. The matter is under correspondence with the Director of Agriculture, Assam.

(o)—The circumstances under which the scheme was wound up with effect from 1st April, 1957 have been explained in Question No. (f) above.

(p)—No. The scheme was sanctioned up to 31st March, 1957 and normally the Director of Agriculture should have taken action in time to wind it up with effect from 1st April, 1957. But when he found that it would take a little more time to wind up the scheme he submitted a proposal to Government in the Tribal Areas Department for retention of a skeleton staff for a short period to enable him to wind up the scheme and the matter is still under consideration of Government.

(q)—The scheme was financed with loan assistance from the Government of India.

(r)—The total cost of the scheme was Rs.15,00,000 of which Rs.5,75,000 was in the Agricultural sector.

(s)—In the financial assistance sector the total amount spent is Rs.9,25,000 and in the Agricultural sector Rs.5,35,507.

(t)—No.

(u)—Does not arise.

Rev. J. J. M. NICHOLS-ROY [Cherrapunji (Reserved for Scheduled Tribes)] : Sir, the reply given to my question No. 165 (j) is not clear to me. I want an explanation. It has been stated here, "In the former scheme there is provision for free supply of seeds and manure and also fruit grafts as under the latter scheme there is provision for distribution of agricultural loans." I want to know whether provision for free supply of seeds and manure and also fruit grafts have been made under the second scheme also in addition to agricultural loans.

Shri CHATRA SINGH TERON (Minister, Tribal Welfare) : The reply is given in my reply (f), Sir, that the first part of this scheme is dealing with financial assistance and the second part is dealing with agricultural scheme. The scheme was executed accordingly. As regards the first question regarding free supply, it is clearly stated that the supply of seeds etc., is free in that scheme.

Rev. J. J. M. NICHOLS-ROY : This sentence does not seem clear to me, Sir. In the first scheme there was provision for free supply of seeds, manure and also fruit grafts. Does it mean that in the latter scheme also these things will be supplied free ?

Shri CHATRA SINGH TERON : That is not included in the latter scheme, the latter scheme provided for distribution of Agricultural loans.

Mr. SPEAKER : I think it is clear in the printed reply.

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Labour) : Sir on a point of clarification only I want to say that this Question like many other Questions confines more than one topic. So, I think, it will be wiser if one Question is allowed to confine only one topic. Otherwise some difficulties are bound to arise in giving replies.

Mr. SPEAKER : So far as Unstarred Questions are concerned we shall allow only Supplementary Questions asking for certain clarifications on the general points but not on details. This is the procedure as far as Unstarred Questions are concerned.

Shri GAURISANKAR BHATTACHARYYA (Gauhati) : Sir, in connection with the suggestion made by Shri Tripathi I want to say that we cannot put Questions in a clear-cut way and as such in one particular Question too many issues are

raised. So, may we hope that in your office there will be some help so as to split the Questions in such a way that each of them can confine only one issue ?

Mr. SPEAKER : I want to take the hon. Members into confidence so far as my office is concerned. There is an extreme shortage of hands. In fact, there is only one officer in the Assembly Secretariat and he has to deal with Question among a great many other things. So far as Unstarred Questions are concerned, it is not possible to recast them. But as far as Starred Questions are concerned, both myself and the Secretary devote lot of our time to recasting and re-arranging them. Some times we have to rewrite many such questions so that the hon. Members may not find difficulty in putting them and also in answering them.

Rev. J. J. M. NICHOLS-ROY [Cherrapunji (Reserved for Scheduled Tribes)] : Sir, I only want to know whether there will be free distribution of seeds or not in the schemes to come or whether there will be only grant of agricultural loan.

Shri BISHNURAM MEDHI (Chief Minister) : Loan schemes are different. There are other schemes for loan.

Rev. J. J. M. NICHOLS-ROY : Then I take it from the reply given by the Chief Minister that there will be separate schemes for free distribution of seeds besides the scheme for grant of agricultural loan.

Shri BISHNURAM MEDHI (Chief Minister) : Yes, that is right.

Re : M. E. Schools and M. E. Madrassas in Assam

Maulavi MAHAMMAD IDRIS (Rupohihat) asked :

166. Will the Minister-in-charge of Education be pleased to state—

(a) What is the number of M. E. Schools and M. E. Madrassas in the State of Assam ?

- (b) Whether there is any difference in standard and curriculum in these two categories of Schools ?
- (c) Whether there is any difference in D. A. granted to the teachers in these two categories of Schools ?
- (d) If so, why ?
- (e) What is the rate of D. A. allowed to M. E. School teachers and M. E. Madrassa teachers in different Districts of the State ?

Shri PURNANANDA CHETIA (Deputy Minister, Education) replied :

166. (a)—M. E.—929.

M. E. Madrassa—120.

(b)—Roughly the standard is same for both, although there is some difference in the curriculum.

(c)—Yes.

(d)—M. E. Schools are Secondary Schools and M. E. Madrassas are special schools.

(e)—In Government schools Dearness Allowance as admissible to Government servants is given. In aided schools the rates are as follows :—

In M.E. Schools Rs.10 p.m. per teacher and clerk and Rs.4 per menial.

In M. E. Madrassas Rs.5 per teachers and clerks and Rs.3 per menial. The rates are uniform throughout the State.

**Road Communication in Tribal Areas of Makum
Mouza and Tirap Transferred Area in
Dibrugarh Subdivision**

Shri DWIJESH CHANDRA DEB SARMA (Digboi)
asked :

167. Will the Minister-in-charge of Tribal Affairs be pleased to state—

- (a) Whether it is a fact that there is no road communication to the Tribal Areas of Makum Mouza and Tirap Transferred Area in Dibrugarh Subdivision ?
- (b) If so, whether Government propose to give prior consideration to make motorable roads—one from Pengeree to Margherita *via* Inthem, Ulup, Nanglai, Ketetang Barphakial and Dibang and other from Pengeree-Philobari road to Duwarmara Tea Estate in Burhidihing Mauza ?
- (c) Whether Government have contemplated any development scheme for those areas ?
- (d) If not, whether Government propose to sanction an N. E. S. Block for the improvement of this area ?

Shri CHATRA SINGH TERON (Minister, Tribal Welfare) replied :

(a) to (b)—Materials are being collected.

**Distribution of money for the Plains Tribals under
Article 275 of the Constitution**

Shri BISWADEV SARMA (Balipara) asked :

168. Will the Chief Minister be pleased to state the amount distributed under Art. 275 of the Constitution in the years 1955, 1956 and 1957 for the Plains Tribals in Assam under different schemes Subdivision-wise?

Shri BISHNURAM MEDHI (Chief Minister) replied :

168.—The amounts are distributed generally head-wise and not Subdivision-wise ; as such Subdivision-wise figures are not available. Only the amounts distributed for rural water supply and for rural communication which are distributed Subdivision-wise are furnished below with head-wise distribution of the amounts from 1954-55 to 1956-57.

| | | | | | | Rs. in lakhs. | | |
|-------------------------|----|----|----|----|----|---------------|---------|---------|
| | | | | | | 1954-55 | 1955-56 | 1956-57 |
| Education | .. | .. | .. | .. | .. | 6.96 | 13.10 | 5.81 |
| Medical | .. | .. | .. | .. | .. | 3.12 | 7.37 | 2.72 |
| Public Health | .. | .. | .. | .. | .. | 2.00 | 7.76 | 3.18 |
| Agriculture | .. | .. | .. | .. | .. | .25 | .97 | .30 |
| Forests | .. | .. | .. | .. | .. | 1.23 | 2.13 | .90 |
| Cottage Industries | .. | .. | .. | .. | .. | .. | .49 | .61 |
| Sericulture and Weaving | .. | .. | .. | .. | .. | .15 | 2.11 | .95 |
| Veterinary | .. | .. | .. | .. | .. | .64 | 3.89 | 1.85 |
| Public Works Department | .. | .. | .. | .. | .. | 4.72 | 22.66 | 6.89 |
| Miscellaneous | .. | .. | .. | .. | .. | 4.43 | 6.92 | 1.65 |
| Total | | | | | | 23.50 | 67.40 | 24.86 |

Amounts distributed for rural water supply :—

| | | | | | | | | |
|-----------|----|----|----|----|----|------|------|------|
| Silchar | .. | .. | .. | .. | .. | .009 | .038 | .065 |
| Dhubri | .. | .. | .. | .. | .. | .17 | .68 | .085 |
| Goalpara | .. | .. | .. | .. | .. | .073 | .293 | .085 |
| Barpeta | .. | .. | .. | .. | .. | .058 | .23 | .029 |
| Gauhati | .. | .. | .. | .. | .. | .187 | .755 | .093 |
| Mangaldoi | .. | .. | .. | .. | .. | .087 | .348 | .043 |
| Tezpur | .. | .. | .. | .. | .. | .042 | .168 | .021 |
| Nowgong | .. | .. | .. | .. | .. | .098 | .393 | .046 |

| | | | | | | Rs. in lakhs | | |
|-----------------|----|----|----|----|----|--------------|---------|---------|
| | | | | | | 1954-55 | 1955-56 | 1956-57 |
| Sibsagar | .. | .. | .. | .. | .. | ·022 | ·091 | ·011 |
| Jorhat | .. | .. | .. | .. | .. | ·059 | ·236 | ·029 |
| Golaghat | .. | .. | .. | .. | .. | ·019 | ·076 | ·009 |
| North Lakhimpur | .. | .. | .. | .. | .. | ·077 | ·31 | ·038 |
| Dibrugarh | .. | .. | .. | .. | .. | ·095 | ·393 | ·047 |
| Total | | | | | | ·996 | 4·011 | ·544 |

Amounts distributed for rural communication

| | | | | | | | | |
|-----------------|----|----|----|----|----|-------|-------|------|
| Silchar | .. | .. | .. | .. | .. | ·037 | ·10 | ·023 |
| Dhubri | .. | .. | .. | .. | .. | ·298 | ·738 | ·13 |
| Goalpara | .. | .. | .. | .. | .. | ·136 | ·348 | ·056 |
| Barpeta | .. | .. | .. | .. | .. | ·131 | ·272 | ·045 |
| Gauhati | .. | .. | .. | .. | .. | ·421 | ·738 | ·226 |
| Mangaldai | .. | .. | .. | .. | .. | ·190 | ·411 | ·153 |
| Tezpur | .. | .. | .. | .. | .. | ·094 | ·192 | ·028 |
| Nowgong | .. | .. | .. | .. | .. | ·224 | ·465 | ·075 |
| Sibsagar | .. | .. | .. | .. | .. | ·049 | ·049 | ·004 |
| Jorhat | .. | .. | .. | .. | .. | ·133 | ·261 | ·046 |
| Golaghat | .. | .. | .. | .. | .. | ·040 | ·084 | ·015 |
| North Lakhimpur | .. | .. | .. | .. | .. | ·140 | ·334 | ·068 |
| Dibrugarh | .. | .. | .. | .. | .. | ·173 | ·422 | ·780 |
| Total | | | | | | 2·074 | 4·414 | ·947 |

Establishment of Agricultural Farms under Article 275

Shri BAIKUNTHA NATH DAS [Rangiya (Reserved for Scheduled Tribes)] asked :

169. Will the Chief Minister be pleased to state—

(a) Whether it is a fact that some Agricultural Farms were opened out of grant under Art. 275 ?

(b) What are the names of those Agricultural Farms ?

(c) Whether the farms are located in the Tribal Areas?

Shri BISHNURAM MEDHI (Chief Minister) replied :

169. (a)—Yes. Presumably the hon. Member refers to Agricultural Farms opened in Plains Tribal Areas.

(b)—The names of the Agricultural Farms are :

| | | |
|---------------|---|--|
| (1) Dimoria | } | In Kamrup district started in 1955-56. |
| (2) Dhamdhama | | |

(3) Dotoma in Goalpara district started in 1953-54.

(4) Madhapur in Sibsagar district started in 1954-55.

(5) Joypur in Cachar district started in 1955-56.

(6) Oujuri in Nowgong district started in 1956-57.

(7) Majkuchi in Darrang district started in 1954-55.

(8) Phillobari in Lakhimpur district started in 1955-56.

(c)—Yes.

Re: Magistrate's Lock-up at Barpeta**Dr. SRIHARI DAS (Barpeta)** asked :

170. Will the Minister of Jails be pleased to state—

- (a) What is the capacity of Magistrate's lock-up at Barpeta ?
- (b) What is the average number of undertrial prisoners kept in the said lock-up in every month during the years 1954, 1955, 1956 ?
- (c) Whether it is a fact that the undertrial prisoners are to carry water from Maranadi which is on the other side of Public Works Department Road ?
- (d) Whether there is any Board of Visitors in the said lock-up ?
- (e) If not, whether Government propose to form such a Board there to enquire into the condition of the undertrial prisoners ?

Shri CHATRA SING TERON (Minister, Jails) replied :

170. (a)—The lock-up has accommodation for 30 prisoners at present.

(b)—Daily average No. of undertrial prisoners—

| Months | Years | | |
|----------|-------|------|------|
| | 1954 | 1955 | 1956 |
| January | 65 | 99 | 63 |
| February | 67 | 82 | 48 |
| March | 68 | 89 | 55 |
| April | 88 | 103 | 57 |
| May | 89 | 86 | 55 |
| June | 85 | 85 | 56 |

| Months | Years | | |
|------------------|-------|------|------|
| | 1954 | 1955 | 1956 |
| July | 89 | 87 | 73 |
| August | 84 | 87 | 68 |
| September | 105 | 87 | 54 |
| October | 104 | 83 | 49 |
| November | 114 | 78 | 66 |
| December | 112 | 77 | 41 |

(c)—The undertrial prisoners of Barpeta lock-up are to carry water from the lock-up well just outside the lock-up and also from the rivers on the other side of the Public Works Department road immediately adjacent to the lock-up, in order to meet their own requirements for purpose of washing, bathing, etc., as there is no well inside the lock-up palisade.

(d)—No. There is no provision in the Jail Manual to constitute such a Board.

(e)—Does not arise.

Proposal for the construction of a Multipurpose or Higher Secondary School in the Sorbhog Constituency

Shri GHANASHYAM TALUKDAR (Sorbhog) asked :

171. Will the Minister-in-charge of Education be pleased to state—

(a) Whether Government propose to construct a Multipurpose or Higher Secondary School in the Sorbhog Constituency ?

(b) If not, why not ?

Shri PURNANANDA CHETIA (Deputy Minister, Education) replied :

171. (a)—No.

(b)--The number of schools in each subdivision is small and it is not possible to allot them constituency-wise. Schools are taken up for development on the basis of enrolment, general progress, potentiality for development, etc.

Payment of Salary to Primary School Teachers and Basic Education Teachers

Shri SARBESWAR BORDOLOI (Titabar) asked :

172. Will the Minister-in-charge of Education be pleased to state—

(a) Whether it is a fact that the payment of Primary School Teachers and Basic Education are often delayed ?

(b) If so, whether Government propose to take steps so that there will be no further delay in payment to Government employees at least from now ?

Shri PURNANANDA CHETIA (Deputy Minister, Education) replied :

172. (a)—Yes, there is some delay sometimes which is mainly due to sending of money by postal money orders to Post offices situated in out-lying areas.

(b)—Yes, Government propose to take up the matter with the Postal authority, to ensure payments more quickly.

Government Grants to Subdivisional School Board during 1955-56 and 1956-57

Shri NANDA KISHORE SINHA (Sonai) asked :

173. Will the Minister-in-charge of Education be pleased to state—

(a) The amounts of grants (including storm and flood damaged) distributed to each of the Subdivisional School Boards in the State for the purpose of School building construction and purchase of equipments and furniture during the years 1955-56 and 1956-57 ?

(b) Whether Government are aware that in the current year also a large number of school buildings has been greatly damaged due to cyclone, etc., in the Silchar Subdivision ?

(c) Whether Government propose to sanction a considerable amount as demanded by School Board Authority for immediate repair and construction of the buildings so damaged ?

(d) Whether any amount has so far been sanctioned to Silchar Subdivision for the above purpose ?

(e) If so, what is the amount ?

Shri PURNANANDA CHETIA (Deputy Minister, Education) replied :

173. (a)—List of distribution is placed on the Library table.

(b)—Yes.

(c)—The matter is under consideration.

(d) & (e)—Does not arise.

Non-recurring Grant to Dibrugarh School Board during 1956-57

Shri DEBENDRA NATH HAZARIKA (Saikhowa) asked :

174. (a) Will the Education Minister be pleased to furnish a list of non-recurring grants or building grants sanctioned in the year 1956-57 by School Board, Dibrugarh to different schools in the Dibrugarh Subdivision Mauza by Mauza ?

(b) Whether any non-recurring grants to Lower Primary Schools within Saikhowa, Buridihing, Doom Dooma, Tingrai and Barhapjan Mauzas were sanctioned by the School Board, Dibrugarh in 1956-57 ?

(c) Are Government aware that the Morans living within these Mauzas (*i. e.*, Saikhowa, Buridihing, Doom Dooma, Tingrai and Barhapjan Mauzas) are more primitive than the plains tribal people (such as Kacharis) living within these areas of the District of Lakhimpur ?

175. Will the Education Minister be pleased to state—

- (a) The amount of non-recurring grant or building grant sanctioned by the Dibrugarh School Board in 1956-57, to Mankatta, Lahoal, Moderkhat, Rohmorla, Chabua Pulunga, Bogdung Gharbandi and Rongara Mauzas of Dibrugarh Subdivision ?
- (b) Whether Government are aware that the non-tribal villages within these 8 (eight) Mauzas are equally primitive or backward with those of the plains tribal people such as Kacharis of the District ?

Shri PURNANANDA CHETIA (Deputy Minister, Education) replied :

174. (a)—A list is placed on the Library table.

(b)—No.

(c)—Government have no information.

175. (a)—Rs.5,500 to Bogdung mauza, Rs.1,000 to Ghorbandi mauza, Rs.3,000 to Rongagora mauza were sanctioned and no grant was sanctioned to other mauzas.

(b)—Government have no information.

Estimate for P. W. D. Office and Staff Quarters in Patharkandi

Shri GOPESH NAMASUDRA [Patharkandi (Reserved for Scheduled Tribes)] asked :

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

- (a) What is the total estimate for earth filling of the land for Public Works Department Office and staff quarters in Patharkandi ?
- (b) What is the area of land ?
- (c) What is the approximate value of a bigha of land in Patharkandi area, in the vicinity of the above land ?

Shri SIDDHINATH SARMA (Minister, P. W. D.) replied :

176. (a)—The total estimated amount for earth filling of the land is Rs. 875.

(b)—The total area of land is 2.07 bighas.

(c)—The approximate value of a bigha of land in the vicinity of the above land is Rs.2,000 to Rs.3,000.

Incidence of crime in the Nowgong District from 1953 to 1956

Maulavi MUHAMMAD IDRIS (Rupohihat) asked:

177. Will the Minister-in-charge of Home be pleased to state—

(a) What is the incidence of crime in the district of Nowgong from the year 1953 to 1956 ?

(b) How many dacoity cases have been registered during the period (number of cases to be given year by year) ?

(c) How many cases have been ended in conviction ?

(d) For how many cases charge-sheets have not been submitted ?

Shri MOTIRAM BORA (Minister, Home) replied :

177. (a)—No. of crimes reported—

| | 1953 | 1954 | 1955 | 1956 |
|------------------------------|------|------|------|------|
| (i) Dacoity | 40 | 32 | 29 | 39 |
| (ii) Robbery | 23 | 16 | 12 | 26 |
| (iii) Arms Act cases | 7 | 5 | 19 | 18 |
| (iv) Murder | 25 | 23 | 37 | 59 |
| (v) Motor accident | 23 | 22 | 27 | 26 |
| (vi) Theft | 356 | 285 | 310 | 320 |

(b)—As (a) (i) above.

| | | | | |
|--------------|----|----|----|---|
| (c)— | 6 | 3 | 1 | 3 |
| (d)— | 27 | 23 | 24 | 7 |

**Medical Centres under the Cachar Community Project
and Inclusion of Barkhola and Katigora Thana in the
N. E. S. Block**

Dr. RAM PRASAD CHAUBEY (Lakhipur) asked :

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

(a) If it is a fact that all the medical centres maintained by the Cachar Community Project have recently been closed down and all the doctors and midwives and Dhais of those centres have been discharged ?

(b) Whether Government propose to maintain all the medical centres of the Cachar Community Project for the greater interests of the rural population ?

179. Will the Minister-in-charge of Community Projects be pleased to state when the Barkhola and Katigora Thana areas in the district of Cachar will be taken under the N. E. S. Block operation of the Government ?

Shri MOHI KANTA DAS (Deputy Minister, Community Projects) replied :

178. (a)—No. Three Primary Health Centres and twenty-three Sub-Centres started by the Cachar Community Project have all been taken over for maintenance by the Medical Department. The doctors have all been retained. Three midwives and twelve Dhais who were rendered surplus are being employed elsewhere.

(b)—The three Primary Health Centres and such of the Sub-Centres as proved popular will be retained permanently.

179. The proposed Katigora N. E. S. Block which will cover these areas will be taken up some time before the end of the Second Five-Year Plan period. The exact date cannot be stated now.

Amount Sanctioned as Loan under the Housing Scheme

Mrs. JYOTSNA CHANDA (Silchar-West) asked :

180. Will the Minister-in-charge of Town and Country Planning be pleased to state—

(a) The total amount of money sanctioned as loan under the Housing Scheme ?

(b) What is the amount of loan given in Cachar since the introduction of the Scheme ?

Shri KAMAKHYA PRASAD TRIPATHY (Minister, Town and Country Planning) replied :

180. (a)—Total amount of money sanctioned as loan under the Low Income Group Housing Scheme since the inception of of the Scheme is Rs.38,68,570.

(b)—Total amount of loans sanctioned to Cachar District since inception of the Scheme is Rs. 2,02,400 and the amount disbursed against the sanctioned loans is Rs.1,32,950.

Settlement of Persons Whose Houses and Bastis Fall Inside Embankments of Rivers

Shri SARAT CHANDRA GOSWAMI (Kamarpur) asked :

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

(a) What steps have been taken for the settlement of the persons whose houses and Bastis have fallen inside the embankments of the rivers and who possess no other land to which they can shift ?

(b) Whether Government propose to sanction the removal and reconstruction costs of their houses ?

Shri SIDDHINATH SARMA (Minister, P. W. D.) replied:

181.(a)—The question of providing alternative habitable land and payment of cost of shifting houses to the people whose homesteads fall in the unprotected area between the embankment and the river and agreeable to shift from such area is under active consideration of the Government. Some provision has been made in the estimates of the projects under execution to meet the cost.

(b)—Yes, as stated above.

Building Loans to Private Individuals

Shri NANDA KISHORE SINHA (Sonai) asked :

182. Will the Minister-in-charge of Town and Country Planning be pleased to state—

(a) The procedure of granting house building loans to private individuals ?

(b) How many such cases have been disposed of in the last two financial years ?

(c) How many such applications were received from the private individuals from Silchar Subdivision and how many such cases were considered during the last two years ?

Shri KAMAKHYA PRASAD TRIPATHY (Minister, Town and Country Planning) replied :

182. (a)—A copy of the Rules for the grant of Housing Loans in Assam under the Low Income Group Housing Scheme is laid on the Library table.

The procedure of granting loans is that all applications submitted by individual borrowers in the prescribed forms together with all the required particulars are only entertained by the Deputy Commissioners/ Subdivisional Officers. If they are found in order, after due enquiry, they are forwarded to the Director of Housing, Assam, who arranges for scrutiny in his office and if they conform to the rules they are put up to the

Housing Board as constituted for the purpose of sanctioning loans to the individual borrowers under the above scheme. The Deputy Commissioners/ Subdivisional Officers are authorised to reject the applications which are not in order.

(b)—791 and 810 cases were disposed of during 1955-56 and 1956-57 respectively. The entire amounts allotted were utilised. For want of funds more cases could not considered.

(c)—126 applications were received from private individuals from Silchar Subdivision during the last two financial years. Out of these 126 applications, 57 cases were rejected by the Deputy Commissioner, 7 cases for a total amount of Rs.37,600 sanctioned, 4 cases rejected by the Housing Board and 7 returned for rectification, 44 applications are pending with the Deputy Commissioner, Cachar, for enquiry and 7 with the Housing Board.

Announcement *re*: Voluntary Cut of 10 per cent of salary by the Deputy Speaker of the Assam Legislative Assembly

Mr. SPEAKER: The Question Hour is over now. I have great pleasure in announcing that Shri Rajendra Nath Barua, Deputy Speaker, has decided on voluntary 10 per cent cut of his salary as a measure of austerity (*cheers*).

Ruling from the Chair *re*: Language of the Assembly

Mr. SPEAKER: I have now to make an announcement:

There has been some measure of uncertainty regarding the language in which a Minister should reply in a debate in this Assembly. Under Rule 12 of Rules of Procedure of the Assam Legislative Assembly, it has been laid down that—

“The business of the Assembly shall be transacted in Assamese or in English:

Provided that any member who is unable to express himself in any of the languages aforesaid, the Speaker may permit him to speak in his mother tongue:

Provided further that if any member addresses the Assembly in any of the tongues which is not Assamese, Bengali,

English or Hindi, he shall have to make over in advance to the Secretary a copy of speech written in Assamese, Roman or Devanagri script which he has delivered together with an English translation thereof”.

According to this rule, a member of the Council of Ministers like any other hon. Members would be ordinarily entitled to speak either in Assamese or English or Bengali or Hindi. If he wants to speak in any language other than the four mentioned already, he is expected to obtain the permission of the Speaker and shall have to make over in advance to the Secretary a copy of the speech written in Assamese or Roman or Devanagri script together with an English version thereon. Nevertheless, in view of the fact that English is the official language of the State and most of the hon. Members follow English and in order that the speeches of the hon. Members of the Treasury Bench should be understood immediately by all the Members present in the House as best as possible, it will be for the benefit of everybody concerned if the hon. Members of the Treasury Bench give the reply in English. Needless to say that if any hon. Member of the Treasury Bench is not conversant with English, he may use any of the prescribed languages that he finds convenient. At the same time subject to availability of time and with the permission of the Speaker, an hon. Member of the Treasury Bench may give a brief resume of the replies in any of the prescribed languages if the occasion so demands.

With regard to Questions, the hon. Members may ask supplementaries in any of the languages: English, Assamese, Bengalee and Hindi. The replies of the hon. Members of the Treasury Bench should ordinarily be in English so that the entire House may understand them. They however, may reply in the language in which the supplementaries are put for the benefit of the hon. Members putting these supplementaries. I trust this arrangement will reduce the area of inconvenience caused by the language problem in this House.

Shri RANENDRA MOHAN DAS (Karimganj-North): Sir, we may please be supplied with a copy of this.

Mr. SPEAKER: I will get this circulated to all the hon. Members, if they want it.

Shri RANENDRA MOHAN DAS: Thank you. Sir.

**The Assam Adhiars' protection and regulation
(Amendment) Bill 1957**

Shri NILMONEY BORTHAKUR (Dibrugarh): Sir, I beg to move that in clause 2, after the words "cash or kind" occurring in the sixth line a "comma" shall be inserted and the expression "or in both" shall be added thereafter.

Sir, here the definition for personal cultivation is given; and according to this personal cultivation includes cultivation by hired labourers and when the question of payment of remuneration comes it is to be paid in cash or in kind. But the general custom in the Assam Valley is that the remuneration is paid partly in cash and partly in kind. So, I am of opinion if this Amendment is accepted, this clause will be more comprehensive and will really serve a better purpose.

Mr SPEAKER: The amendment moved is that in clause 2, after the words "cash or kind" occurring in the sixth line a "comma" shall be inserted and the expression "or in both" shall be added thereafter.

Shri HARESWAR DAS (Minister, Revenue): Mr. Speaker, Sir, I am unable to accept this amendment because it does not make any improvement. The inclusion of the words "cash or kind", "or in both" does not improve the matter. The idea is that if there be crop sharer, he cannot be treated as a hired labourer. If he is paid in cash or kind he will be treated as a hired labourer. Moreover, it is redundant. I, therefore, oppose it.

Mr. SPEAKER: The question is that in clause 2, after the words "cash or kind" occurring in the sixth line a "comma" shall be inserted and the expression "or in both" shall be added therefore.

(The amendment was lost.)

Shri NILONEY BORTHAKUR: Mr. Speaker, Sir, I beg to move that in clause 2, after the expression "any member of his family" occurring in the seventh line, the expression "residing together and having a common mess" shall be inserted.

Now, here under the definition of personal cultivation the personal supervision is defined. Personal supervision means supervision by the person himself and by any member of his family. The term "any member of his family" is very vague and to make this expression particular and to qualify it to

include relative of the family it is necessary to incorporate the amendment. In our peasant families some of the relatives, generally reside with them, who may and usually do look after the cultivation. In order to remove this restriction and in order to eliminate the paid agent of the landlord usually employed to supervise cultivation, the expression "residing together and having a common mess" should be added after any member of his family".

I therefore request the Minister-in-charge to accept my amendment.

Shri HARESWAR DAS (Minister, Revenue): Mr. Speaker, Sir, I cannot accept it also. It does not improve matters. We have adopted this definition from the Five Year Plan. The Five Year Plan deals with this matter in this way. "Personal cultivation includes cultivation through servants or hired labourers. There are variations however in respect of supervision in mode of payment to servants or to hired labourers which are prescribed by legislation. In a number of States there are no restrictions on the kind of supervision which may be exercised. In Bombay and Saurashtra and in a few other States supervision may be exercised by the owners or any member of the family". But the expression of 'family' is not defined. Then they say that almost everywhere family is not defined. Supervision by any member of the family is included. We have simply followed the instructions laid down in the Five Year Plan. So there is no necessity of any departure from the definition given by the Five Year Plan. Actually it will not improve matters. I therefore request my Friend to withdraw his amendment.

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

Shri LILA KANTA BARAH (Kaliabor): Mr. Speaker, Sir, I beg to move that in Clause 2, the "comma" appearing after the word "village" in the tenth line shall be deleted and the words "within a distance of five miles" shall be inserted before the words "during the greater part of the agricultural season".

Sir, my purpose of moving this amendment is that merely the words 'nearby village' is vague. It may mean a village within a furlong or within a mile or two or five or six or seven miles. It is in fact vague and it may lead to litigation as it is a matter for interpretation. So I want to make this definition more definite and more concrete in order to avoid litigation. I think Sir, this amendment is quite simple as well as reasonable. I hope the House as well as the Government will see their ways to accept this amendment.

Shri HARESWAR DAS (Minister, Revenue): Mr. Speaker, Sir, I accept this amendment. It will bring our Act just in line with the Five Year Plan definition. The Five-Year Plan deals with this matter in this way, "In order to be effective, supervision should be accompanied by residence during the greater part of the agricultural season on the part of the owner or member of the family in the village in which the land is situated or in a nearby village within a distance to be prescribed". In our main Act, distance is not prescribed. Here in this amendment the distance is prescribed. Therefore, I accept it.

Mr. SPEAKER: The question is that in Clause 2, the "comma" appearing after the word "village" in the tenth line shall be deleted and the words "within a distance of five miles" shall be inserted before the words "during the greater part of the agricultural season."

(The Motion was adopted.)

Shri NILMONEY BORTHAKUR (Dibrugarh): Mr. Speaker, Sir, I beg to move that in clause 2, the expression "in whose family there is no adult male member" shall be inserted after the words "a widow" occurring the eleventh line.

Here the widow, the minor, the student and the member of the armed forces have been given exemption from operation of the Act. But a widow may have an adult son or she may have adult relatives who may be living together in the same family who can look after the cultivation. So, a widow, in general, should not be exempted. Therefore, I expect the Hon'ble Minister-in-charge to accept my amendment.

Mr. SPEAKER: The amendment moved is that in Clause 2, the expression "in whose family there is no adult male member" shall be inserted after the words "a widow" occurring in the eleventh line.

***Shri HARESWAR DAS (Minister, Revenue):** Mr. Speaker, Sir, I am unable to accept the amendment moved by my Friend, Shri Borthakur, because this will not improve the matter. We want to trim our Act in the line of the recommendation of the Planning Commission.

Somewhere persons, widows, minors, and persons suffering from physical and mental infirmities should be permitted to lease out and should have the right to lease out land when the disability ceases.

Sir, if this amendment is accepted, that will be something more absurd than the definition given in the Five-Year Plan. So, Sir, I cannot accept it.

Mr. SPEAKER: Will the hon. Member please withdraw his amendment?

Shri NILMONEY BORTHAKUR (Dibrugarh): Sir, before I withdraw my amendment, I must be convinced by the Minister-in charge. So, I would request the Hon'ble Speaker to put it to vote.

Mr. SPEAKER: The question is:

That in Clause 2, the expression "in whose family there is no adult male member" shall be inserted after the words "a widow" occurring in the eleventh line.

(The amendment was lost.)

Shri NILMONEY BORTHAKUR: Mr. Speaker, Sir, I beg to move that in clause 2, between the word "minor", and the "comma" occurring in the eleventh line, the words "under fifteen years of age" shall be inserted.

Sir, here the "minor" is also given exemption, but it is better to qualify the minor. Sir, the boys of 8 to 10 years generally go to the fields and help the elders in their cultivation. But they cannot and should not take the entire responsibility of cultivation. Generally, persons over 15 years whether male or female can go to the paddy fields and look after the cultivation themselves. Therefore Sir, exemption should be given only to the minors under 15 years of age. So, Sir, the word "minor", should be qualified by insertion of the words under 15 years of age. Therefore, I expect that the Hon'ble Minister in-charge will kindly accept my amendment.

Mr. SPEAKER: The amendment moved is that in Clause 2, between the word "minor", and the "comma" occurring in the eleventh line, the words "under fifteen years of age" shall be inserted.

Shri HARESWAR DAS (Minister, Revenue): Mr. Speaker, Sir, I am unable to accept this amendment, just because it is an amendment for amendment's sake. Sir, it is also not supported by Planning Commission's recommendation. I do not know, why a departure should be made. Ultimately a person of 18 years' age attains majority. I do not see any reason, what purpose will be served if a departure is made from the special word. It will not improve the Bill. So, Sir, I would request the hon. Mover of the amendment to withdraw it.
(The amendment was, by leave of the House, withdrawn.)

Shri NILMONEY BORTHAKUR (Dibrugarh): Mr. Speaker, Sir, I beg to move: That in Clause 2, the word "any" occurring in the twelfth line be substituted by the words "a permanent".

Sir, if any exemption is given to a person suffering from any physical or mental disabilities, *i. e.*, temporary disabilities, that will exempt the person from operation of this section of the Act, which may be unjust. But the insertion of the words "a permanent" will provide for exemption to those subject to permanent physical or mental disabilities which exemption will be justified. Therefore, I would request the Hon'ble Minister-in-charge to accept my amendment.

Mr. SPEAKER: The amendment moved is:

That in Clause 2, the word "any" occurring in the twelfth line shall be substituted by the words "a permanent".

Shri HARESWAR DAS (Minister, Revenue): Mr. Speaker, Sir, I cannot accept the amendment, because it will not improve upon the Bill. Moreover, it is not on the line of the definition of the 5 Year Plan, that it is the practice of the Union Government to provide in the legislation that persons serving in the Military, Naval or Air Force of the Union, unmarried persons, widows, and persons suffering from physical and mental disabilities should be permitted to lease out land and should have the right to do so, and it is presumed that they will cultivate themselves, when the disability ceases. So, here, there is the reason that the disability may continue for some time. Till the disability ceases, he will be allowed to have the right. Sir, if this amendment is accepted, then it will go contrary to the definition of the Five-Year Plan, *i. e.*, that will take us away from the definition given in the Five Year Plan.

Mr. SPEAKER: Will the hon. Member from Dibrugarh please withdraw his amendment?

Shri NILMONEY BORTHAKUR (Dibrugarh): I would request the Chair to put the amendment to vote.

(The amendment was put and lost.)

Shri NILMONEY BORTHAKUR (Dibrugarh): Mr. Speaker, I beg to move:

That in Clause 2, between the letter "a" and the word "student" occurring in the thirteenth line the word "*bonafide*" shall be inserted.

Sir, here "student" is exempted. It may sometimes so happen that one may keep one's name in the register of a college, or a school and thereby pray for an exemption under this section. So the "student" is sought to be qualified by insertion of the word "bonafide". Protection may be given to only *bonafide* students, so that they may not lose their lands during the period of their study.

Mr. SPEAKER: The amendment moved is:

That in clause 2, between the letter "a" and the word "student" occurring in the thirteenth line the word "bonafide" shall be inserted.

Shri HARESWAR DAS (Minister, Revenue): Mr. Speaker, Sir, I cannot follow what my Friend says. If a student reads either in school or college what improvement will be made by inserting the word "bonafide" which will lead to troubles, possibly litigation. Sir, my Friend may not mind such troubles, but I don't like to go into such troubles. So, Sir I am unable to accept it and request my Friend to withdraw his amendment.

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

Mr. SPEAKER: The question is that Clause 2 as amended do stand part of the Bill.

(The question was adopted.)

Mr. SPEAKER: Now we come to clause 3, Mr. Borthakur.

Shri NILMONEY BORTHAKUR (Dibrugarh): Mr. Speaker, Sir, I beg to move that in clause 3, the figure and word "10 bighas" wherever they occur shall be substituted by the figure and word "15 bighas".

Sir, it is seen that a tenant who holds more than 10 bigha of land, is obliged under clause 3 of the Assam Adhiars' Protection and Regulation (Amendment) Bill, 1957 and under the Assam Fixation of Ceiling on Land Holdings (Amendment) Bill, 1957 to retain only 10 bighas of land. But in reality we find that unless a peasant family is allowed 15 or 16 bighas of

land it will be put to great difficulty. Therefore a minimum of 15 bighas should be given to a tenant. Sir, during the debate on fixation of ceiling on land holdings the Hon'ble Minister had agreed that the majority of the cultivators have holding of less than 10 bighas. Only a small stratum have more than 25 bighas. I do not understand why they cannot be allowed to retain 15 bighas of land. A small peasant family needs at least 15/16 bighas for the bare living. Therefore, Sir, I request the Hon'ble Minister to accept my amendment.

Mr. SPEAKER: The amendment moved is that in clause 3, the figure and word "10 bighas" wherever they occur shall be substituted by the figure and word "15 bighas".

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

অধ্যক্ষ মহোদয়,

এই যে ১০ বিঘা মাটি দিয়া হৈছে ইয়াৰে ৬ ভাগ ফচলৰ মূল্য নাটিৰ মালিককে দিব লাগিব। সেই হিচাবে যদি চাই তেনে হলে আধিয়াৰ হাতত মাত্ৰ ৮ বিঘাহে থাকে। এজন খেতিয়কে এহাল শকত গৰু ললে তেওঁ ১৫ বিঘা মাটিত খেতি কৰিব পাৰে। গতিকে ১০ বিঘাতকৈ যে বেচি মাটি দিয়া হোৱা নাই এইটো ঠিক হোৱা নাই বুলি মই ভাবোঁ। ১০ বিঘাৰ ঠাইত ১৫ বিঘা হ'ব লাগে বুলি বৰঠাকুৰ ডাঙৰীয়াই যি প্ৰস্তাৱ কৰিছে সেইটোৱেই ঠিক। কিমান মাটি প্ৰয়োজন হয় সেইটো পৰিয়ালৰ ওপৰত নিৰ্ভৰ কৰে। যদিহে পৰিয়াল ডাঙৰ হয় তেনেহলে ১০ বিঘাই যথেষ্ট নহয়। গতিকে সকলো ফালৰ চাই ঠিক কৰা উচিত যে অন্ততঃ ১৫ বিঘা মাটি আধিয়াৰ হাতত ৰাখি বাকী মাটিৰ ওপৰত হে মালিকে পাব পৰা ক্ষমতা থাকিব।

Shri HARESWAR DAS (Minister, Revenue) : Mr. Speaker, Sir, I am unable to accept this amendment. I would have agreed to fix the minimum at 25 or 30 bighas but the position of our land does not allow it. In this connection I shall state in brief the land position in our State. Sir, there are many people in our State who do not possess any land and the majority possess less than 10 bighas each.

In Darrang 18.5 per cent people have no land at all and 54.2 per cent people hold less than 10 bighas. In Sibsagar 11.3 per cent people are without any land and 48.9 per cent people have less than 10 bighas. In Nowgong 13.6 per cent people have no land and 44.3 per cent people have less than 10 bighas. In Kamrup 17.6 per cent people are without any

land and 54.9 per cent people have less than 10 bighas. In Lakhimpur 15.3 per cent people are without land and 47.1 per cent people have less than 10 bighas. In Cachar 12.6 per cent people are without land and 66.3 per cent people have less than 10 bighas and in Goalpara 20.4 per cent people are without land and 50.4 per cent people have less than 10 bighas. So Sir, on the average 15.6 per cent people are without land and 52.3 per cent people have less than 10 bighas. Regarding those people who possess less than 10 bighas it does not mean that they possess 9 bighas or so, these holdings range from one to ten bighas. From the above facts and figures you will see that we cannot fix the ceiling at 15 bighas, we want to fix the minimum limit at 10 bighas, as the Majority of people hold at a rate less than this.

Shri KHOGENDRA NATH BARBARUAH (Amguri) : What is the amount of cultivable area available in Assam ?

Shri HARESWAR DAS (Minister, Revenue) : We are not concerned with these things. We are concerned with the amendment.

Shri KHOGENDRA NATH BARBARUAH : I think this is relevant so the Hon'ble Minister should give the answer.

Shri HARESWAR DAS : This is not the question hour.

Shri KHOGENDR NATH BARBARUHA : If the Hon'ble Minister cannot give the answer why did he read the figures ? What is the issue of giving the figures ?

Mr. SPEAKER : It is not possible to give the figures off-hand. These are to be collected from the book of statistics.

Shri HARESWAR DAS : There are statistical bulletins issued by Government. Since my Friend has now become a Member possibly he may get copies free. Any way, he may secure copies and try to find out for himself the figures.

Shri KHOGENDR NATH BARBARUAH : কিমান খেতিৰ মাটি আমাৰ অসমত আছে, কিমানত খেতি কৰা হৈছে আৰু কিমানত খেতি কৰা নাই সেইটোৰ হিচাপ জনিব খোজে।

Mr. SPEAKER : এইটো Statistical Extract ত আছে। তেখেতে নকলেও মাননীয় সদস্যই তাৰ পৰা পাব পাৰে।

Shri KHOGENDRA NATH BARBARUAH (Amguri): কিমান খেতিৰ মাটি আছে কিমানত খেতি কৰা হৈছে বা কিমানত খেতি কৰা নাই তাৰ figure মই জানিব খুজিছোঁ।

Mr. SPEAKER: Order, order, মাননীয় সদস্যই যদি আনৰ কথা শুনিলেহেঁতেন তেনেহলে তেখেতে সকলো কথা বুজি পালেহেঁতেন। মাননীয় মন্ত্ৰী ডাঙৰীয়াই কৈছে যে তেখেতে যিটো বিচাৰিছে সেইটো গৱৰ্ণমেন্টে প্রকাশ কৰা Statistical Extract ত পোৱা যাব আৰু সদনত যি কোৱা হৈছে সেইটো বিনামূল্যে পাব।

Shri HARESWAR DAS (Minister, Revenue): Sir, although I appreciated the feeling of my Friend but because of this land position in our State, I am unable to accept the amendment and so I request him not to press it but if the position improves, we shall consider it.

Shri NILMONEY BORTHAKUR (Dibrugarh): Sir, the Hon'ble Minister has given the figures. Now the whole purpose of this Bill as well as the Assam Fixation of Ceiling on Land Holdings (Amendment) Bill, 1957 is to provide land to the people to such a limit only which does not exceed 10 bighas. But as there are people who are holding more than 150 bighas of land which can be taken away from such people and distribute to others, therefore, I am unable to withdraw my amendment.

Mr. SPEAKER: The question is that in clause 3, the figure and the figure and word "10 bighas" wherever they occur shall be substituted by the figure and word "15 bighas".
(The motion was negatived.)

Shri NILMONEY BORTHAKUR (Dibrugarh): Mr. Speaker, Sir, I beg to move that in clause 3, the figure and word "100 bighas" occurring at the end of the fourth paragraph of that clause shall be substituted by the figure and word "50 bighas".

Sir, here the maximum area which a landlord can take over from his tenants has been prescribed. The Bill suggests that the landlord may take over an area upto 100 bighas. We find a discrepancy here. Where the real tiller is concerned, it suggests a maximum holding of 10 bighas, but in the case of landlord it has been raised to 100 bighas. A landlord should not be allowed to resume more than 50 bighas. 50 bighas, I think, is quite big an area for one family, be it a landlord's family or a big family of a cultivator. Therefore, 100 bighas

should be changed to 50 bighas. I request the Hon'ble Minister to accept my amendment.

Mr. SPEAKER: Amendment moved is that in clause 3, the figure and word "100 bighas" occurring at the end of the fourth paragraph of that clause shall be substituted by the figure and word "50 bighas".

Shri HARESWAR DAS (Minister, Revenue): Mr. Speaker, Sir, I am unable to accept this amendment. After all, this question of 100 bighas or 50 bighas does not matter much. After this Amending Bill is passed these figures will have almost no significance. Say, a man has got 100 bighas of land, let out to 10 persons at 10 bighas each, he will not be able to resume any land at all. Under the present Act, two-thirds could be resumed by the landlord without leaving anything in the hands of Adhiars or tenants. But under this Bill, we are keeping 10 bighas in the hands of each tenant. There may be cases where a landlord who possesses 100 or 150 bighas of land, may not be able to resume any land at all. I, therefore, do not see why we should quarrel now over this 100 bighas or 50 bighas. So, I request my Friend to withdraw his amendment as there will not be much meaning in it in practice.

(A voice—Then why not accept it ?)

Shri HARESWAR DAS (Minister, Revenue): The general principle is that a provision which is in the Act should be there. If no improvement is made it should be left as it is.

Shri NILMONEY BORTHAKUR (Dibrugarh): I am not inclined to withdraw my amendment, Sir.

Mr. SPEAKER: The question is that in clause 3, the figure and word "100 bighas" occurring at the end of the fourth paragraph of that clause shall be substituted by the figure and word "50 bighas".

(The Motion was negatived.)

Shri NILMONEY BARTHAKUR: I am not moving this amendment, Sir, because it is contingent on the amendments which have been lost.

Mr. SPEAKER: The question is that clauses 3 and 4 do stand part of the Bill.

(The Motion was adopted.)

(After a pause)

The question is that clause 1 do stand part of the Bill.

(The Motion was adopted.)

(After a pause)

The question is that the Long Title, Preamble and the Enacting Formula do stand part of the Bill.

(The Motion was adopted.)

Shri HARESWAR DAS (Minister, Revenue): Mr. Speaker, Sir, I beg to move that the Assam Adhiars' Protection and Regulation (Amendment) Bill, 1957, as amended, be passed.

Mr. SPEAKER: Motion moved is that the Assam Adhiars' Protection and Regulation (Amendment) Bill, 1957, be passed.

Shri GAURISANKAR BHATTACHARYYA (Gauhati): Mr. Speaker, Sir, at this stage I propose to make a few observations on this Bill. It is admitted that so far as the provisions of the present Bill are concerned, they are to a certain extent progressive. It is no doubt a fact that the provisions do not go as far as we would like them to go, yet now that the Government has thought it necessary to give some protection to the adhiars is indeed commendable. But as the Hon'ble Minister had said the other day on the floor of this House, legislations become inoperative and almost useless when they are not properly implemented by the administration as well as by the popular movement. We have seen that the Adhiars Protection and Regulation Act has been there in the Statute Book since 1948 and the different amendments brought to the Act from time to time sought to improve it from the previous position, and yet the unfortunate fact remains that there have been more Adhiars ejected from their lands than protected after the enactment of this legislation. The reasons, so far as I can understand, are two-fold. Firstly, there is not yet a sufficiently strong movement and organisation in the country to help the

Adhiars to assert their right and the landlords are taking advantage of the weakness of the popular movement and organisation.

Secondly, in the administrative part of the thing we find that Government has taken only a half-hearted action in taking measures. The local officers who are in charge of the implementation of the Bill, are mostly antagonistic towards the interests of the Adhiars. The Government in forming the Committees and also in framing the rules have been rather too conservative. For example, when the Bill was passed, the rules did not quickly follow. There was a gap, and this gap was used by the landlords.

Then with regard to the formation of the Conciliation Boards, the Government formed them in some places by appointing on such Boards some peasants who are not real Adhiars. Instead of appointing the real Adhiars Government appointed peasants who are not representatives of the Adhiars. I can cite several instances in the district of Kamrup, where non-Adhiars were appointed by the Government as representatives of the Adhiars. There are also instances where the Conciliation Boards were not at all formed and the Sub-Deputy Collectors have been empowered by Government in this matter to decide cases without the help of Conciliation Boards. Previously there were appeals against the findings of the Sub-Deputy Collectors to the Deputy Commissioners, and there were also appeals in the High Court. Now such cases are appellable in our State to the Subordinate Judges and not to the Deputy Commissioners and thus it has become more costly to the Adhiars to seek protection of law also. This sort of difficulty would not have been there, and could have been obviated if Government would have formed the Conciliation Boards with the real representatives of the Adhiars such as representatives of the Kishan Sabhas and Kishan Panchayats, which have as their members not only Adhiars but which are also the real representatives of the Adhiars. The Government could have consulted with these organisations which are the real representatives of the Adhiars, at least for appointing members to the Conciliation Boards. I do not know whether Government made any enquiry or sought recommendation of any of these organisations. So far as one such organisation is concerned, with which I am connected, namely, the Kishan Sabha which our Government did not consult in the matter of appointment of members to the Conciliation Boards. I think the Government is aware that these organisations are most powerful organisations in the State which are

ahead of other social organisations. So for social progress, it is the bounden duty of the Government to take the help of these organisations, and consult the representatives of these organisations in the formation of the Conciliation Boards in the State. But what do we find? The Government consider that these organisations are not up to the mark and they are not representatives of the real Adhiars. We have seen, on the part of Government, not to speak about them as popular representatives of the Adhiars but Government dub them even as revolutionary and as such they seek to make them ineffective. But if there is anything popular about them the history of China will clearly justify it. When the present Government in China came into power, the first legislation they made is the abolition of landlordism. This legislation was made in the North China as well as in South China. In North China there was quick abolition of landlordism because the peasants of North China organised themselves effectively to abolish landlordism. In South China the peasants took time to do so due to organisational weakness as a result of which the landlords there continued to exploit the peasants even after the formal abolition of landlordism. If this could happen in China, I see no reason why the Government cannot take into confidence the representatives of these organisations which are very popular among the peasants in Assam. Therefore, we would request the Government to see that this legislation is not meant to be left in the Statute Book only, and if the Government could give direction not to be guided by the people of the landlord class but to be guided by the real representatives of the peasants, Government can help and guide the officers while making appointment of members to the Conciliation Boards. So my suggestion is, Sir, let Government immediately appoint members who are real Adhiars in the Conciliation Boards in the State, and let the laws pertaining to protection of the Adhiars be printed in the languages of the people, *viz.*, Assamese and Bengali, and in particular, let them be distributed among the peasants so that they can know what are the laws. In many places the Adhiars are not aware of the protection of the law. Taking advantage of the ignorance of the Adhiars the landlords continue to oppress and exploit the Adhiars even after the Adhiars' Protection and Regulation Act is placed in the Statute Book. Therefore, I submit that the Minister-in-charge should look into this matter and issue directions to the Deputy Commissioners to see that in every circle the Conciliation Board is constituted, and the Publicity Department be asked

to print the Acts in Assamese and Bengali and distribute them among the people free of cost.

Shri KHAGENDRA NATH BARBARUAH (Amguri):

অধ্যক্ষ মহোদয়, এখন আইন প্ৰণয়ন কৰোঁতে বিশেষকৈ এখন নতুন আইন প্ৰণয়ন কৰোঁতে সেই আইনখন জনসাধাৰণৰ কল্যাণৰ হকে হৈছেনে নাই সেইটো ভালকৈ লক্ষ্য কৰিব লাগে। আমাৰ আধিয়াৰ আইনখন প্ৰয়োগ কৰোঁতেও আধিখোৱা লোকসকলৰ উপকাৰৰ নিমিত্তে বেচিকৈ মন দিব লাগে। এই আইন কাৰ্য্যত প্ৰয়োগ কৰোঁতে মাটিৰ মালিকসকলে খেতিয়কক বৰ জুলুম কৰা দেখা গৈছে। ইতিমধ্যে কিছুমানে মাটি বিক্ৰি কৰিছে আৰু কিছুমানে মাটিৰ পৰা খেতিয়কসকল উঠি যাব বুলি লিখাই লৈ সেই মাটি পিচত আন মানুহক দি দিছে। গাঁৱৰ অশিক্ষিত খেতিয়ক সকলে কবই নোৱাৰে কি আইন হৈছে? কিন্তু যিবিলাক মাটিৰ মালিক তেওঁলোকে সকলো বুজি পায়। সেই কাৰণে মালিক সকলৰ হাতত গাৱলীয়া খেতিয়ক সকলে বৰ কষ্ট পায়। তেতিয়া তেওঁলোক উকিলৰ ওচৰ চাপিব লগা হয় আৰু ফলত উকিল সকলবহে আয় বেচি হয়।

যিখন আধিয়াৰ আইন প্ৰণয়ন কৰিছে সেইখন গণতান্ত্ৰিক হ'ব লাগে। চৰকাৰে মাত্ৰ গণতান্ত্ৰিকতাৰ কথাহে কয় কিন্তু কামত সেইটো নহয়। গণতান্ত্ৰিকৰ নামত চৰকাৰে ওপৰৰ পৰাই বোৰ্ডৰ সদস্যবোৰ বাচি দিয়ে আৰু সেইবোৰেই হৈছে আমাৰ কৰ্ম্মকৰ্ত্তা। ইয়াৰ বাহৰেও টিনপাট, বিলাতিমাটি বিতৰণৰ কাৰণেও ওপৰৰ পৰাই কমিটিৰ লোক বাচি দিয়ে। সেই কাৰণে মই ভাবো যে গণতান্ত্ৰিক পদ্ধতিৰ সন্মান ৰাখি আধিয়াৰ সকলৰ পৰা প্ৰতিনিধি বাচক আৰু মাটিৰ মালিকৰ পৰাও প্ৰতিনিধি বাচক আৰু তেওঁলোকেই মিলি আধিয়াৰ বোৰ্ড গঠন হ'ব।

আমাৰ খেতিয়ক সকল বৰ অজ্ঞা আৰু দুখীয়া। সেই কাৰণে কোনো মেল মৰ্কদ্দমা হলে তাৰ খৰচ পাতি চৰকাৰে বহন কৰা উচিত আৰু যদি উকিলৰ আৱশ্যক হয় তাৰো ব্যৱস্থা চৰকাৰেই কৰিব লাগে। গতিকে এই আইন ৰচনা কৰোঁতে যাতে তল খাপৰ মানুহবোৰে ইয়াৰ সুবিধা ভোগ কৰিবলৈ পায় তাৰ বাবে চুক ৰাখিব লাগে। কিন্তু আমি দেখিবলৈ পোও যে এজন খেতিয়কে মাটি বহুত দিনৰ পৰা খাই আছে আৰু মাটিৰ মালিকে সেই মাটি আনক দিবলৈ জোৰ কৰে। তেতিয়া শীমাংসা হোৱাৰ আগতে ১৪৪ ধাৰা জাৰি কৰি দিয়ে। এনে হলে মাটিৰ মালিকৰ বিশেষ হানি নহয়। মাটিৰ মালিক বুলিলেই ধনী লোক বুজায়। মাটিৰ ওপৰত খেতি বন্ধ হলে আধিয়াৰৰ পেটৰ ভাত বন্ধ হয়। কিন্তু পিচত মাটিৰ মালিকে সকলো নিয়ম কানুন জানে কাৰণে কামটো কৰাই নয় অথাত মাটি নিজৰ হাতলৈ আনে আৰু খেতিয়ক বোৰৰ অনাহাৰতে বৰ কষ্ট হয়। সেই কাৰণে আইন প্ৰণয়ন কৰাৰ সময়ত চাবলাগে আইন খন সকলোৱে বুজি পাইছেনে নাই। কিন্তু চৰকাৰে মাত্ৰ আইন খন গেজেটত প্ৰকাশ কৰি দিয়ে আৰু তাকো ইংৰাজী ভাষাত দিয়ে। সেই কাৰণে অশিক্ষিত খেতিয়ক সকলে আইনৰ একো কথাৰে নেজানে। সেই কাৰণে মই পৰামৰ্শ দিও যে চৰকাৰে আইন প্ৰণয়ন কৰোঁতে যাতে খেতিয়ক সকলৰ প্ৰতি লক্ষ্য ৰাখে।

Shri DANDESWAR HAZARIKA (Morongi):

Mr. Speaker, Sir, I rise to oppose the few observations made by my Friend from Amguri. He has rather cast certain reflection on the most dignified profession of law when he stated something like this: that the loss has been incurred by Government and the profit goes to the lawyers.

Mr. SPEAKER : He did not cast any reflection on the lawyers, what he said was that the lawyers had become richer.

Shri DANDESWAR HAZARIKA (Morongi) : Any way, Sir, if this is not a reflection on the profession of law, then I would better substitute it for 'remark'. In this connection I beg to submit that when a certain legal complication arises in a certain matter, I do not think that a lay man will be in a better position to give an explanation of the legal position, and that is why whenever a person is in difficulty he, out of his own accord, approaches a lawyer because he knows that in legal matters no body is more competent to help him than a lawyer.

Mr. SPEAKER : Order, order, we are not discussing here the merits or demerits of the legal profession. I hope the hon. Member will confine his observation within the scope of the Bill.

Shri DANDESWAR HAZARIKA : All right, Sir.

The next thing that my Friend said is that when the Bill is passed into Act, it should be translated into Assamese or such other languages as are spoken in our State by large number of people, and distributed amongst them so that they may be in a better position to understand what the law provides for them. In this connection, Sir, I again submit that this will also not serve the purpose to any great extent. Because a vast majority of our villagers are still steeped in illiteracy and they do not have even the elementary knowledge of reading and writing. Therefore I feel the large amount of money that will have to be spent if the Act is translated into all the different languages and dialects spoken in the State, will not be comensurate with the result that will be achieved. Any way, if Government can afford the money that may be required for the purpose, the Bill, when passed into an Act, may be translated and distributed amongst the villagers.

Now, Sir, as far as my knowledge goes, Government have constituted an Adhiar's Conciliation Board where there are representatives of landlords as well as of the Adhiars. It may be in some places that real representatives of the Adhiars have not been selected. But I know instances where real representatives of Adhiars have been included in the Conciliation Board by Government. In places, however, where real representatives of the Adhiars are not included, our new Revenue Minister, I

hope, will see that real representatives of the Adhiars are made members of these Boards.

With these few words, Sir, I support the Motion moved by the Minister.

Shri RANENDRA MOHAN DAS (Karimganj-North):

Mr. Speaker, Sir, I would also like to speak a few words on this Bill at this stage although the amendments moved from this side of the House have been all lost. My Friend, Shri Bhattacharyya, has stated earlier that this Bill will be more progressive with the amendments which have now been passed by the House than before. So the question of supporting or opposing this Bill now does not arise. But the main point that now arises in this connection is that we as legislators have done our part. We have framed certain rules which will now come in the shape of a law. This particular law was enacted long before. But during these long years we have seen that this piece of legislation had many lacunae which have been to a large extent removed by the different stages of amendments. So far as the part of the legislators is concerned, we have done our part. Now it rests with the Government to see that this Act is actually translated into action, and the persons for whose benefit it has been framed, are really benefited by it. Previously, as has been stated from this side of the House, and the Minister-in-charge also himself admitted it, the people did not get much benefit from this Act and matters stood as they were before the passing of this Act. Sir, unfortunate though it is, it is in itself as an indictment on the administration if the law passed by this House had not been translated into action during this long period. Of course, there may be certain difficulties in the way of doing this. But the Government is there to remove these difficulties. The first thing that stands in my opinion on the way or proper implementation of the Act is that many people in our country do not actually know what benefit we are going to give them. So Government should first of all make it a point to translate the laws in different vernacular languages with a view to acquaint the people that such and such benefits in such and such forms will accrue to the people because of this particular piece of legislation. Secondly, Sir, we see that there is a clash of interests between our officers and the Adhiars for whom this Act has been passed. We have seen that most of our officers come from middle class families, and naturally there is clash of interests. So it is the duty of the Government to infuse into the hearts of our officers the spirit of service to the people. Because it is the responsibility of the officers to implement the Act. If

we really want that our State should be moulded in the Socialist pattern, then it is essential that the laws and acts passed by this House should be implemented in their proper spirit. We certainly pass certain legislative measures with the sole object of improving the condition of our riots. But in case the laws passed by this House are not properly implemented, there can be no point for us to pass these laws.

Another thing which I would like to impress on the House is that the legal formalities should be done away with as far as possible and instead of moving the higher authorities like District Judges such things should be allowed to be settled even by the lower court. Strict orders should be given to all the District Officers to bear in mind that it is their bounden duty to see that the condition of the Adhiars are improved. And besides concessions provided for other purposes, in the Conciliation Board, as suggested by my Friend, Mr. Bhattacharyya, the actual Adhiars' representatives should be nominated by the Government. Government can also mobilise public opinion and improve the lot of the Adhiars through other official agencies like Community Development projects, Rural Development Department, Panchayat, etc. There are other agencies also which can well represent the side of the peasants and they are like Social Service workers, Bharat Sevak Samaj, etc., and these agencies can very well represent the feelings of the Adhiars. If that is done then the people can get the real fruit for which we are going to pass this measure.

Shri SARAT CHANDRA GOSWAMI (Kamalpur): Mr. Speaker, Sir, I would like to speak a few words with regard to this Bill. The intention of this Adhiar's Protection Bill is mainly to protect the interest of the cultivators. It has been said that the Adhiars are more ejected than protected. Some of my Friends also have said that in the Adhiars' Conciliation Board the representatives of the Adhiars should also be there. I fully support this view. But at the same time I beg to submit that when the Adhiars' Conciliation Board is constituted by some Government officers and also by some of the representatives of the so-called landlords and if the real representatives of the Adhiars are not very much conversant with the legal side of the matter then the Adhiars can easily be deceived and so their interests cannot be protected there, and therefore, certain organisations who can well represent the Adhiars' interests should be there and this will serve the real purpose better.

It is said that there is clash between the interest of the Adhiars and the interest of the landlords. So, this Bill is only to

protect the interest of the Adhiars, but while going to do so we should take the realistic side of the matter. In certain cases the same person has double capacity ; from one point of view he is a landlord and from the other point of view he is an Adhiar, as the same person can give out, say, 2 bighas of his land to another and from a different person he can take in *adhi* system some land. On this ground we are to see things from a realistic point of view. This fact must not be lost sight of. In solving one problem we must not create another.

Another fact is that we put some blame on the officers. As a matter of fact some of the officers have got some land which is not enough for personal cultivation and so they let out such land in *adhi* system and realise some means of livelihood therefrom. So, we must also see to a certain extent that those people also get some benefit out of the *adhi* system, and we must not lose sight of this side of the matter also.

As regards the suggestions on the Bill, I support my Friend, Shri Bhattacharyya, that the main provisions of the Bill should be translated into Assamese so that the Adhiars may not be deceived or may not be misrepresented by the landlord in giving them protection.

As regards legal side of the matter it has been said by Shri Barboruah that Government should bear that cost of litigation. As a matter of fact it would have been better if Government could provide fund to give facilities to the litigant Adhiars. But I hope no Government can do this. Sir, to get protection of interest some legal process is bound to be followed where necessary and we will look for the day when such legal process will be taken over from the hands of the pleaders and will be taken over by the peoples' representatives in the Panchayat. But till then we will have to carry on as it is. The Adhiars' Protection Act has now been brought in tune with the directions of the Planning Commission. The right of the Adhiar has been better sought to be protected as the Adhiar cannot be totally ejected from the land under his cultivation. He will be able to retain 10 bighas for his own purpose on the *adhi* system.

With these words, Sir, I support the Motion.

Shri DEVENDRA NATH HAZARIKA (Saikhowa) :
Mr. Speaker, Sir, in support of the Motion moved by the Hon'ble Minister, I would like to add a few words.

This legislation has been introduced for the protection of the interest of the cultivators and it is because of the fact that

the Government is quite alive to the difficulties of our cultivators. But materialising this legislation sometimes we find some shortcomings. Of course the shortcomings are mostly due to the lack of consciousness among the cultivators themselves. In certain Districts I find the Adhiars' Conciliation Boards have not yet been formed, and for this reason the cultivators have been suffering a lot. So far I know that cultivators are to pay to the landlord at rate 4 times the land revenue according to the rule. For example, for a Pura of land the Government revenue is Rs.5 or Rs.6 and according to the rule the cultivator is to pay the landlord 4 times of it which then comes to about Rs.20 or Rs.24. But instead of this I find that about Rs.80 or more is being realised by the land lord. These landlords do not give receipts. They also do not allow the same cultivators to occupy the lands continuously. Taking advantage of ignorance and lack of consciousness of village population they are exploiting them. Of course they are different from the Zamindars of Goalpara or Cachar. These Zamindars can better be termed as Benami Zamindars. Those non-cultivators acquired land by tactics during the last half century. It was not a historical process, it can be termed as irony of history. The people in my district were not conversant with those rules prevalent during British days as well as those prevailing now-a-days. Taking advantage of their ignorance, there are large instances where cultivators were deceived by these Mahajans. These lands should go to the descendants of original land owners if they are landless. Sir, when the question of landless persons comes, I fear those land owners who lost their lands during the last half century may not be benefited due to their ignorance. So I request the Government to see that these people are not deprived of due to their ignorance. Some protective measures for these people should be made. With these words, Sir, I support the Bill of the Minister, Revenue.

Shri HARESWAR DAS (Minister, Revenue): Mr. Speaker, Sir, I am thankful to my Friend, Sri Bhattacharyya, for his observations. Of course he is not here now. But some of his observations are not quite correct. With regard to the provision of the appeal, in our original Act there were provision for two appeals. But on representations, coming particularly from the Adhiars, the provision of one appeal was made because when there were more than one appeal it leads to delay and also involves considerable expenditure of money which the Adhiars cannot afford to pay. There we have provided for one appeal only.

As regards the constitution of the Adhiars' Board, the law is that one man should be selected by the Adhiars and one by the land owner. They may quarrel. So the Sub-Deputy Collector is there as the Chairman of that Board. He has technical knowledge. In case of disputes he will effect a compromise. Now it has so happened that in many cases the Adhiars select even lawyers, as they being illiterate cannot put their case properly. I do not know if any Adhiar has actually been selected in the Board, but even if he is selected what will he do? He will simply sit there and will be unable to follow even the proceedings. So somebody representing his interest and who is sympathetic to his interest comes to the Board as his representative and in this way people who are not actually Adhiars have come to the Board. So there is no question of agitation over the matter. We want the Adhiars to come; whenever the Adhiars want any change in the personnel, we shall do it.

As regards printing, an attempt was made to translate the Act into Assamese. But we found that they were difficult even for lawyers to follow.

Mr. SPEAKER: Is Assamese more difficult than English?

Shri HARESWAR DAS (Minister, Revenue): Sir, when legal terms are translated into Assamese they become difficult to understand. The Congress Committee issued some pamphlets in vernacular stating only the rights of the Adhiars. I do not know the actual result of this attempt. This was good and easy to follow. We are prepared to encourage this, but from experience it is found that it has also done no good. The Adhiars being illiterate cannot follow them. The printing charge is wasted.

Then regarding the point of proper implementation of the Act, it cannot be done by Government alone. The co-operation of land-owners is necessary. There are two classes of land-owners. One class stay in town, hold land in the rural areas and only at the time of collection of paddy they go there and collect their share of paddy. Here the relationship between the Adhiars and the land-owners is not good. The land-owners may be easily liquidated. But there are land-owners who live in the village; they are in a position to supervise cultivation and can realise their share from the Adhiars. Adhiars cannot check them, they are real exploiters of Adhiars. But in case of town dwellers, they may be cheated by the Adhiars. Now our difficulty is with this class of land-owners who stay in the villages. They are like the guardians of the Adhiars and help the Adhiars in their distress; in case of illness of their sons they go to the land-owners, seek their advice as to which doctor he

should engage and so on and so forth. Sometimes the land-owners help them by paying even the fees of the doctors. They help the Adhiars in every way in times of need, but realise from them more than their dues. They are not generally co-operative, because co-operation means killing themselves. Here Government officers do not succeed. We want co-operation of these land-owners who stay in the village and who themselves are cultivators. In case of those land-owners the difficulty is found in the proper implementation of the Act. Mere delivery of speeches, mere passing of Statutes will not bring such result as to ameliorate the condition of the Adhiars. Sir, I have said in course of discussion that more than 2 per cent of our people hold land less than 10 bighas. Majority of them are Adhiars besides being owners. So there is no clear-cut division between the Adhiar and the land-owner. The same man may be both an Adhiar and a land-owner. So for the proper implementation of the Act, we want the co-operation of these middle class people, the land-owners, particularly those who stay in the villages. Of course they will have to co-operate against their own interest. I would request my Friends to do propaganda outside this House. When that co-operation will be forthcoming, the result will be good.

Mr. SPEAKER : The question is that the Assam Adhiars' Protection and Regulation (Amendment) Bill, 1957, as amended, be passed.

(The Motion was adopted.)

Adjournment

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

(After lunch)

The Assam Betterment Fee and Mooring Tax (Dibrugarh) (Amendment) Bill, 1957

Shri HARESWAR DAS (Revenue Minister): Mr. Speaker, Sir, as there is no amendment, I beg to move that the Assam Betterment Fee and Mooring Tax (Dibrugarh) (Amendment Bill, 1957, be passed.

Mr. SPEAKER: The Motion moved is:

"That the Assam Betterment Fee and Mooring Tax (Dibrugarh) (Amendment) Bill, 1957, be passed.

Shri NILMONEY BORTHAKUR (Dibrugarh): Mr. Speaker, Sir, this is one of the blackest piece of legislation that is being passed in the name of levying fees from the people of Dibrugarh. If this Bill is raised to a principal Act, it will seek to impose a very heavy burden of tax on the people of Dibrugarh.

Shri HARESWAR DAS (Minister, Revenue): Sir, the amending Bill does not seek to impose any fee or tax. My Friend is attacking the main Act.

Mr. SPEAKER: This is a background material. He has already spoken on the amendment. As he is speaking on the third reading, I suppose, he may do so without straying too far.

Shri NILMONEY BORTHAKUR: Sir, a good portion of the town of Dibrugarh was washed away in the year 1948-49. At that time, Government did not take effective steps to protect the town. There was very heavy erosion of the south bank of the Brahmaputra bordering the entire north eastern part of the town again in 1948. During the latter part 1948 and also in the year 1951-52, when the erosion was continuing the Government of Assam tried to check erosion by devising some means, which ultimately proved to be unsuccessful. The device was to construct permeable spurs at acute angles to the bank and pile up tines of trees bunched up together on the south bank of the Brahmaputra. The measure did not succeed, and all were washed away.

Then, Sir, a scheme was undertaken by the Government for construction of a revetment, the cost of financing the work being borne both by the State Government as well as by the Central Government on a 50:50 basis. The State Government agreed to that proposal without any reference to the people of Dibrugarh or to the Dibrugarh Municipal Board. The cost of construction was estimated at Rs.1 crore. But, that device also did not succeed, and in 1954 a good portion of the town was washed away along with the revetment a good part of which had been completed. Sir, this loss was certainly the result of the faulty experiment carried out by the State Government, using the people of Dibrugarh guinea-pigs because, when the construction of the revetment was going to be undertaken by the Government, representations from certain sections of the people of Dibrugarh were made to the effect that device would not succeed. But, Government did not pay any heed to them, *i. e.*, people's advice fell on deaf ears.

Sir, let me explain this. The scheme which was undertaken by Government for construction of a revetment on the southern bank of the Brahmaputra, to the north of the town, was simply to pile up boulders on the south bank, *i. e.*, the bank which was eroding at a nominal slant. Everybody knows, how turbulent the river Brahmaputra is. It was simply impossible to protect the town of Dibrugarh by piling up boulders on its bank in that fashion. So when the revetment failed, and the bank was eroded severely in 1954 the people of Dibrugarh became very shaky, and there were tremendous movements of people from the town to other places.

When the people became aware of the fact that it was beyond the scope of the State Government to protect the people of the town of Dibrugarh, they directly approached the Central Government for protection of the town of Dibrugarh so that their lives and properties might be saved. Then, the Central Government gave them assurance, and in fact, Members of Parliament, Central Ministers including the Prime Minister visited the town to see the condition of the people of town. They then thought how to protect the beautiful town of Dibrugarh from the clutches of the mighty river.

Sir, the Central Government then directed the Central Water Power Commission to conduct series of experiments in their station. As a result of that a scheme was undertaken in the year 1954 to construct a few stone spurs as well as some permeable spurs in between the stone spurs right from the eastern side of the town towards the southern side covering the entire town of Dibrugarh.

Now, Sir, in view of the former arrangement, the State Government is to pay Rs.50 lakhs towards the cost of construction of the revetment that was washed away. This amendment seeks to legalise a levy to meet the expenditure that has been made under the Second Five-Year Plan for the protection of the town of Dibrugarh under the 2nd scheme. Now, Sir, the finance for the Second Five-Year Plan is provided for either by budgetary surplus or by taxation or by borrowings or by deficit finance or by all of these together. Whatever the source might be, Sir, ultimately the people have to pay for it. The whole tax structure, as has been analysed by the Taxation Enquiry Commission, suggested that the incidence of taxation is the highest on the people of urban areas.

The Taxation Enquiry Commission stated in paragraph 9, page 68 of Volume I of the Commission's Report, "As an area becomes more urbanised not only expenditure level rises but the proportion of cash to total expenditure increases, and

the proportion of tax to cash expenditure also goes up as a result of a change in the pattern of cash purchases in the direction of more highly taxed articles ; the tax element in urban areas increases and the incidence of taxation is higher as a combined result of all these increases. The higher contribution to indirect taxes by urban areas is commonly ascribed mostly to the third factor."

Thus, Sir, the more urbanised an area, the greater becomes the incidence of taxation. The town of Dibrugarh being a rapidly developing industrial town, and for that matter, the premier industrial town of the State, the incidence of taxation on the people of Dibrugarh is the highest in the State.

This burden of taxation on the people of Dibrugarh is further enhanced as a result of very high prices of consumer goods prevailing in Dibrugarh, which fact even the representatives of the Central Government have admitted. Of the total quota of tax paid by the people of Dibrugarh, the incidence of Central taxes is also enormous. The Taxation Enquiry Commission observes, "The incidence of both the Central and State taxation is higher in the urban sector for each expenditure group, because of the higher incidence of Sales Tax, Central Excise and Import Duties. It may be noted, however, that of these three major tax items, the rural-urban disparity in incidence is least under Central Excise, it is larger for Import Duties and is highest in respect of Sales Tax. Urban incidence of Sales Tax is over $2\frac{1}{2}$ times rural." (Report of the Taxation Enquiry Commission, paragraph 13, page 69, Vol. I).

Sir, this excludes the Central Revenue collected from the urban areas, through Post and Telegraph Department, Railways, Customs, etc. Taken together, the incidence of Central taxation, in whatever form it is levied, on the people of Dibrugarh, where the volume of business transaction is higher than in any other town of the State, is the highest in Assam. Now comes the betterment levy which is the last straw. People groaning under the burden of taxation will now be crushed to death. This levy, Sir, is also a misnomer. It is called a betterment levy. I could have understood a levy on the people directly benefited from major projects like the D. V. C. or the Bhakra-Nangal. The peasants to whom these projects cater are certainly benefited. The areas which these projects serve are definitely bettered. But what about Dibrugarh ? We have lost our homesteads, we have lost all our stable properties, the accumulated earnings and savings of several generations. We have lost our lands, our hearth and homes which embody the sweet memories of our lives and of the past generations. The Government have

not been able to protect them. If somewhere and somehow somebody seeks to take shelter in a poor hovel, the Government seeks to take it away in twenty years. The levy of this betterment tax outrages the basic principle of taxation. The expenditure on the Dibrugarh town protection work is met from the pool of finance for the Five-Year Plans. The people of Dibrugarh, along with all other people of India have paid and are paying towards the pool of Finance. This levy is therefore, Sir, a double taxation. Why should the people be taxed twice and that too, heavily, for a project, the success or otherwise of which lies in the womb of the future? Protection of the people from floods and erosions is the sacred duty of every responsible Government.

Sir, in addition to that this amendment seeks to legalise a levy to meet the cost of the entire work, *i. e.*, the revetment, stone spurs, dyke, permeable spurs, drain and all undertaken by the Union Government.

Sir, the Principal Act imposed a levy for the so-called protection of the people of Dibrugarh from erosion by the Brahmaputra. But in the amending Bill, we are sought to be taxed for "flood protection", which term is twisted to mean everything on earth. Clause 2 of the Bill says, "Flood protection work means any spur, revetment, embankment, drain and other works connected with protection of the Dibrugarh town and its neighbourhood from erosion and flooding by the river Brahmaputra."

Further, the definitions of the terms used in the Principal Act are sought to be amended in such a way so that the people of the entire area could be taxed. Clause 4 of the Bill wants to insert another introduction by way of amendment, *viz.*—

"All areas within any of the belts shall be deemed to be benefited irrespective of the nature and quantum of the actual benefits accruing to any particular plot of land".

Sir, in plain language, this means that the people will be forced to pay tax even if they are not benefited at all. The Hon'ble Minister does not like me to say tax, possibly, he has some distaste for the word. He relishes to use the sugar-coated form of it, *viz.*, fee. This reminds me of a similar term,—lawyer's fee, or the physician's fee. A lawyer defends his client in a Court of Law and realises his fees for the work done. A lawyer does not guarantee that his client will be saved from the clutches of law. Nevertheless he takes his fees for the part he has to play, irrespective of the fact whether his client has chances of winning or losing. So, Sir, the Government have sought to levy a "fee" on the people without giving them a

guarantee that the town of Dibrugarh will be protected from the danger of future flood or from the danger of being eroded. Sir, the recent floods have shown that the people of Dibrugarh are not yet out of the woods. Erosion is still on the agenda of the Brahmaputra. Moreover, the condition of the portions of Spurs Nos. 1, 4 and 5 is not very satisfactory. A good portion of of Spur No.4—the nose of it has been washed away. Also a few sods have been eroded just in front of the Court Building. Now, if things go on like this, protection of the town of Dibrugarh will recede like a dream. This year, we have seen, the mighty Brahmaputra is not very turbulent. It is said that, once in several years, the river takes a very furious form. So, Sir, if this Bill is legalised, it will force the people of Dibrugarh to pay tax which they cannot, irrespective of whether they are protected or not, let alone being bettered. The rate of taxation proposed in the Principal Act is perhaps the highest in India and possibly the highest in the world. The rates appear to have been fixed arbitrarily without assessing the tax paying capacity of the people. Normally it takes two to three generations for one to build up a permanent house. One acquires a plot of land and others add bricks to build it up. But the Government want the entire value of this work of several generations be paid in twenty years at the present price in the form of a tax. I do not know if there is anything more absurd and more unjust than this. The very wording of the Bill, "Flood protection work" means any spur or revetment required to protect a certain area from flood and erosion is absolutely ludicrous. But there is a purpose in it. There is a method in madness. Here the meaning has been sought to be made so exhaustive as to cover many things, such as spurs, embankment, drain, dyke, etc., By the words "flood protection work" it is sought to mean "any spur, revetment, embankment, drain and other works connected with protection of the Dibrugarh Town and its neighbourhood from erosion and flooding by the river Brahmaputra". The wording "flood protection work" *ipso facto* means simply certain measures needed to check flood and stop flood, but here in order to have a wider application and to cover a bigger area this explanation has been introduced. Moreover, we find that this whole area has been divided into four zones. The last two zones comprise of rural areas. The incidence of taxation will be so heavy in these zones that it will come to three and two per cent of the value of their property. Sir, it has been our experience that the peasants who have been already hard hit by successive floods have not been able to pay even their annual land

revenue and in two Mouzas of Larua and Jamira, attachment orders have been issued against a large number of people residing within the said zones. In the face of this if the Bill imposes such a heavy taxation, the only alternative for the entire people will be to leave their hearth and home by selling their property to Government and recede to the jungle or pursue a life of nomads. Therefore, at the very commencement of the Bill I appeal to the House to assess public opinion on the Bill instead of rushing it through. So far there has not been any attempt to get public opinion. It was simply said that people of Dibrugarh had volunteered to pay the fee, but that is not borne out by facts. Very recently on the 27th of last month, there was a mass *hartal* in Dibrugarh to protest against the realisation of this fee. Everybody including the Government servants, merchants and all participated in the hartal and all shops and bazars were completely closed down. That fully demonstrated that people are not in a position to bear this heavy burden of taxation although Government want to realise it in the name of fee. It was also said that there was a public meeting where people had agreed to pay the fee, but to the best of my information no meeting of that sort was ever held. It might be that the Chief Minister and a few individuals of the town, possibly his friends, met in a Cinema Hall and discussed the matter, but there was no public meeting and nobody made any promise to pay this tax. As I said the incidence of taxation is already so heavy that people have no capacity to pay ; and in addition this present tax will simply spell disaster to our entire people. Therefore, this Bill cannot have the support of the people for whom it is intended. So I oppose the passing of this Bill.

Shri DANDESWAR HAZARIKA (Morongi): Mr. Speaker, Sir, I fail to understand why my Friend is objecting to the passing of the Assam Betterment Fee and Mooring Tax (Dibrugarh) (Amendment) Bill, 1957. It is quite clear from the standpoint of objects and reasons that it was originally decided to construct a revetment along the river Brahmaputra to protect Dibrugarh Town from erosion and subsequently when the experts came and found that this revetment was not sufficient to protect the town they wanted that some other works such as spurs, embankment, drain, Dykes, etc., were to be constructed. In order to cover the word 'revetment' this amendment has been brought and I do not find any logic why my learned Friend has objected to it. He should have objected to the original Bill which was passed long ago.

Shri NILMONEY BORTHAKUR (Dibrugarh) : People thought that the original Bill was washed away along with the revetment (*Loud Laughter*).

Shri DANDESWAR HAZARIKA : My Friend's contention is that we must stop levying this fee. But, Sir, I would like to ask my Friend whether he would prefer to sit down tight when some one in his family is suffering and would not call a doctor for fear of paying him ? It is the duty of Government or it is the duty of every human being to save himself and save the State as far as possible from any calamity. At the same time it is difficult to fight against nature because nature is very powerful, nobody knows what may happen. But will it be wise on the part of the Government to sit down without doing anything simply leaving the whole thing to the mercy of nature or to the will of God ? So my Friend's argument that this tax should not be realised or levied from people is, I think, not at all sound. If people are to be benefited, I think, it is the duty of those people to pay some kind of fee or tax, otherwise this huge amount that has been necessary for the protection of Dibrugarh town will go from public exchequer for the benefit of only a section of people of the State who are living in Dibrugarh town and the adjoining rural area. What logic is there that the money belonging to the entire people of the State should be spent for the benefit of only one section of people ? So I find it very difficult for me to see any reason for the objection of my Friend to this amendment. It is only due to the explanation under Section 4 that some people of the rural area shall have to pay some fee. As they will also be benefited, they should also pay some fee to the State for the benefit derived. With these few words I support the Motion moved by the Minister-in-charge, Revenue.

Shri GAURISANKAR BHATTACHARYA (Gauhati) : Mr. Speaker, Sir, this is really an oppressive piece of legislation. I have to differ from my Friend, comrade Borthakur, on one point when he has brought the analogy that this Bill seeks to levy a fee like that of a lawyer taken from his client. Myself being a lawyer, I feel that his analogy is not correct ; because we take fees from our clients provided we do something for them though we cannot give them the guarantee as to whether we shall win the case or not. At any rate, we don't take fees from any body unless and until they become our clients and we do something for them. But here in this Bill no such promise is there. Government seeks to take a fee without any service in return. It is said in the Bill—"All areas within any of the belts shall be deemed to be benefited irrespective of the nature and quantum of the actual benefits

accruing to any particular plot of land". Here it is said—"deemed to be benefited" even though the quantum of actual benefit be only a big zero. It does not matter whether it will benefit the people or not, but Government simply think that it will benefit the people, so the fees will be taken. In that sense, Sir, my Friend, Shri Borthakur has given a compliment to the Government, which I am afraid, they do not deserve. Here they have not acted as lawyers, but they have acted as robbers of truth.

Mr. SPEAKER : Order, order. The word "robber" would not be Parliamentary.

Shri GAURISANKAR BHATTACHARYYA (Gauhati) : I am using the word to mean disrespect of truth. So, Sir, I have got objection to this Bill. But my Friend, Shri Hazarika, who is also a lawyer said that there has been some benefit for this particular urban area. Sir, there is no denying the fact that the Taxation Enquiry Committee revealed the fact that the urban areas are most heavily taxed. Yet the Government find justification for this Bill because there will be certain spurs and revetments. Only the people of the urban areas will have to pay this tax or fee. Sir, there is a steamer Ghat and a railway station at Dibrugarh and petrol, kerosene, tea, coal, etc., are being carried by the steamers and railways and these bring millions of dollars to our country. Did the people of Dibrugarh get anything for that? So when Dibrugarh has provided many facilities for the Government of India and also our State to earn millions of dollars, nothing has been paid to the people of Dibrugarh. So what reason is there on earth, that when some spurs and revetments are made in order to protect the commercial centre of the State, namely Dibrugarh, the people of that particular town only should pay the fee. Sir, if Dibrugarh is eaten up by the Brahmaputra the most important commercial centre of Assam will go. Why then should the Government take a measure for levying the people of that particular area only? Is not Dibrugarh a very important centre for trade and commerce for the entire State? Is not the protection of Dibrugarh a duty and responsibility of the entire people of Assam, nay, India? Sir, if there was the Betterment Fee to be taxed or levied, why should it be meant for the people of Dibrugarh only? Why should my Friend, Shri Borthakur, or say the Minister of Revenue only pay? So, Sir, I say that this is really an oppressive piece of legislation, and in the proposed amendments, it is sought to be made more oppressive. We have, therefore, no alternative but to oppose this oppressive piece of legislation.

Maulavi JAHAN UDDIN AHMED (Bilasipara): Sir, I want one information. Supposing the Government want to realise the entire cost levied on the people of this town in 20 years and supposing the revetment and the whole of the town is washed away within five years by the mighty Brahmaputra, what will the Government do ?

Shri HARESWAR DAS (Minister, Revenue): Mr. Speaker, Sir, it seems to me that the entire discussion has been outside the scope of the Bill. The Act is there with the fees. This Bill does not seek to impose any tax or fee. So the demands that fees should not be charged or tax should not be realised and all these are beyond the scope of this Bill. Sir, I am at one with my Friend, Shri Borthakur, when he says that the people of Dibrugarh should be relieved from payment of this fee. I shall be simply glad if that can be done, but I have not that power, because the Act is already there. The Act was passed at a time when the entire Dibrugarh town was being threatened with erosion at every moment and during that time, the people were willing to do anything simply to protect them from such a danger. The people at that time were willing to give the fees. But now that the trouble has passed and when erosion has been stopped, the people have now turned round and do not like to pay. At the time when lands and valuable property were being eroded, there were representations from the people that they were ready to pay reasonable amounts.

Shri MOTIRAM BORA (Minister, Home): Was not my Friend, Shri Bhattacharyya, a member of that party ?

Shri GAURISANKAR BHATTACHARYYA (Gauhati): I hope the Hon. Minister-in-charge of Police will excuse me.

Shri HARESWAR DAS (Minister, Revenue): If the people don't like to pay now, I am sorry, because the Act is there with its provisions. If the Act is repealed, I shall be simply glad. But we cannot do away with it. I shall read an extract from a letter of the Government of India. By realising the fee this Government does not get a single pie, we have to realise the fee for the Government of India. That was the arrangement. If something can be done for the people of Dibrugarh we shall be very happy. In the Act, there is a snag, this Bill simply seeks to remove it. As a matter of fact, Sir, this Government asked the Central Government to release the people of Dibrugarh from payment of the fees. Since the main Act was passed, very valuable property has been wasted away. Cost has considerably increased, people cannot pay. Correspondence is going on between this Government and the Government of India.

I read an extract from a letter of the Government of India.

"The Government of Assam are aware that the normal pattern of assistance rendered by the Central Government in the case of flood control schemes is to advance only loans which are repayable in 30 years. These loans bear interest—except for the first five years for which they are interest-free. The Dibrugarh Protection Scheme is also a flood control scheme and ordinarily the pattern of assistance for this scheme should have been the same as for other flood control schemes. It was, however, as a special arrangement, and in view of the circumstances which were prevailing at that time, that the Iyengar Committee which recommended this scheme, proposed that 50 per cent of the expenditure should be paid by the Central Government as a grant-in-aid and the remaining 50 per cent as interest-free loan. This recommendation was, however, based on the consideration that the scheme was expected to cost about Rs.1 crore and the Government of India accepted the proposition on that understanding. The cost of the scheme has, however, now gone up to Rs.2.33 crores. Ordinarily any expenditure over and above the original estimate of Rs.1 crore should have been provided in accordance with the normal pattern of assistance followed in the case of other flood control schemes. In view, however, of the special circumstances under which this scheme was taken up, the Government of India have agreed, as a very special case, to extend the original pattern of assistance approved for the scheme to the revised estimate also. This means that the Government of India would meet 50 per cent of the expenditure as grant-in-aid and the remaining 50 per cent would be provided in the form of interest-free loan".

Before this letter came, the Government of India's stand was that they would pay Rs.50 lakhs as grant-in-aid, as originally estimated, the rest of the expenditure to be borne by the people of Dibrugarh. We urged on them that that was impossible; the people of Dibrugarh simply could not pay. Then, the Government of India said, "All right, we pay half, the rest, *i.e.*, Rs.1 crore 16½ lakhs, you pay". Now, this is what they say: "The Government of Assam have, however, estimated (this is with regard to the income of Dibrugarh people) that the income anticipated from this source would be Rs.30 lakhs. This is perhaps due to the reasons that the rates prescribed under the Assam Betterment Fee and Mooring Tax (Dibrugarh) Act, 1953, *i.e.*, two to five per cent, are rather low". They have asked us to raise the rates, but we have not

done that. So, at this stage, it is not possible to do away with the main Act.

(A voice :—What will happen if Dibrugarh is washed away?)

That is a hypothetical question. If Dibrugarh is washed away, the position will be examined then :

Mr. SPEAKER : The question is that the Assam Betterment Fee and Mooring Tax (Dibrugarh) (Amendment) Bill, 1957, be passed.

The House divided with the following result :—

AYES—52

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| 1. Shri Bishnu Ram Medhi | 18. Shri Bhuban Chandra Pradhan i |
| 2. Shri Siddhi Nath Sarma | 19. Shri Biswadev Sarma |
| 3. Shri Moti Ram Bora | 20. Shri Dandeswar Hazarika |
| 4. Shri Rup Nath Brahma | 21. Shri Devendra Nath Hazarika |
| 5. Shri Debeswar Sarmah | 22. Shri Dhirsingh Deuri |
| 6. Shri Kamakhya Prasad Tripathi | 23. Shri Durgeswar Saikia |
| 7. Shri Hareswar Das | 24. Shri Harinarayan Baruah |
| 8. Shri Chatrasing Teron | 25. Mrs. Jyotsna Chanda |
| 9. Shri Purnananda Chetia | 26. Shri Khagendra Nath Nath |
| 10. Shri Mohi Kanta Das | 27. Maulavi Kobad Hussain Ahmed |
| 11. Shri Girindra Nath Gogoi | 28. Shri Lila Kanta Borah |
| 12. Mrs. Usha Barthakur | 29. Shrimati Lily Sen Gupta |
| 13. Dr. Ghanashyam Das | 30. Shri Mahadev Das |
| 14. Shri Mahendra Nath Hazarika | |
| 15. Shri Indreswar Khaund | |
| 16. Shri Khelhoshe Sema | |
| 17. Mr. A. Thanglura | |

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| 31. Shri Manik Chandra Das | 43. Shri Rajendra Nath Barua |
| 32. Shri Mohananda Bora | 44. Shri Ram Nath Das |
| 33. Shri Mohidhar Pegoo | 45. Shri Sai Sai Terang |
| 34. Shri Molia Tati | 46. Shri Sarat Chandra Goswami |
| 35. Shri Nanda Kishore Sinha | 47. Shri Sarbeswar Bordoloi |
| 36. Shri Narendra Nath Sarma | 48. Shri Satsuo Angami |
| 37. Maulavi Nurul Islam | 49. Shri Surendra Nath Das |
| 38. Shri Omeo Kumar Das | 50. Shri Tajammul Ali Barlaskar |
| 39. Shrimati Padma Kumari Go- hain | 51. Shri Tamijuddin Prodhani |
| 40. Shri Radha Charan Choudhury | 52. Shri Tanqueswar Chetia |
| 41. Shri Radha Kishan Khemka | |
| 42. Shri Radhika Ram Das | |

NOES—24

- | | |
|---|---|
| 1. Shri Birendra Kumar Das | 13. Shri Mathias Tudu |
| 2. Shri Brojo Mohon Roy | 14. Md. Matlebuiddin |
| 3. Shri Emerson Momin | 15. Shri Mody K. Marak |
| 4. Shri Gaurisankar Bhattacharyya | 16. Shri Nilmoney Borthakur |
| 5. Shri Gopesh Namasudra | 17. Shri Pakhirai Deka |
| 6. Shri Hamdhon Mohan Hap- langbar. | 18. Shri Prabhatnarayan Chau- dhury. |
| 7. Shri Harrison Momin | 19. Kumar Prokritish Chandra Barua. |
| 8. Shri Hiralal Patwary | 20. Shri Ranendra Mohan Das |
| 9. Maulavi Jahan Uddin Ahmed | 21. Maulavi Sahadat Ali |
| 10. Rev. J. J. M. Nichols-Roy | 22. Dr. Srihari Das |
| 11. Shri Khogendra Nath Bar- baruah. | 23. Maulavi Tajuddin Ahmed |
| 12. Shri Larsingh Khyriem | 24. Capt. Williamson A. Sangma |

The Motion was adopted.

**The Assam Fixation of Ceiling on Land Holdings
(Amendment) Bill, 1957**

Shri A. THANGLURA [Aijal-West (Reserved for Scheduled Tribes)]: Mr. Speaker, Sir, I beg to move—

The following shall be added as sub-clauses (i) and (ii) of clause 2 of the Bill and the existing clause shall be re-numbered as clause (iii)—

“(i) Clause (d) of section 2 of the Principal Act shall be deleted”.

“(ii) The existing clause (e) of section 2 of the Principal Act shall be re-numbered as clause (d) and substituted by the following, namely—

“(d) Lands utilised by efficiently managed farms on which heavy investments or permanent structural improvements have been made and whose break up is likely to lead to a fall in production.”

“(iii) The proposed clause (f) sought to be inserted by clause 2 shall be re-numbered as clause (e).”

Clause (d) of the Principal Act can safely be deleted on account of the provision of Chapter II in clause 4 of the Principal Act. Substitution of the Clause (e) by the present amendment is more appropriate. I hope the House will accept it.

Mr. SPEAKER : The Amendment moved is:

That the following shall be added as sub-clauses (i) and (ii) of clause 2 of the Bill and the existing clause shall be renumbered as clause (iii):—

“(i) Clause (d) of section 2 of the Principal Act shall be deleted”.

“(ii) The existing clause (e) of section 2 of the Principal Act shall be re-numbered as clause (d) and substituted by the following, namely—

“(d) Lands utilised by efficiently managed farms on which heavy investments or permanent structural improvements have been made and whose break up is likely to lead to a fall in production”.

“(iii) The proposed clause (f) sought to be inserted by clause 2 shall be re-numbered as clause (e)”.

Shri HARESWAR DAS (Revenue Minister) : Mr. Speaker, Sir, I accept it.

(The Amendment was adopted.)

Mr. SPEAKER : The question is that Clause 2 as amended do form part of the Bill.

(This was adopted.)

Shri SARAT CHANDRA GOSWAMI (Kamalpur) : Mr. Speaker, Sir, I beg to move the following amendment to clause 3 :

That the following shall be added as sub-clause (i) of clause 3 of the Bill and the existing clause shall be re-numbered as sub-clause (ii):—

“(i) In clause (k) (iii) of section 3 of the Principal Act, the ‘comma’ after the word ‘village’ occurring in the seventh line shall be deleted and the words ‘within a distance of five miles’ shall be inserted before the words ‘during the greater part of the agricultural season.’

Mr. SPEAKER : The Amendment moved is:

That the following shall be added as sub-clause (i) of clause 3 of the Bill and the existing clause shall be re-numbered as sub-clause (ii):—

“(i) In clause (k) (iii) of section 3 of the Principal Act, the ‘comma’ after the word ‘village’ occurring in the seventh line shall be deleted and the words ‘within a distance of five miles’ shall be inserted before the words ‘during the greater part of the agricultural season’.

Shri HARESWAR DAS (Revenue Minister): Mr. Speaker, Sir, I accept it.

(Mr. Speaker then put the Amendment in form of a question and it was adopted.)

Mr. SPEAKER: The question is :

Clause 3 as amended do form part of the Bill.

(This was adopted.)

Shri NILMONEY BORTHAKUR (Dibrugarh): Mr. Speaker, Sir, I beg to move that sub-clause (i) of clause 4 shall be deleted and the existing sub-clause (ii) shall be re-numbered accordingly.

Now the proviso that is sought to be deleted, provides that any one who keeps an orchard land, the ceiling on land holding, which is fixed at 150 bighas will not operate in his case, *i.e.*, he will be allowed to possess more lands to the extent of 30 bighas, thus bringing the total area that may be possessed by one having an orchard to 180 bighas. The purpose of this proviso is that the orchard may not be broken up as a result of the fixation of the ceiling. Now, Sir, from what I have seen in our State, I have never come across an orchard whose area is greater than 60/70 bighas of land including orchards growing different kinds of fruit trees such as jack-fruits, oranges, guavas, pine-apples and others. So, out of 150 bighas, fixed as ceiling, if we set apart a maximum of 30 bighas for dwelling house, etc., still it will leave another 120 bighas of land for an orchard. I, therefore, feel that this proviso is not at all necessary. The only effect of this proviso would be to serve the interest of those people who have already enough lands. It would simply give a scope to the landlords to retain an area of 30 bighas above the ceiling fixed in the name of an orchard. Some of the landlords are already planting arecanut and other seedlings and grafts in order to take advantage of this proviso. So I request the Hon'ble Minister to accept my amendment because this proviso is absolutely unnecessary in the present context of things in this State.

Mr. SPEAKER: The Motion moved is:

That sub-clause (i) of Clause 4 shall be deleted and the existing sub-clause (ii) shall be re-numbered accordingly.

Shri HARESWAR DAS (Revenue Minister): Mr. Speaker, Sir, I cannot accept the amendment moved by my Friend, the hon. Member from Dibrugarh. As a matter of fact, in our Act this proviso was not there. But during the President's assent, we were asked to include this provision with a view to bring it in line with the Five-Year Plan and suggested certain categories of farms to be exempted from the operation of the Ceiling Act. These are the suggestions in the Five-Year Plan—(1) Tea, coffee and rubber plantation; (2) orchards where they constitute reasonably compact areas; (3) sugarcane farms operated by sugar factories and (4) efficiently managed farms which consist of compact blocks, on which heavy investment or permanent structural improvements have been made and whose break-up is likely to lead to a fall in production. Such farms are recommended to be kept outside the ceiling. We have done it. If we do not provide exemption of orchards from the operation of the Act then it may lead to fall of production. That is why this provision is necessary.

Now, as regards the remarks of my Friend, that in our State there are orchards over 20 acres of land, that also does not clash with our provision. We provide 30 bighas, that means 10 acres. There are almost no orchards above 10 acres. But if there be, we propose to give the benefit of exemption upto 10 acres, the balance of 10 acres the owner may keep from the ceiling of 150 bighas. The main object for this is that the orchard may not be broken up, as the break-up may lead to fall in production. This we want to prevent. It is true we have raised the ceiling under certain circumstances to 180 bighas, but that is only just to bring the Act in line with the Five-Year Plan.

(The Motion was put by the Chair as a question before the House and was negatived).

Shri MOHANANDA BORA (North Lakhimpur): Mr. Speaker, Sir, I beg to move the following Amendment to Clause 4:—

“After sub-clause (i) of Clause 4, the following shall be added as sub-clause (ii):—

“(ii) The following shall be added as sub-section (2) of section 4 of the Principal Act, namely:—

“(2) The ceiling of a Co-operative Farming Society shall be the aggregate of the ceilings of its individual members or their families under sub-section (1) above.

Provided that lands held outside the society by a member of a Co-operative Society or any member of his family shall also be taken into account for determining his ceiling”.

I want to move this Amendment because of the fact that in the original Act and even in the amended Act the ceiling is fixed, but there is no mention about the Co-operative Farming Society. As Co-operative Farming Societies should be encouraged we are to give some importance about the ceiling of its members and accordingly I have moved this Amendment to fix the ceiling of land for the members of the Co-operative Societies. I hope Government will be pleased to accept this Amendment.

Mr. SPEAKER: The Amendment moved is :

After sub-clause (i) of clause 4, the following shall be added as sub-clause (ii):—

“(ii) The following shall be added as sub-section (2) of section 4 of the Principal Act, namely:—

“(2) The ceiling of a Co-operative Farming Society shall be the aggregate of the ceiling of its individual members or their families under sub-section (1) above.

Provided that lands held outside the society by a member of a Co-operative Society or any member of his family shall also be taken into account for determining his ceiling”.

Shri HARESWAR DAS (Revenue Minister): Sir, I accept this Amendment.

(The Amendment was put and adopted.)

Shri MOHANANDA BORA (North Lakhimpur):
Mr. Speaker, Sir, I beg to move another Amendment to the same clause 4—

That the existing sub-clause (ii) of clause 4 shall be re-numbered as sub-clause (iii) and substituted by the following:—

“(iii) The existing sub-section (2) of Section 4 of the Principal Act shall be re-numbered as sub-section (3) and substituted by the following, namely:—

“(3) No *benami* transfer made after the twelfth day of November, 1955, shall be taken into account in determining the limit upto which the transferor shall be entitled to hold lands under sub-section (1) above, and in such case the limit and the excess land of the transferor shall be determined as if the transfer has not taken place”.

Sir, this Amendment is necessary only to make the matter more clear than the original Act.

Mr. SPEAKER: The Amendment move is:

That the existing sub-clause (ii) of clause 4 shall be re-numbered as sub-clause (iii) and substituted by the following:—

“(iii) The existing sub-section (2) of Section 4 of the Principal Act shall be re-numbered as sub-section (3) and substituted by the following, namely:—

“(3) No *benami* transfer made after the twelfth day of November, 1955, shall be taken into account in determining the limit upto which the transferor shall be entitled to hold lands under sub-section (1) above, and in such case the limit and the excess land of the transferor shall be determined as if the transfer has not taken place”.

Shri HARESWAR DAS (Revenue Minister): Sir, I accept this Amendment.

(The Amendment was put and adopted.)

Shri DANDESWAR HAZARIKA (Morongi): Sir, I do not like to move my Amendment.

Mr. SPEAKER: Now the question is that Clause 4, as amended, do stand part of the Bill.

(This was adopted)

Now the question is clause 5 do stand part of the Bill.

(This was adopted)

Shri NILMONEY BORTHAKUR (Dibrugarh): Mr. Speaker, Sir, I beg to move that in clause 6, the expression "10 bighas" wherever it occurs shall be substituted by the expression "15 bighas".

The existing proviso to section 23 of the Principal Act is generally intended for the protection of occupancy right of a tenant and if a tenant holds 10 bighas of land then he will not be ejected from the cultivable land under his occupation. The Hon'ble Minister of Revenue has quoted figures to show that the number of peasants having holding below 10 bighas of land is about 52 per cent of the total.

Now, Sir, this amendment in addition to safeguarding the right of this 52 per cent of the peasantry, will also protect the interests of another big section of the middle class peasants who hold near about or a little more than 10 bighas.

The main purpose of this Bill is to take away the excess lands from the landlords who own more lands than the ceiling fixed in the Principal Act, so that the holding of the small peasants might be improved, and in order that land might be given to the landless peasants.

Therefore in this Bill we should see that a provision is made to allow a tenant to keep in occupation an area of land just enough for an average peasant family. We have no figures to show how much land an average peasant family requires to make out his living. Neither the Government nor the Planning Commission could send out a figure. But I think at least 15 bighas are necessary in the plain areas of Assam for the purpose. So I suggest that this figure of 10 bighas should be raised to 15 bighas. In this connection Sir, it should be borne in mind that land reforms measures should aim at providing economic holdings to the tillers and not to reduce them.

Mr. SPEAKER: The Amendment moved is:

That in clause 6, the expression "10 bighas" wherever it occurs shall be substituted by the expression "15 bighas".

Shri HARESWAR DAS (Minister, Revenue): Sir, I cannot accept it. In connection with a similar amendment in the Adhiars' Protection and Regulation Bill, I have given my reasons. These are two similar Acts—the Fixation of Ceiling Act and the Adhiars' Protection Bill. Fixation of ceiling on holdings deals with the tenants and Adhiars' Protection Bill deals with the Adhiars. The rights must be similar. So it is there. In both the cases 10 bighas have been given. If we accept it, the other Bill will also need an amendment. In these two Bills we want to confer the same right on the tenants and Adhiars. We want to bring the Adhiars and the tenants on the same level. The real object is to do away with the difference between a tenant and an Adhiar. We want to confer similar rights to tenants and Adhiars. So I am unable to accept this Amendment.

(The Amendment was put and negatived).

Sri DANDESWAR HAZARIKA (Morongi): Mr. Speaker, Sir, I beg to move that in the proposed clause (b) of section 23 sought to be substituted by sub-clause (i) of clause 6, the word "on" shall be inserted after the word "family" occurring in the eighth line thereof.

Sir, the purpose of moving this amendment is that if the word "on" is not added after the word "family" the meaning seems not to be clear. So I hope the Government will be pleased to accept my Amendment.

Shri HARESWAR DAS (Minister, Revenue): I accept it, Sir.

Probably the omission was due to printing mistake.

Mr. SPEAKER: The question is that in the proposed clause (b) of section 23 sought to be substituted by sub-clause (i) of clause 6, the word "on" shall be inserted after the word "family" occurring in the eighth line thereof.

(The Motion was put and adopted)

In future I do not propose to place amendments of this nature which is only to correct some patent errors. Possibly the Secretary, Legislative Assembly, can make such corrections.

Shri HARESWAR DAS (Minister, Revenue): The Secretary is competent to do it, Sir.

Shri NILMONEY BORTHAKUR (Dibrugarh): Mr. Speaker, Sir, I beg to move that in the proposed clause (b) of Section 23 sought to be substituted by sub-clause (i) of clause 6, the figure and word "100 Bighas" occurring at the end shall be substituted by the figure and word "50 Bighas".

Sir, I have already stated the reasons while moving a similar amendment in the Adhiars' Protection Bill. The whole purpose of this amendment is to bring down the quantum of land to be made available for resumption by a landlord after the operation of the Fixation of Ceiling Act. Therefore it is suggested that a non-cultivating landlord should not be allowed to resume more than 50 bighas of land.

Incidentally it may be mentioned that the ceiling of land holding fixed by our Government is very high in comparison with that of other progressive and advanced countries. Our Government is very kind to the landlords, but refuses to realize the sufferings of the man behind the plough.

Sir, while an actual tiller is allowed to retain only 10 bighas of land, I do not see why a landlord should be allowed 100 bighas. Therefore I request the Minister-in-charge to accept my amendment.

Shri HARESWAR DAS (Minister, Revenue): I am unable to accept it, Sir. I have rejected already an amendment almost of this nature. My Friend will do better to withdraw it.

Mr. SPEAKER: The amendment moved is:

That in the proposed clause (b) of section 23 sought to be substituted by sub-clause (i) of clause 6, the figures and word "100 Bighas" occurring at the end shall be *substituted* by the figure and word "50 bighas".

[The amendment was put and negatived].

Mr. SPEAKER: Mr. Borthakur, will you not move the next amendment?

Shri NILMONEY BORTHAKUR (Dibrugarh): I am not moving it, Sir.

Mr. SPEAKER: Mr. Hazarika ?

Shri DANDESWAR HAZARIKA (Morongi): I am not also moving the amendment, Sir.

Mr. SPEAKER: The question is that clause 6, as amended, do stand part of the Bill.

(This was adopted.)

The question is that clause I do stand part of the Bill.

(This was adopted.)

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

(This was adopted.)

Shri HARESWAR DAS (Minister, Revenue): Mr. Speaker, Sir, I beg to move that Assam Fixation of Ceiling on Land Holdings (Amendment) Bill, 1957, as amended, be passed.

Mr. SPEAKER: The Motion moved is :

That the Assam Fixation of Ceiling on Land Holdings (Amendment) Bill, 1957, as amended, be passed.

Shri KHAGENDRA NATH BARBARUAH (Amguri): অধ্যক্ষ মহোদয়, আমাৰ চৰকাৰৰ মুখ্য উদ্দেশ্য হৈছে Co-operative Commonwealth কৰা আৰু লগে লগে Socialist pattern of society গঠন কৰা। ইয়াত কৃতকাৰ্য্য হবলৈ হলে অন্ততঃ আমাৰ land reform ত অতি মাত্ৰাই তৎপৰ হব লাগে। আমাৰ এনে ধৰণৰ কোনো 'বিল' উত্থাপন কৰাৰ আগতে আমি অতি সাৱধান হব লাগে যাতে 'বিল' খনৰ তাৎপৰ্য্য ধনী সকলে গম নাপায়। আমাৰ বৰ্ত্তমান যিখন 'বিল' আজি আইনত পৰিণত কৰিবলৈ অনা হল তাৰ আভাষ ruling party এ ইয়াৰ আগতে গোটেই অসম জুৰি মাটিৰ মালিকসকলক জনাই দিলে যে মাটিৰ উচ্চতম সীমা নিৰ্দ্ধাৰণ কৰা এনেকুৱা এখন আইন আহিব লাগিছে। জনসাধাৰণৰ মাজত মাটিৰ বিয়ত এটা জাগৰণ উঠিল। কংগ্ৰেছেও বুজিলে যদিহে মাটিৰ উচ্চতম সীমা এটা বান্ধি দিয়া নাযায় তেনেহলে লালে-লাহে এই কংগ্ৰেছ চৰকাৰৰ পতন হব আৰু জনসাধাৰণ কংগ্ৰেছৰ পৰা আঁতৰি যাব। গতিকে ধনী শ্ৰেনীক ছচিয়াৰ কৰি দিয়া হল যে এনেকুৱা 'বিল' আহিব লাগিছে আপোনালোকে তৎপৰ হওক সাজু হওক অৰ্থাৎ মাটি বিক্ৰী কৰক, ভাই-ভাই বেলেগ হওক, joint family ভাঙি বেলেগ হওক পোনাভিৰ নামত দান কৰক ইত্যাদি উপায়েৰে আপোনালোকে মাটি ভাগ ভাগ কৰক। মই নিজে জানো যে অসম কংগ্ৰেছৰ সভাপতি শ্ৰীচলিহা ডাঙৰীয়াই বনমালী

বাগিছাৰ ওচৰৰ এটা প্লান্ট লক্ষেশ্বৰ নামে এজন মানুহক ১৬,৫০০ টকাত বিক্ৰী কৰি দিছে। ইয়াৰ অৰ্থ হৈছে এয়ে যে যাতে ধনী শ্ৰেণীৰ হাতৰ পৰা মাটি পোৱা নাযায়। মই ভাটি কব পাৰোঁ। এই যে সংশোধনী প্ৰস্তাৱ 'বিলত' অনা হৈছে তাৰ পৰা বিশেষ মাটি পোৱা নাযাব কাৰণ ইয়াৰ ভিতৰতেই ধনী শ্ৰেণীয়ে নিজৰ মাটি হস্তান্তৰ কৰি পেলাইছে।

তাৰ উপৰিও এনেকুৱা এখন বিলত উচ্চতম আৰু নিম্নতম অৰ্থাৎ দুয়োটা সীমা বন্ধা থাকিব লাগে। এই বিলত উচ্চতম সীমা ধৰা হৈছে ১৫০ বিঘা, কিন্তু নিম্নতম সীমা নাই। মাত্ৰ যি বিলাকে আধি খাই আছে তেওঁলোকৰ কাৰণে ধৰা হৈছে ১০ বিঘা কিন্তু যি সকলৰ একেবাৰেই মাটি নাই তেওঁ বিলাকৰ নিমিত্তেও যদি 'বিল' ধৰিলে হেতেন যে প্ৰত্যেক পৰিয়ালৰেই অন্ততঃ ১০ বিঘা মাটি থাকিব লাগে, তেনেহলে মাটি নোহোৱা মানুহক চৰকাৰে মাটি দিবলৈ বাধ্য হ'ল হেঁতেন কিন্তু চৰকাৰে এইটো বান্ধি নললে। এবছৰৰ ভিতৰতে উচ্চতম সীমা বান্ধিবৰ উদ্দেশ্যে সংশোধনী আনিছে—আৰু যে কিমান সংশোধনী আহিব তাৰ ঠিক নাই। যদিহে কোনো লোকৰ ফলমূলৰ বাগান থাকে তেনেহলে তেনে মানুহে আৰু ৩০ বিঘা বেচি পাব। তেনেকুৱা বাগানত দুবছৰ বা তিনি বছৰৰ আগতে বোৱা পুলিও থাকিব পাৰে। তামোলৰ দুবছৰীয়া তিনিবছৰীয়া পুলি থাকেই তেনেকুৱা পুলি ক'ই মানুহে কব পাৰে মই দুই তিনি বছৰৰ আগতে orchard কৰিছোঁ। বিলত এনেদৰে সুবিধা দিয়া হৈছে। এতিয়া চাওক ১৫০ বিঘাৰ উপৰিও আৰু ৩০ বিঘা দিলে ১৮০ বিঘা হ'ল। ধৰক এতিয়া Sugar Mill আহিছে তাৰ নিমিত্তে কুঁহিয়াৰ খেতি কৰিবৰ কাৰণে আকৌ ৩০ বিঘা দিয়াটো হ'ব পাৰে। কোনোৱে আকৌ মাছৰ ব্যৱসায় কৰে, তেওঁকো কানিলৈ ৩০ বিঘা দিয়াটো হ'ব পাৰে; এইদৰে বাঢ়ি গৈয়েই থাকিব। সেইকাৰণে মই কব খুজিছোঁ যে ইয়াত গভৰ্ণমেণ্টৰ সং উদ্দেশ্য নাই জনসাধাৰণৰ উপকাৰৰ নিমিত্তে এই ব্যৱস্থা কৰা হোৱা নাই।

ক্ষতি পূৰণৰ বিষয়ে, গভৰ্ণে মণ্টে এই বিলত বিশেষ ইচ্ছিত একো দিয়া নাই। মাটিৰ মূল্য গভৰ্ণমেণ্টৰ পৰা দিয়া হ'বনে কৃষকে ভৰিব লাগিব তাৰ উল্লেখ নাই আৰু মূল্যবো এটা সীমা বান্ধি দিয়া হোৱা নাই। যদিহে দৰিদ্ৰ শ্ৰেণীয়ে দিব লগা হয়, তেনেহলে তেওঁলোকে মাটি কিনিও ল'ব পাৰে আৰু মাটিৰ নিমিত্তে তেওঁলোকে আজি হাবা-খুৰি খা' লগীয়া নহ'লহেতেন। সেই কাৰণে মই ভাবোঁ যে এই আইনৰ যোগেদি ধনী শ্ৰেণীকহে সুবিধা দিয়া হৈছে আৰু মোকদ্দমা আদিৰ যোগেদি খেতিয়ক সকলক ব্যতিব্যস্ত কৰা হৈছে। কিয়নো এই যে ১০ বিঘা মাটি খেতিয়ক সকলক দিয়াৰ বন্দোবস্ত কৰা হৈছে মাটিৰ মালিকে যেতিয়া এই ১০ বিঘা মাটিকো কাটিবলৈ বা অনেক অজুহাত দেখুৱাই হস্তান্তৰ কৰিবলৈ আহিব তেতিয়া গোটেই কৃষক শ্ৰেণী আদালতৰ বিচাৰত জৰ্জৰিত হ'ব লাগিব। শ্ৰীৰৰ ঠাকুৰে যি সংশোধনী প্ৰস্তাৱ আনিছিল যে উচ্চতম সীমা ১০০ বিঘাৰ পৰা নমাই ৫০ বিঘা কৰিব লাগে সেইটোৱেই ঠিক। চৰকাৰে ১০০ বিঘাৰ পৰা ৫০ বিঘালৈ নমাই আনিবলৈ আৰু ১০ বিঘাৰ পৰা ওপৰলৈ যাবলৈ টান পালে। কোন এম, এল, এৰ পৰিয়াল ১০ বিঘা মাটিৰে বাচি ৰ'ব পাৰে। তেওঁ বিলাকে নিজলৈহে চালে, কিন্তু কৰি চাই এনে ব্যৱস্থা কৰা উচিত হোৱা নাই। তেওঁ বিলাকে নিজলৈহে চালে, কিন্তু দৰিদ্ৰ কৃষকৰ কালে নাচালে। সেই কাৰণে মই এতিয়াও কওঁ যে উচ্চতম সীমা ১০০ বিঘাৰ ঠাইত ৫০ বিঘা কৰিব লাগে আৰু নিম্নতম সীমা ১০ বিঘাৰ ঠাইত ১৫ বিঘা কৰিব লাগে।

Shri HIRALAL PATWARI (Panery): Mr. Speaker Sir, আজি আমাৰ বিধান সভাত ২ খন আইন পাচ হল। এই দুখন আইনত আমি চালে দেখিবলৈ পাওঁ যে আমাৰ চৰকাৰে অসমৰ জন সাধাৰণক ধনী শ্ৰেণীৰ পৰা গৰীবক পৃথক দৃষ্টিৰে চায় বুলি অনুমান হয়। দেশ স্বাধীন হোৱাৰ পিচত গণতন্ত্ৰবাদ বাঢ়িত দুখীয়া আধিয়াৰ কৃষকে ভৰিছিল যে তেওঁলোকে উপযুক্ত পৰিমাণৰ মাটিৰ মালিকানা স্বত্ব পাব। কিন্তু বৰ্ত্তমান যি ভিত্তিত চৰকাৰে মাটি নীতি কৰিবলৈ ওলাইছে সেইটো গণতন্ত্ৰবাদ ভিত্তিত হোৱা নাই। অসমৰ জনসাধাৰণে এনে এটা আইন মানি লব নোৱাৰে।

মই জানো কিছুমান মাটিৰ মালিকে Ceiling Act পাচ হোৱাৰ সময়ত কমলাবাৰী কৰিবলৈ ধৰিলে আনকি খেতিৰ পথাৰতো কমলা বাৰী লগাই দিলে—মাটি সবহকৈ লোৱাৰ উদ্দেশ্যত। আচলতে চৰকাৰৰ উদ্দেশ্য হোৱা উচিত আছিল যে মাটিৰ স্বত্ব যাতে প্রকৃত খেতিয়কে পায়। সেই অনুযায়ীহে আইন কৰিব লাগিছিল।

মোৰ বিবেচনা মতে—“Law is for the society ; society is not for law”

বিশেষকৈ আজি অসমৰ ভিতৰত নানা সমস্যাই দেখা দিছে। একালে নগা সমস্যা আনফালে Hills State ৰ সমস্যাই পাৰ্ব্বত্য অঞ্চল তল-মল হৈছে। সেই দৰে ভৈয়ামতো একালে নগৰ আৰু চহৰৰ আৰু আনফালে গ্ৰামাঞ্চলত মাটিৰ মালিকানা স্বত্ব লৈ যি তেল-পাৰৰ সৃষ্টি হৈছে, সি, আজি ভাৰত চৰকাৰৰ নতুন ‘সমাজতান্ত্ৰিক সমাজ ব্যৱস্থাৰ’ (Socialistic Pattern of Society) নীতিৰ লগত খাপ নোখোৱা কথা। Ceiling Act আধিয়াৰ Act যিয়েই নহওক সকলোতেই চৰকাৰৰ শোষণ পৰিদৃষ্ট আৰু পৰিলক্ষিত হৈছে। এইটো, মই আজি এই সদনত উপস্থাপিত কৰিছো বুলি নহয়। বাহিৰৰ নানান মন্ত্ৰদায়ৰ জনসাধাৰণৰ সাধাৰণ অভিমত যে আজি চৰকাৰে সমাজতান্ত্ৰিক সমাজ ব্যৱস্থাৰ নামত স্পষ্ট শোষণ নীতি অৱলম্বণ কৰিছে আৰু যতে ততে শোষণ আৰম্ভ কৰি দিছে। সেই কাৰণে, মই আজি চৰকাৰক সজাগ কৰি দিওঁ যে চৰকাৰে যেন নতুন দৃষ্টি ভঙ্গীৰে যেনেকৈ নহওক সমাজ কল্যাণ মূলক আচনিবোৰৰ সম্পাদনা কৰিবলৈ সক্ষম হয়। বিশেষকৈ মাটি সংক্ৰান্ত ব্যাপাৰত। এই বিল সৰ্পকে, এই সদনত যথেষ্ট সংখ্যক সদস্যৰ দ্বাৰা আলোচনা হৈ গৈছে। মই আৰু বেছি নকও কেৱল চৰকাৰক মাটিৰ মালিকানা লৈয়েই ধনীৰেই যাতে সকলো ক্ষেত্ৰত সুবিধা নহয়—তালৈ বিশেষ দৃষ্টি দিবলৈ অনুৰোধ জনাওঁ। ইয়াৰ লগতে, সমাজতান্ত্ৰিক সমাজ ব্যৱস্থাই দিব খোজা আমাৰ সুযোগ সুবিধাবিলাকৰ পৰা যাতে আমাৰ দৰিদ্ৰ জনসা ধাৰণ বঞ্চিত নহয় তাৰ কাৰণেও চৰকাৰে যেন দৃষ্টি ৰাখে। জনসাধাৰণৰ হিতৰ অৰ্থে দিয়া সুযোগ সুবিধা ক্ষমতা আদি যাতে decentralised বিকেন্দ্ৰীকৰণ হয়, তাৰ কাৰণে যেন চৰকাৰে চোকা দৃষ্টি ৰাখে। অকল মাটি সমস্যা সমাধান কৰিবলৈ গৈ যেন তাৰ লগত জড়িত থকা আন সমস্যাত বিজড়িত নহয় তালৈও মই চৰকাৰক দৃষ্টি ৰাখিবলৈ অনুৰোধ জনাওঁ।

Shri HARESWAR DAS (Revenue Minister): Sir, I have heard patiently the discussion that has been going on in this House, particularly my Friend, Shri Hiralal Patwari has given some valuable suggestions and I assure him that while

implementing this Bill his suggestions will be remembered and I request him that if his points are to be properly implemented, his co-operation with the Government and the Government officers will be necessary so that the implementation of the Bill may be smooth and regular. Regarding the points raised by my Friend, Shri Barbaruah, about compensation, I request him to read the Act, the provisions are there and even to-day an amendment has been passed.

(*voices*) : He is not here.

That is the difficulty. Immediately my Friend had finished his speech, he vanished. I wish that he should be here to hear my replies. So, Sir, as I say, if my Friend, Shri Barbaruah reads the Act, he will find that provisions for compensation are there. So I request that my Friend should not be too pessimistic. If my Friend co-operates with the Government, the implementation will be smooth and regular.

Mr. SPEAKER : The question is that the Assam Fixation of Ceiling on Land Holdings (Amendment) Bill, 1957, as amended, be passed.

(The Motion was adopted.)

The Assam Land and Revenue Regulation (Amendment) Bill, 1957

Shri HARESWAR DAS (Minister, Revenue) : There is no amendment.

I beg to move that the Assam Land and Revenue Regulation (Amendment) Bill, 1947 be passed.

Mr. SPEAKER : The Question is that the Assam Land and Revenue Regulation (Amendment) Bill, 1957, be passed.

(The Motion was adopted)

The Assam Repealing Bill, 1957

Shri RUPNATH BRAHMA (Minister Judicial) : Mr. Speaker, Sir, as I have already stated, this is a very simple Bill and there is no amendment. So I beg to move that the Assam Repealing Bill, 1957, be passed.

Mr. SPEAKER: Motion moved is that the Assam Repealing Bill, 1957 be passed.

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

The Assam Land and Revenue Re-assessment (Amendment) Bill, 1957

Maulavi JAHAN UDDIN AHMED (Bilasipara):
Mr. Speaker, Sir, I beg to move that sub-clause (1) of clause 3 shall be deleted.

Sir, I find in the original Act, the figures "24" and "40" shall be substituted by the figures "30" and "50" respectively.

Sir, in the Statement of Objects and Reasons of this Amending Bill, it is stated that the prices of agricultural produce have gone up and, as such, the Hon'ble Minister wants to raise the incidence of revenue from 24 and 40 per cent to 30 and 50 per cent respectively. Sir, if we consider the rise in price level after the war along with the cost of production of agricultural produce, we will find that agricultural prices have not risen to the same extent in comparison with other necessities of life. On the other hand, compared with cost of production and the prices of other necessities of life. I should say the prices of agricultural produce are lower at present than before the war. I will give a few instances, Sir. Before the war, in 1939, the price of paddy was on an average Rs.2 per maund; at present leaving aside sudden abnormal rises due to temporary factors—the price is Rs.10 per maund; that means the price of paddy has gone up five times. But consider the labour charges that we used to pay before the war. At that time we were paying a day labourer four annas a day but at present we are paying him Rs.2 per day; that means the labour charges has gone up eight times, whereas the price of paddy has gone up only five times. Then again, take cloth. It is estimated that a cultivator purchases on an average $2\frac{1}{2}$ yards of cloth. Before the war, a yard of cloth cost $2\frac{1}{2}$ annas, but it is not less than Rs.1-4-0 at present time. The price of $2\frac{1}{2}$ yards of cloth was $6\frac{1}{4}$ annas before the war, now it comes to Rs.3-2-0. That means, Sir, the price of cloth for an agriculturist has gone up 8 times. Sir, in the face of these facts, I don't think Government is justified in raising the incidence of land revenue and thereby put the cultivator in a more difficult position. I, therefore, request the Hon'ble Minister to keep the original section as it is without raising the incidence of revenue by any amount.

Mr. SPEAKER: Amendment moved is that in sub-clause (1) of clause 3 shall be deleted.

Shri HARESWAR DAS (Minister, Revenue) :
Mr. Speaker, Sir, I am unable to accept this amendment. As a matter of fact, we have brought forward this amending clause at the instance of the Taxation Enquiry Commission. Their suggestion was to raise it higher. We have just struck a via-media.

About the cost of production, they have considered it in their report and we have also taken it into consideration. Their suggestion is that even when appreciable variations take place it will not be right to raise or reduce demand proportionately. That means if the price rises by one rupee, the rent should not be increased by one rupee. Then they say "But few things are so difficult to gauge as the Indian cultivator's cost of production ; hardly any studies exist which claim to have done so with sufficient accuracy and it will be unrealistic to base a scheme on the expectation that detailed and dependable enquiries into cost of production will be conducted in each State". Then they suggest that to provide for rise in cost of production, a fraction of the price increase may be taken for increment of revenue. "This would be particularly suitable during a phase of rising prices". "Since changes in costs of production normally occur in the same direction as changes in prices, a practicable method would be to base the adjustment on a fraction of the price change". So, they suggest that if the price increase is four annas in the rupee there need not be any increase in rent. If the price increase is five annas, then the revenue increase may be half an anna in the rupee. So, upto 25 per cent increase in price no increment of rent is suggested. In this way, they have submitted a slap system as to how, in relation to the increase in price, the revenue should be increased. They pointed out that we make settlement for 30 years ; 30 years is too long a time. Once we fix the revenue it continues at the same rate for 30 years. That is not desirable. In 30 years almost everything changes ; the price level changes but the revenue does not change. So they suggested revision every ten years.

Here we have provided revision every 15 years. In place of 24 we have put 30 and in place of 40, we have put 50. So, I am unable to accept this amendment.

Maulavi JAHAN UDDIN AHMED (Bilasipara): Sir, I am not convinced with the arguments given by the Hon'ble Minister.

Mr. SPEAKER: The question is that sub-clause (1) of clause 3, shall be deleted.

(The amendment was lost.)

Maulavi JAHAN UDDIN AHMED (Bilashipara): Mr. Speaker, Sir, I beg to move that sub-clause (2) of clause 5, shall be deleted.

Sir, I have already given my reasons that it does not agree with the cost of production. What I have heard from the Hon'ble Minister does not at all convince me. I have already compared the price of rice and paddy, and cloth and also I would like to compare the price of salt which is most important for a cultivator. Salt is used to be purchased before the War at two pice per seer. Now everybody knows we have to pay three annas per seer. It has gone 6 times high. So the cost of living of other necessities of an agriculturist has gone up 600 per cent and in comparison with rice, the price has gone up 500 per cent. So, Sir, I cannot agree that there should be any rise in the land revenue. Rather it should be reduced. In comparison with the cost of living of agriculturist, the land revenue should have been reduced by the Hon'ble Minister.

So, Sir, with these few words, I request the Hon'ble Minister to delete the sub-clause (2) of clause 5.

Mr. SPEAKER: The Motion moved is that sub-clause (2) of clause 5, shall be deleted.

Shri HARESWAR DAS (Minister, Revenue): Mr. Speaker, Sir, I cannot accept the amendment to clause 5 of the Bill. As a matter of fact, this provision in the amending Bill is the most important, and that we have provided at the instance of the Taxation Enquiry Commission. There had been a long correspondence on this matter with the Government of India and the Planning Commission, and finally this amending Bill with the provision has been brought before the House. So I cannot accept the view expressed by my hon'ble Friend that if there be rise in the prices of foodstuff the land revenue should be reduced. There is provision in the Bill to the effect that if there be deterioration of the land, the revenue will decrease,

and in the same way if the prices of foodstuff decrease, there will be decrease in the land revenue. If there be any increase in the price level of foodstuff then there will be increase in the land revenue. My hon. Friend wants to cut down the rate of revenue when there is rise in the prices of foodstuff.

As I have already stated that the provisions in clause 5 of the Bill are the main provisions for which this amending Bill has been brought. I am unable to accept his amendment.

Maulavi JAHAN UDDIN AHMED (Bilashipara): Sir, I am not at all convinced with the arguments of the Hon'ble Minister.

Mr. SPEAKER: The question is that sub-clause (2) of clause 5, shall be deleted.

(The amendment was lost.)

Maulavi JAHAN UDDIN AHMED: Mr. Speaker, Sir, I beg to move that in the new proviso (iii) to section 13 of the Principal Act sought to be inserted by sub-clause (2) of clause 5, after the words and comma "fifteen years", and before the words "then the assessment, etc." occurring in the 5th line, the words, "over the cost of production and other necessities of an agriculturist" shall be added.

Sir, as I have suggested in moving the other amendments here, the Hon'ble Minister will take into consideration only the rise of prices of the agricultural produce, but there is nothing to show that the cost of production and other necessities of an agriculturist will be taken into consideration. So, if these few words added *viz.*, "over the cost of production and other necessities of an agriculturist," then, Sir, the Bill becomes a complete thing with cost of production along with the rise of prices of agricultural production. These amendments are not at all harmful, which, the Hon'ble Minister can easily accept. He has given the reply to me that the Taxation enquiry Committee's report has also considered the cost of production and other things of an agriculturists. So there cannot be any objection on the part of the Minister to insert these few words which gives us a definite hope that our land revenue will be raised in consideration of the cost of production also. So I think the Hon'ble Minister will not find any difficulty in accepting this amendment as suggested by me.

Mr. SPEAKER: The Motion moved is that in the new proviso (iii) to section 13 of the Principal Act sought to be inserted by sub-clause (2) of clause 5, after the words and comma "fifteen years", and before the words "then the assessment, etc." occurring in the 5th line, the words, "over the cost of production and other necessities of an agriculturist" shall be added.

Adjournment

The Assembly was then adjourned till 1-30 P.M. on Friday, the 5th July, 1957.

Shillong :

The 19th June, 1958.

R. N. BARUA,
Secretary,

Legislative Assembly, Assam.

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