



Proceedings of the Sixth Session of the First Assam Legislative  
Assembly, assembled under the provisions of the Government  
of India Act, 1935

THE ASSEMBLY met in the Assembly Chamber, Shillong, at 11 a.m. on  
Thursday, the 16th March, 1939

*Re supply of printed copies of starred questions without replies to  
members in the previous evening*

**Maulavi MUHAMMAD AMJAD ALI:** Mr. Speaker, Sir, on the installation of this Ministry, a practice has been set up that starred questions which were to be taken up for the day were being distributed the evening before. I find that it has been discontinued for the last 3 or 4 days. May we expect it to be resumed? According to rules also this should be distributed a day earlier. I think this is the practice in other Legislative Assemblies also. This should be continued here.

**The Hon'ble the SPEAKER:** I may refer to rule 26. The hon member will notice that it is only the printed or typed copies of starred questions to be answered on a particular day that are to be circulated amongst the members on the previous evening; and with regard to unstarred questions and short notice questions, the answers are to be laid on the table half an hour before the Speaker takes his seat. Am I to understand that the hon. member did not get printed copy of starred questions of that day?

**Maulavi MUHAMMAD AMJAD ALI:** Yes, Sir.

**The Hon'ble the SPEAKER:** It may be through some mistake.

*(Many voices: None of us have got.)*

**The Hon'ble the SPEAKER:** That practice will be followed.

**Maulavi MUHAMMAD AMJAD ALI:** I may point out that it will be better still if printed copies of starred questions are placed on members' tables before the close of the day, because I have seen that practice being followed in the Bengal Legislative Assembly.

**The Hon'ble the SPEAKER:** Everywhere this is done.

If printed copies of questions are obtained in the Assembly Department in time on a particular day, they are generally laid on the table of members, on the day previous; but when they are not so received by the Assembly Department, then they are sent to the respective residence of members. I think, if this was not done two or three days, there must be some mistake somewhere. I will look into that and members will have their grievances redressed.

**Srijut ROHINI KUMAR CHAUDHURI:** The Hon'ble Leader of the House may be asked to see that printed copies reach the Assembly Office in due time.

## QUESTIONS AND ANSWERS

### STARRED QUESTIONS

(to which oral answers were given)

#### Forest income of the Bijni Raj Estate

**Maulavi JAHANUDDIN AHMED** asked :

\*102. Will Government be pleased to state—

- (a) The total present income from the forest under the Bijni Raj Ward's Estate ?
- (b) The total present expenditure for maintaining its forest staff ?
- (c) Whether the present forest income of the Bijni Raj Estate has increased in comparison with those for the year 1924-25 to 1936-37 ? (Figure of income of each year to be shown separately.)
- (d) Whether the expenditure in maintaining its staff is in proportion to the income decreased or increased ?

\*103. Will Government be pleased to state—

- (a) When the present Chief Forest Officer of the Bijni Raj Estate was appointed ?
- (b) What was his pay at the time of his appointment to this post ?
- (c) What is the present pay of the said officer ?
- (d) What was the pay of the officer in place of whom the present Chief Forest Officer has been appointed ?
- (e) Whether there has been any improvement in the forests or in its income since the appointment of this Officer ?

\*104. Will Government be pleased to state whether the duties and responsibilities of the Chief Forest Officer of the said Estate are more arduous than the duties and responsibilities of the Assistant Manager and Sub-Managers of the Estate ?

\*105. If the answer to question 104 above is in the negative, will Government be pleased to state whether the Assistant Manager and the Sub-Managers are drawing pay, proportionate to the pay of the Chief Forest Officer of the Estate ?

\*106. If the answer to question 105 is in the negative, do Government propose to fix the scales of pay of these officers in proportion to their duties and responsibilities ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED** replied :

102. (a)—Rupees 91,570 in the year 1937-38.
- (b)—Rupees 12,529.
- (c)—A statement is laid on the table.

Statement laid on the table in connection with the reply to starred question No. 102(c) asked by Maulavi Jahanuddin Ahmed :—

				Rs.
1924-25	...	...	...	1,61,355
1925-26	...	...	...	2,45,143
1926-27	...	...	...	1,73,467
1927-28	...	...	...	1,96,599
1928-29	...	...	...	1,41,732
1929-30	...	...	...	1,03,327
1930-31	...	...	...	59,476
1931-32	...	...	...	29,333
1932-33	...	...	...	23,014
1933-34	...	...	...	29,995
1934-35	...	...	...	43,370
1935-36	...	...	...	58,899
1936-37	...	...	...	73,172
1937-38	...	...	...	91,570

(d)—The expenditure has to some extent increased owing to the entertainment of a qualified staff since 1933 for the improvement of the forests on a scientific basis and also due to the reorganisation of the forest administration of the estate.

**Maulavi GHYASUDDIN AHMED :** May I know how many qualified officers have been appointed in that Estate ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** I am not in a position to give reply to this question off-hand, except that the Chief Forest Officer is a qualified person.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED** replied :

103. (a)—In December, 1933.

(b)—In the scale of Rs.150—10—250 (E.B.)—5—300.

(c)—He is now in the scale of Rs.175—175—200—15—290 (E.B.)—15—365 (E.B.)—15—410—20/2—450.

(d)—He was not appointed in place of any other officer, but an entirely new post was created to which he was appointed for the better administration of the forest department of the Estate.

(e)—Yes, the figures in statement against question No.102 (c) from 1933-34 show the improvement in income.

**Mr. NABA KUMAR DUTTA:** May I know the name of the Chief Forest Officer of the Bijni Estate?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Mr. Kaith.

**Maulavi GHYASUDDIN AHMED:** May I know when the revised scale was given to him?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** He is now getting the revised scale.

**Maulavi GHYASUDDIN AHMED:** When was he given the revised scale?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** I want notice of this question, Sir.

**Maulavi JAHANUDDIN AHMED:** Was it sanctioned by Government?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Since it is being drawn it must have been sanctioned by the Court of Wards.

**Maulavi GHYASUDDIN AHMED:** Did the Manager recommend the revised scale?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** It is customary in these matters to take into consideration the recommendations of the local officers.

**Maulavi JAHANUDDIN AHMED:** May I know if the recommendation of the Manager was taken into consideration?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** I cannot say definitely, but his recommendations must have been taken into consideration

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED** replied :

104.—Decidedly his duties are more arduous as he is entirely responsible for the good administration of the Estate forests.

**Maulavi JAHANUDDIN AHMED:** Is it not a fact that the Assistant Manager has to act as Manager while the Manager remains absent?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Yes, Sir, when he is absent for short periods.

**Maulavi JAHANUDDIN AHMED:** May I know whether it is not a fact that the work of the Assistant Manager is more arduous than that of the Chief Forest Officer?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** So far as the administration of forests is concerned the work of this officer is very arduous.

**Maulavi GHYASUDDIN AHMED:** Is it a fact that he is under the Manager?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** He is under the Manager so far as the administration and discipline are concerned.

**Maulavi MUHAMMAD AMJAD ALI:** Is it in consideration of the arduousness of the duty or for the technical knowledge that he has been given such a high scale of pay?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Having regard both to the arduous nature of the work and the technical knowledge.

**Maulavi JAHANUDDIN AHMED:** May we know whether there is any fixed scale of pay for the Assistant Manager and the Sub-Managers?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** I want notice of this question, Sir.

**Maulavi JAHANUDDIN AHMED:** Will the Hon'ble Minister take it from me that there is no such scale?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Without going through the records I cannot say whether there is a fixed scale or not.

**Maulavi JAHANUDDIN AHMED:** May I know whether the Hon'ble Minister has got the records with him?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** No, Sir, these records are not with me.

**Maulavi JAHANUDDIN AHMED:** On a point of order, Sir. When the Hon'ble Minister was on this side of the House he raised a point of order that Hon'ble Ministers should keep by them relevant and connected papers of the case with him, but now that he is in charge of the portfolio he has not the record with him. Is it not a very deplorable state of affairs, Sir? (*Laughter.*)

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** If the hon. member had in his original question asked what the pay of these officers were and responsibilities of the Chief Forest Officer of the Estate are more arduous than the duties and responsibilities of the Assistant Manager and Sub-Managers of the Estate."

**Maulavi JAHANUDDIN AHMED:** Here it is in question \*No. 105 "If the answer to question No. 104 above is in the negative, will Government be pleased to state whether the Assistant Manager and the Sub-Managers are drawing pay, proportionate to the pay of the Chief Forest Officer of the Estate." This is a question of comparison of pay.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** This question does not require information with regard to the scale of pay of the Manager and the Sub-Managers.

**Maulavi JAHANUDDIN AHMED:** There is "whether the Assistant Manager and the Sub-Managers are drawing pay proportionate to the pay of the Chief Forest Officer." May we ask the Hon'ble Minister to have the records and let us have an answer to-morrow?

**The Hon'ble the SPEAKER:** The trouble is that the Hon'ble Minister could not anticipate how far the hon. member was going to travel. (*Laughter.*)

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED** replied:

105.—Does not arise.

**Maulavi GHYASUDDIN AHMED:** In the question the scale of pay is referred to. How is it then that the question does not arise?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** There is no mention of the scale of pay drawn by these officers. The only thing that was asked was whether the Assistant Manager and Sub-Managers were drawing pay proportionate to the pay of the Chief Forest Officer. It was never asked what scale of pay they were allowed.

**Maulavi JAHANUDDIN AHMED:** Will the Hon'ble Minister be pleased to state what the pay of the Assistant Manager and Sub-Managers are?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** The hon. member is going back on his question. I have already stated that this information was not asked for.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED** replied:

106.—Does not arise.

**Maulavi MUHAMMAD AMJAD ALI:** By this question we wanted to elicit information whether the Assistant Manager and Sub-Managers were getting pay in proportion to their duties and responsibilities. So the Hon'ble Minister ought to have prepared a statement of scales of their pay, and I do not see any reason why the Hon'ble Minister should plead ignorance of the pay of these officers.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** As I have already said there was no mention made of the scales of pay of these officers. However, if this information is required I would ask the hon. member to be reasonable and give me time to get the required information.

**Maulavi MUHAMMAD AMJAD ALI:** I do not see any difference.

**The Hon'ble the SPEAKER:** The Hon'ble Minister has asked for time to look into the question, and has given an assurance that he will look into the question, so I think the question need not be pursued further.

**Maulavi JAHANUDDIN AHMED:** The Hon'ble Minister has not said whether there is any scale, but if there is any scale he ought to have been able to give it.

**The Hon'ble the SPEAKER:** With regard to that the Hon'ble Minister says that he cannot give the information off-hand, and he requires time.

**Maulavi GHYASUDDIN AHMED:** May we know if we can have the answer to-morrow?

**Maulavi MUHAMMAD AMJAD ALI:** May I tell the Hon'ble Minister that the Manager of Bijni is here. He can get the information from him and answer the question to-morrow.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** I do not know whether the Manager is in Shillong. He has not seen me.

**Maulavi JAHANUDDIN AHMED:** May I request you, Sir, that as these questions have not been answered to-day, shall we be allowed to put supplementary questions about them to-morrow?

**Maulavi MUHAMMAD AMJAD ALI:** As our purpose ought to be understood, our purpose is that the Assistant Manager and the Sub-Managers who are now acting on a fixed pay should be brought on to a time-scale of pay.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** I would certainly consider the matter, Sir.

**Maulavi JAHANUDDIN AHMED:** Mr. Speaker, Sir. The purpose is known to me. I cannot help if the Hon'ble Minister does not understand my purpose and cannot give out my purpose. I want an answer to my questions.

**The Hon'ble the SPEAKER:** The hon. member ought to be satisfied with what the Hon'ble Finance Minister has said in reply to the question of Maulavi Muhammad Amjad Ali.

(Starred question No. 107 standing in the name of Srijut Sarveswar Barua was not put and answered as the questioner was absent.)

### **Travelling and halting allowances drawn by the Hon'ble Ministers**

**Srijut ROHINI KUMAR CHAUDHURI** asked :

\*108. Will Government be pleased to state separately the total amount of travelling and halting allowances drawn by each of the Hon'ble Ministers from 1st April 1937 to 15th September 1938 and the amount of travelling and halting allowances drawn by each of the Hon'ble Ministers of the present Government during the period commencing from assumption of their offices to their last tour ending on the 1st March 1939?

The Hon'ble Mr. FAKHRUDDIN ALI AHMED replied :

108.—A statement is laid on the table.

Statement laid on the table in connection with the reply to starred question No.108 asked by Srijut Rohini Kumar Chaudhuri:—

The present Government's predecessors from 1st April 1937 to 15th September 1938

Amount drawn by the Hon'ble Ministers as travelling and halting allowances

	Rs.	a.	p.
1. Hon'ble Chief Minister ... ..	2,899	10	0
2. Hon'ble Revenue Minister... ..	1,816	3	0
3. Hon'ble Minister for Local Self-Government ...	2,421	2	0
4. Hon'ble Minister for Agriculture ... ..	3,192	0	0
5. Hon'ble Minister for Education ... ..	2,063	5	0
6. Hon'ble Minister for General Departments ...	665	0	0

The present Government from 21st September 1938 to 1st March 1939

1. Hon'ble Prime Minister ... ..	1,140	15	0
2. Hon'ble Minister for Finance and Revenue ...	615	5	0
3. Hon'ble Minister for Local Self-Government and Judicial.	31	8	0
4. Hon'ble Minister for Medical Departments ...	1,467	6	0
5. Hon'ble Minister for Agriculture and Excise ...	612	14	0
6. Hon'ble Minister for Public Works Department	83	0	0
7. Hon'ble Minister for Forests and Registration	701	7	0
8. Hon'ble Minister for Industries ... ..	703	15	0

**Srijut ROHINI KUMAR CHAUDHURI:** May I know, Sir, why the travelling and halting allowances of the Hon'ble Minister for Medical have gone to such a high figure?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Because the Hon'ble Minister in charge of Medical had to go to Madras.

**Srijut ROHINI KUMAR CHAUDHURI:** May I know what was the total amount of travelling allowance drawn for his Madras tour?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** The figures are included in the statement laid down on the table.

**The Hon'ble the SPEAKER:** The hon. member wants the figure for the Madras tour.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** As the question was consolidated I did not get the figures separately and that information is not available. But if the hon. member wants that information, I shall supply it to-morrow.



**Srijut ROHINI KUMAR CHAUDHURI:** I shall be much obliged if I get the information to-morrow.

**Maulavi Sayed ABDUR ROUF:** It is said that Rs. 1,608 is being drawn by the present Ministry per month as travelling allowance. Do the Government propose to draw this amount of travelling allowance in future?

**The Hon'ble Mr FAKHRUDDIN ALI AHMED:** The travelling allowance is not drawn at the rate of Rs. 1,000 or Rs. 1,500 a month. It all depends on what travelling the Ministers do.

**Srijut ROHINI KUMAR CHAUDHURI:** Am I correct in saying that the travelling allowance has been drawn at the rate of Rs. 1,000 a month?

**The Hon'ble the SPEAKER:** I think, the figures are better given in answer to the unstarred question No. 47.

**Maulavi MUHAMMAD AMJAD ALI:** With regard to the travelling allowance drawn by the Hon'ble Minister for Public Works Department, does it refer to his Calcutta tour?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** No, Sir, he did not take any travelling allowance while he went to Calcutta.

**Maulavi ABDUR RAHMAN:** In view of this small amount drawn by the Hon'ble Minister for Local Self-Government, may I take it that he was all along stuck to office instead of going out on tour?

**The Hon'ble Mr FAKHRUDDIN ALI AHMED:** His presence in the mufasil was not necessary and therefore he did not go out on tour.

**Maulavi MABARAK ALI:** May I know what are the purposes of these tours of the Hon'ble Ministers?

**The Hon'ble the SPEAKER:** May I point out that the details are given in answer to the unstarred question 47?

**Maulavi MABARAK ALI:** What are the purposes of these tours?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Purposes of whose tours?

**Maulavi MABARAK ALI:** Of the Ministers.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Unless the hon. member is prepared to ask this question specifying the Minister, it is impossible for me to reply.

**Babu RABINDRA NATH ADITYA:** Is it a fact that some of the Hon'ble Ministers travel in third class?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Yes.

**Srijut ROHINI KUMAR CHAUDHURI:** May I draw the attention of the Hon'ble Finance Minister to the fact that the Hon'ble Prime Minister has drawn only Rs.1,140 and he also travelled outside the province, whereas the Hon'ble Minister for Medical has drawn Rs.1,467 although he had to tour very little within the province. Why is this difference?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** The difference is due to the fact that the distance from Calcutta to Madras is so big that he had to pay a larger fare than the Hon'ble Premier took for going to Calcutta.

**Srijut ROHINI KUMAR CHAUDHURI:** Even making allowance for that, is it a fact that the Hon'ble Minister for Medical has only toured twice in the province, once to Dibrugarh and once to Sibsagar, whereas the Hon'ble Prime Minister had to make extensive tour in the province?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** Secondly the rates which the Hon'ble Premier had charged were much lower than those charged by the Hon'ble Minister-in-charge of Medical.

**Srijut ROHINI KUMAR CHAUDHURI :** Do I understand that the Hon'ble Prime Minister travelled in the third class and on one occasion in the second class whereas the Hon'ble Minister for Medical travelled in the first class always ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** The Hon'ble Premier when he travels during the day within the province by train does so by the third class and at night in the second class, but the Hon'ble Minister for Medical, when he went to Madras charged the first class fare.

**Srijut ROHINI KUMAR CHAUDHURI :** Did he actually travel in the first class ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** Since he has charged for the first class it is presumed that he must have travelled by first class.

**Srijut ROHINI KUMAR CHAUDHURI :** I have the definite information that he travelled in the second class.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** That question may be put directly to the Hon'ble Minister.

**The Hon'ble the SPEAKER :** I think, this question was asked the other day and the Hon'ble Minister for the Medical Department said that he charged for the class in which he travelled. So he has given a definite answer.

**Srijut ROHINI KUMAR CHAUDHURI :** He did not say in what class he travelled. He evaded that question.

**The Hon'ble the SPEAKER :** I think he said " I charged for the class in which I travelled ".

**Srijut ROHINI KUMAR CHAUDHURI :** That is very vague and not a definite answer.

**The Hon'ble the SPEAKER :** From that it comes to this that he travelled first class.

**Srijut ROHINI KUMAR CHAUDHURI :** So I ask a definite question whether he travelled first class. I want to know if it is known to the Hon'ble Minister of Finance that he actually travelled first class. I want a true statement.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** I have no reason to disbelieve the statement of my Hon'ble Colleague. Since he charged first class he must have travelled in that class.

**The Hon'ble the SPEAKER :** May I know from the hon. members of the Opposition whether it is their point of view that when an Hon'ble Member is entitled to draw first class travelling allowance he is required to travel first class.

**Srijut ROHINI KUMAR CHAUDHURI :** I am speaking about the Minister who may or may not be required to travel first class but he is required to tell the truth when asked.

**Maulavi MUHAMMAD AMJAD ALI .** May I know whether it is one of the items of the Congress Programme that they should travel third class ?

**The Hon'ble Srijut GOPINATH BARDOLOI :** That is not so. Different provinces follow different standards. We are following the standards adopted by Orissa which is incurring the lowest travelling allowance expenditure for Ministers. That is to say, in so far as travelling within the

province is concerned if it is in the day and for only a certain number of hours say 4 or 5 hours they travel third class. When they go outside the province and sleeping is involved during nights they take recourse to second class travelling. With regard to other travelling there are the other usual rules.

**Maulavi MUHAMMAD AMJAD ALI:** The question of travelling third class is therefore only a show.

**The Hon'ble the SPEAKER:** That is a matter of opinion.

**Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY:** From the reply of the Hon'ble Finance Minister, I come to know that they have got two pictures one for within the province and the other for outside the province.

**The Hon'ble the SPEAKER:** That is also a question of opinion.

**Maulavi JAHANUDDIN AHMED:** Will the Hon'ble Prime Minister be pleased to state whether he travelled first class during his tour from Dhubri by steamer to Goalpara ?

**The Hon'ble Srijut GOPINATH BARDOLOI:** Yes, Sir.

**Maulavi MUHAMMAD AMJAD ALI:** Was the journey by day or by night ?

**The Hon'ble Srijut GOPINATH BARDOLOI:** By day.

**Maulavi MUHAMMAD AMJAD ALI:** The Hon'ble Premier had not to sleep I believe ?

**The Hon'ble Srijut GOPINATH BARDOLOI:** I had to do enough of official work on the steamer, which was impossible to do in 3rd class.

**Maulavi Syed ABDUR ROUF:** May I know from the Government whether they will ascertain in which class the particular Minister actually travelled ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** If the hon. member is prepared to supply the name of the particular Hon'ble Minister he means, I shall take action.

**Maulavi ABDUR RAHMAN:** With regard to the Madras tour of the Medical Minister, the Hon'ble Finance Minister was pleased to say that he actually drew travelling allowance for the class in which he travelled. With regard to his provincial tour may I enquire in which class he actually travelled and for which class he actually drew travelling allowance ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** As far as I am aware the touring which was undertaken by the Minister in charge of the Medical Department was done by road within the province.

**Srijut ROHINI KUMAR CHAUDHURI:** In travelling by road may I know whether he drew travelling charges as a first grade officer or as a second grade officer ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** First grade officer.

**Mr. ARUN KUMAR CHANDA:** Is it not a fact that the mode of travelling by the present Ministers has resulted in a saving of expenditure ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Yes, Sir.

**Maulavi JAHANUDDIN AHMED:** For which class did the Hon'ble Premier charge when he travelled from Dhubri to Goalpara ?

**The Hon'ble Srijut GOPINATH BARDOLOI:** Third class,

(Starred question No. 109 standing in the name of Mr. Naba Kumar Dutta was not put and answered as the questioner was absent.)

**The Hon'ble the SPEAKER :** Next question.

**Srijut SARVESWAR BARUA :** May I be permitted to ask my question starred question No.107 ?

**The Hon'ble the SPEAKER :** The hon. member was absent when I called out the question. It is now long past and the hon. member knows the rules.

### UNSTARRED QUESTIONS

(to which answers were laid on the table)

#### Visits of the Hon'ble Prime Minister to Sylhet and Gauhati

**Maulavi ABDUL BARI CHAUDHURY** asked :

47. Will the Hon'ble Minister-in-charge be pleased to state—
- (a) The number of times, the Hon'ble Prime Minister visited Sylhet and Gauhati since his assumption of office ?
  - (b) What were the purposes of such visits ?
  - (c) When were these visits made ?
  - (d) What expenditure was incurred for such visits by the Hon'ble Prime Minister and his staff ?
  - (e) What other places were visited by him after his assumption of office ?
48. Will the Hon'ble Minister-in-charge be pleased to state—
- (a) The total expenditure incurred month by month by the present Hon'ble Ministers since their assumption of office and their Stenographers and personal staff in making tours ?
  - (b) The total amount drawn by the Hon'ble Ministers, their Stenographers and personal staff every month.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED** replied :

47. (a) and (b)—The Hon'ble Prime Minister visited Gauhati on 9 occasions, of which only four were on public business :—
- (1) To study the flood situation and the question of forest labour.
  - (2) To attend a Cattle Show and to inspect some schools, grant for which was under consideration.
  - (3) To interview prisoners in the Jail.
  - (4) To discuss with local representatives regarding the grant to Hindi Prachar Samiti and to inspect the museum building and the College Zoological building.

He visited Sylhet only once in connection with the communal riot there.

(c)—On 30th September 1938, 30th October 1938, 23rd November 1938, 11th December 1938 and 3rd November 1938 respectively.

(d)—Rupees 356-13 by the Hon'ble Prime Minister and Rs.233-14 by his staff.

(e)—Dhubri, Goalpara, Nalbari, Kharjara, Tihu, Barama, Gola-ghat, Dimapur, Dergaon, Dibrugarh, Digboi, Tinsukia, Tengakhat, Nowgong, Nagamari, Kampur, Roha, Murigaon, Dharamtol, Dhomdhome, Hajo, Calcutta, Tura, Fakirganj.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** May I ask the Hon'ble Minister to say whether for giving grant-in-aid to schools a visit from the Hon'ble Premier is actually called for ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** No, Sir. For such purposes the tour is not undertaken.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED** replied :

48. (a) and (b)—A statement is given below :—

Month	Total amount drawn						Total		
	By Hon'ble Ministers			By their staff					
	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.
October 1938 ... ..	431	8	0	492	14	0	924	6	0
November 1938 ... ..	298	0	0	134	10	0	432	10	0
December 1938 ... ..	279	8	0	208	10	0	488	2	0
January 1939 ... ..	1,329	9	0	1,079	14	0	2,409	7	0
February 1939 ... ..	2,988	5	0	2,673	4	0	5,661	9	0

**Question re the tours of the Hon'ble Ministers**

**Khan Bahadur HAZI ABDUL MAJID CHAUDHURY** asked :

49. Will Government be pleased to state—

(a) The places visited by the Hon'ble Ministers on tour during the months of December 1938 and January and February in 1939 and the purposes for such tours in each case ?

(b) The amount drawn by them as their travelling allowance during the said period for such tours ?

The Hon'ble Mr. FAKHRUDDIN ALI AHMED replied :

49. (a) and (b)—A statement is given below :—

Hon'ble Ministers	Places visited by the Hon'ble Ministers	Purpose of tour	Amount drawn as travelling allowance by the Hon'ble Ministers.
1	2	3	4
			Rs. a.
1. Hon'ble Prime Minister.	Gauhati ...	Discussed about grant to the Hindi Prachar Samiti. Inspected Museum Building and the College Zoo-logical building.	} 833 2
	Golaghat, Dimapur, Dergaon, Dibrugarh, Digboi, Tinsukia, Nowgong, Nagamari, Kampur, Raha, Murigaon, Dharamtol, Bararama, Dhomdhoma, Hajo and Tura.	Tour of inspection and study of popular demands and grievances.	
	Calcutta ...	Attended the Jute Conference.	} 1,275 6
2. Hon'ble Minister, Medical.	Nowgong, Jorhat, Dibrugarh, Digboi, Gauhati, Madras, via Calcutta.	Tour of inspection. Inspected labour conditions in Hills, T. B. Sanatorium, Poonamallee Health unit scheme and anti-malarial scheme.	
	Gauhati, Nalbari, Kamar k u c h i, Silchar, Hailakandi, Goalpara, Jogighopa, Abhoya p u r i, Bongaigaon.	Tour of inspection and study of popular demands and grievances.	} 357 3
3. Hon'ble Minister, Finance and Revenue.	Dhubri, Sylhet, Suna m g a n j, Kar i m g a n j, Habiganj and Maulvi Bazar.	Held local discussions about Goalpara and Sylhet Tenancy Bill.	

Hon'ble Ministers	Places visited by the Hon'ble Ministers	Purpose of tour	Amount drawn as travelling allowance by the Hon'ble Ministers
1	2	3	4
			Rs. a.
4. Hon'ble Minister, Forests and Registration.	Gauhati, Kokrajhar, Kachugaon Reserve, Bordorgi, Amguri, Bengtal, Bhur and Haltugaon, Barama, Mangaldai, Orange Reserve, Jorhat, Dibrugarh, North Lakhimpur, Kokila, Pabha Reserve, Bihupuria, Dharamtol, Sonaikuchi reserve, Nowgong, Bamuni reserve, and Kaziranga.	Tour of inspection and study of popular demands and grievances.	} 573 12
3. Hon'ble Minister, Agriculture and Excise.	Sibsagar, Desangmukh, Nazira, Jorhat, Titabar, Tezpur, Bindukuri, Nowgong, Kathitoli, Dibrugarh, Madarkhat, Tinsukia, Nowgong, Sylhet, Golapganj, Dhakadakshin, Silchar, Binakandi, Kalaura, Hailakandi, Badarpurghat, Katalkhal, Meruahaor and Jaintiapur.	Tour of inspection and study of popular demands and grievances.	

Hon'ble Ministers	Places visited by the Hon'ble Ministers	Purpose of tour	Amount drawn as travelling allowance by the Hon'ble Ministers.
1	2	3	4
6. Hon'ble Minister, Industries.	Sylhet, Karimganj, Ranaping, Badarpur, Katigora, Sadarashi, Patharkandi, Kulaura, Joldhup, Beani-bazar, Ramdah, Kakura, Latu, Barbkha, Gauhati, Barpeta, Nowgong, Jorhat, Sibsagar, Lakwa and Titabar.	Tour of inspection and study of popular demands and grievances.	Rs. a.  683 9

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** I may be permitted to ask a question to the Hon'ble Premier on his visit to Gauhati. It is stated in answer "Discussed about grant to the Hindi Prachar Samiti". Did the Hon'ble Premier consult any of the Muhammadan representatives of the locality about Urdu too?

**The Hon'ble Srijut GOPINATH BARDOLOI:** I do not remember now who were actually present.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** Did it ever strike in the mind of the Hon'ble Premier that he should consult about Urdu with the Muhammadan Members of this House in the locality as well when he was discussing about the grant for the Hindi Prachar Samiti?

**The Hon'ble Srijut GOPINATH BARDOLOI:** As I said, I do not remember who were present in the meeting. But following the compromise question, those who wanted to take Urdu script in learning Hindusthani would be given facilities.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** If that is the decision of the All-India Congress Committee, why did the Hon'ble Premier take the trouble to pay a visit to Gauhati for that purpose?

**The Hon'ble Srijut GOPINATH BARDOLOI:** The representatives of the Hindusthan Prachar Samiti through whom the work has to be carried out had got to be consulted about it.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** Did the Hon'ble Premier consult any Muhammadans of the locality about Urdu?

**The Hon'ble Srijut GOPINATH BARDOLOI:** Possibly there might have been and possibly there might not have been, I do not remember.

**Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY:** Is the Hon'ble Premier aware that a great section of the people are against Hindi being taught by the Samiti?



**The Hon'ble Srijut GOPINATH BARDOLOI:** I am not aware that a vast majority object. But the Curriculum Committee itself was making such a recommendation and we are only translating those recommendations. It may be known that the Committee was presided over by hon. friend Maulavi Munawwar Ali.

**Mr. ARUN KUMAR CHANDA:** Is it not a fact that the travelling allowance drawn would have been thrice the amount shown if Hon'ble Ministers had charged at the old rates ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Yes, Sir.

**Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY:** May I know if the Hindi Prachar Samiti tries only to popularise Hindi ?

**The Hon'ble Srijut GOPINATH BARDOLOI:** Hindustani as well as Hindi. I can tell my hon. friend for his information that there are two Muhammadans just now being trained for the work.

**Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY:** Why did they not use any other term such as, Anjuman Tarraqui Urdu ? Why should the term Hindustani be used ?

**Mr. ARUN KUMAR CHANDA:** The Curriculum Committee which was presided over by Maulavi Munawwar Ali decided to have Hindi.

**Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY:** How can you differentiate, Sir, between the terms 'Hindustani' and 'Urdu' ?

**The Hon'ble the SPEAKER:** The hon. member is going much beyond the scope of the question.

**Mr. C. GOLDSMITH:** Is the Hon'ble Prime Minister aware that the Curriculum Committee members were not unanimous on the question of Hindi ?

**Maulavi MUNAWWAR ALI:** Will the Hon'ble Minister go through the recommendations of the Curriculum Committee, where he will find that it is Hindustani and Hindi ?

**The Hon'ble Srijut GOPINATH BARDOLOI:** I have said, Sir, times without number that we are not talking of Hindi but only Hindustani. I may also say that the recommendation of the Curriculum Committee for its adoption for classes V and VI is unanimous.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** May I know whether Mr. Desai also accompanied the Hon'ble Revenue Minister when he visited Sylhet in connection with the Sylhet Tenancy Bill ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Yes, but he went there only for one day.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** For what purpose ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** For the purpose of attending the conference of the representatives of peasants and landlords convened to discuss matters in connection with the Sylhet Tenancy Bill.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** Is he connected with the Sylhet Tenancy Bill ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Yes, Sir.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** Is the Hon'ble Minister aware that a few months before, Mr. Desai was deputed for this very purpose to Sylhet ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** It might have been so.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY :** Was it not known to the Hon'ble Minister when he went to Sylhet ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** At the present time also the Government considered his presence necessary.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY :** If his presence was considered necessary, then why did the Hon'ble Minister go there ?

**The Hon'ble the SPEAKER :** This question of the hon. member is not proper. To say that Mr. Desai should not be there when the Hon'ble Minister is there is not a proper question.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY :** That is an unnecessary waste of money, Sir.

**Srijut ROHINI KUMAR CHAUDHURI :** May I know on what new point Mr. Desai was asked to enquire ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** Mr. Desai was taken there to be present at the time of the discussions between the representatives of the zeminders and peasants.

**Srijut ROHINI KUMAR CHAUDHURI :** Was he doing Stenographer's work ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** Not for that work but he acted as Secretary.

**Maulavi MUHAMMAD AMJAD ALI :** Was he there only to advise the Hon'ble Minister on the Tenancy Bill ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** Yes.

(At this stage several members stood up to put questions.)

**The Hon'ble the SPEAKER :** Order, order.

**Maulavi ABDUR RAHMAN :** May we know, Sir, whether all the places mentioned here regarding the tour of the Hon'ble Minister, Industries, are within his constituency ?

**The Hon'ble Khan Bahadur Maulavi MAHMUD ALI :** No, Sir.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY :** The Hon'ble Minister says that the purpose of the tour was to study popular demands, and grievances. What were the grievances ?

**The Hon'ble Khan Bahadur Maulavi MAHMUD ALI :** Many, Sir, (Laughter).

### Accidents on Dibru-Sadiya Railway

**Srijut LAKSHESVAR BOROOAH** asked :

50. (a) Has the attention of Government been drawn to an article "Accident on Dibru-Sadiya Railway", "Collision between Tram Car and Lorry" published in the *Times of Assam* of the 4th February 1939 ?

(b) Do Government propose to enquire and state under what circumstances that unfortunate accident took place ?

(c) Are Government aware that accidents resulting in killing and destruction of human beings and cattle by the trains of the Dibru-Sadiya Railway, are high for want of adequate protection of the lines ?

(d) Is it a fact that since the running of rail cars, the accidents have further increased ?

(e) Is it a fact that a largely signed petition by the public was sent to the Hon'ble Member of the Railways (Central) through the Government of Assam, sometime ago protesting against the permission granted to the Assam Railways and Trading Company, Limited, to run rail cars ?

(f) Is it a fact that the questioner drew the attention of the then Premier, Sir Muhammad Saadulla by a letter, dated the 1st August 1938 about the increased accidents on Dibru-Sadiya Railway and the desirability of stopping the Railway Company, running the rail cars without due protection of the lines ?

(g) If so, what action have Government taken on the questioner's letter and on the petition of the public ?

51. (a) With reference to the Government's reply to my Cut motion (*vide* page 1138 of the *Assam Gazette* of October 1937), regarding liability of the Government of Assam to contribute towards the cost of fencing on Dibru-Sadiya Railway, will Government be pleased to state whether legal opinion has been obtained ?

(b) If so, will Government be pleased to state what it is ?

**The Hon'ble Maulavi MD. ALI HAIDAR KHAN** replied :

50. (a)—Government have seen the Article.

(b)—According to the report received by Government the accident was due entirely to gross carelessness on the part of the lorry driver.

(c) and (d)—The information with Government does not bear out this allegation.

(e)—A petition was received addressed through this Government to the Hon'ble Member-in-charge, Railways, Government of India, but as the whole question of fencing the Railway is under the consideration of this Government, it has not yet been forwarded.

(f)—Yes.

(g)—The matter is under consideration—*vide* (e) above.

**Srijut LAKSHESVAR BOROOAH**: Will the Hon'ble Minister-in-charge of Public Works Department, be pleased to state if he had directed an enquiry ?

**The Hon'ble Maulavi MD. ALI HAIDAR KHAN**: Yes.

**Srijut LAKSHESVAR BOROOAH**: Was the report submitted by an individual officer or by a committee appointed by him ?

**The Hon'ble Maulavi MD. ALI HAIDAR KHAN**: An individual officer.

**Srijut LAKSHESVAR BOROOAH**: Will the Hon'ble Minister take it from me that the unfortunate accident was due, according to an unofficial enquiry, to the negligence of the rail car driver ?

**The Hon'ble Maulavi MD. ALI HAIDAR KHAN**: I shall further enquire into the matter.

**Srijut LAKSHESVAR BOROOAH**: By whom, Sir ?

**The Hon'ble Maulavi MD. ALI HAIDAR KHAN**: By a commission consisting of officials and non-officials.

**The Hon'ble Maulavi MD. ALI HAIDAR KHAN** replied :

51. (a)—Yes.

(b)—According to the opinion given by the Advocate General, the Railway Administration is liable to bear the cost of fencing on the line.

### Question re Land Revenue Reduction

**Maulana ABDUL HAMID KHAN** asked :

52. Are Government aware that due to the fall of the price of jute and the repeated occurrence of flood, the condition of the tenants of the permanently-settled areas are worse than that of the temporary settled areas in the Assam Valley ?

53. (a) Are Government aware that the tenants of the temporary settled areas in the Assam Valley have got a land revenue reduction at the rate of 33 per cent. whereas the tenants of the permanent settled areas have got no such reduction ?

(b) If so, do Government propose to set up a Commission to enquire into this for the purpose of granting adequate land revenue reduction to all ?

54. Will Government be pleased to state—

(a) Whether Government have any information as to how much the Zamindars and Jotdars realise from the tenants of permanent settled areas in the Goalpara district as local rate and the amount paid by them to Government ?

(b) If not, do Government propose to collect these information by appointing an officer for the purpose ?

55. Is it a fact that the Zamindars and Jotdars do not pay to Government even half of the amount they realise from the tenants as local rate ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED** replied :

52.—Government have no direct relation with the tenants of the permanently-settled areas and are not in a position to say whether their condition is worse than that of settlement holders on the temporarily-settled areas in the Assam Valley. It may be noted that floods do not affect the whole of the permanently-settled area in the district nor are they of an uniform severity.

**Srijut ROHINI KUMAR CHAUDHURI** : Is it not the concern of the Government to look after the interests of the tenants of the permanently-settled areas also ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED** : Yes Sir, but it all depends on what the hon. member means by the interests of the permanently-settled tenants.

**Srijut ROHINI KUMAR CHAUDHURI** : Is it not the duty of the Government to know the conditions of the tenants of the permanently-settled areas ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED** : Yes.

**Srijut ROHINI KUMAR CHAUDHURI** : Then why do the Government say that they are not in a position to say whether their condition is worse than that of the settlement holders of the temporarily-settled areas ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Unless specific cases are brought to our notice, we are not in a position to make an enquiry.

**Srijut ROHINI KUMAR CHAUDHURI:** Here a specific case of Goalpara has been mentioned?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** In Goalpara there are a vast number of tenants settled under the permanent settlement.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED** replied:

53. (a)—Yes. The rates of reduction are, however, different in different districts and not at a flat rate of 33 per cent. as mentioned in the question which applies only in case of *pattas* paying revenue up to Rs.12.

(b)—The question is not understood. The land revenue of permanently-settled estates was fixed forever and cannot be reduced now.

54. (a)—The Deputy Commissioner reports that the Zamindars in Goalpara realise Rs. 77,191 as local rates from their tenants while they pay Rs.1,63,618. The information relating to the local rates realised by jotdars is not available.

(b)—No. An officer, if appointed, cannot compel jotdars to have access to their private records.

**Maulavi MUHAMMAD AMJAD ALI:** May I enquire of the Hon'ble Revenue Minister at what rate per rupee the zamindars realise local rates at Goalpara?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** That is a question to which we are not in a position to reply.

**Maulavi MUHAMMAD AMJAD ALI:** Would the Hon'ble Minister be able to tell me which estate realises how much as local rates? There are several estates within Goalpara. May I enquire which estate realises how much as local rates and at what rate per rupee?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Does this question arise, Sir? If it does arise, we may after enquiry supply him the information.

**Maulavi MUHAMMAD AMJAD ALI:** It does arise Sir, because the Hon'ble Minister has replied to question No. 54(a) that the zemindars in Goalpara realise Rs.77,191 as local rates. I want to know how much each estate realises as local rates?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** The question was in a consolidated form and the reply is also given in consolidated form.

**Maulavi MUHAMMAD AMJAD ALI:** Would the Hon'ble Minister please enquire and give us the figure as much as possible?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Yes, Sir.

**Maulavi MUHAMMAD AMJAD ALI:** Sir, is it a fact that certain persons of the Bogribari Estate approached the Hon'ble Revenue Minister during his last tour to Goalpara district at Dhubri that annas 0-2-6 per rupee was realised for the sale of timber by that Estate as local rate? Was this grievance represented to him?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Yes Sir, that matter was brought to my notice.

**Maulavi MUHAMMAD AMJAD ALI:** Is it also a fact that certain tenants of Karaibari Estate approached the Hon'ble Revenue Minister that Karaibari was realising annas 0-1-6 per rupee as local rates?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Yes Sir, that was represented to me.

**Maulavi MUHAMMAD AMJAD ALI:** Would the Hon'ble Minister please look into this matter?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** If the hon. member presses this question Sir, I shall make an inquiry into the matter?

**Maulavi MUHAMMAD AMJAD ALI:** Yes, the Hon'ble Minister would please enquire into it.

**The Hon'ble the SPEAKER:** The hon. member is going far away from the main question.

**Maulavi MUHAMMAD AMJAD ALI:** I am very much grateful to Hon'ble Revenue Minister that he has kindly consented to answer the question. Now I would only like to know whether he would look into this matter.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** All right, Sir.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED** replied:

55.—Jotdars are not liable to pay local rate to Government direct. The figures given in reply to question No.54(a) relating to Zamindars clearly prove that the hon. member's information is not correct.

#### Question re Grazing grounds

**Srijut GAURI KANTA TALUKDAR** asked :

56. (a) Is the Hon'ble Minister-in-charge aware that the cultivators of the province are feeling inconvenience in most of the villages for want of grazing grounds and are unable to keep cattle sufficient for their requirements?

(b) If so, do Government propose to reserve sufficient lands for grazing purposes in the localities where Government waste lands are still available?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED** replied :

56. (a) and (b)—The policy of the Government has been to constitute grazing grounds wherever necessary and effect has been and is being given to it wherever possible. At the same time Government consider that the real problem is not the number of the cattle but the quality of the cattle and the manner in which they ought to be looked after.

**Srijut ROHINI KUMAR CHAUDHURI:** The question No. 56 (a) has not been answered, Sir. The question was "Is the Hon'ble Minister-in-charge aware that the cultivators of the province are feeling inconvenience in most of the villages for want of grazing grounds and are unable to keep cattle sufficient for their requirements?" I want an answer to this question.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Both (a) and (b) have been answered together.

**Srijut ROHINI KUMAR CHAUDHURI:** No, Sir: The question is, 'Is the Hon'ble Minister-in-charge aware that the cultivators of the province are feeling inconvenience for want of grazing grounds?' He has not answered it.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** It has been answered, Sir.

**Srijut ROHINI KUMAR CHAUDHURI:** Is the answer in the affirmative?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Yes, Sir.

**Babu HIRENDRA CHANDRA CHAKRAVARTY:** May I know, Sir, what is meant by the word 'quality of the cattle'?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** The cattle should be such as any one can be proud to possess (*laughter*).

**Babu HIRENDRA CHANDRA CHAKRAVARTY:** Am I to understand, Sir, that according to the quality of the cattle the area of the grazing grounds will vary?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Not only by the quality but also by the quantity.

**Maulavi MUHAMMAD AMJAD ALI:** Does the Hon'ble Minister mean by the word 'quality' efficiency of the cattle?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Yes, Sir.

**Srijut ROHINI KUMAR CHAUDHURI:** Do the Government propose to reserve sufficient lands for the purpose of grazing?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Government are considering that matter.

**Maulavi ABDUR RAHMAN:** May I know from the Hon'ble Minister how much lands have been kept reserved for the purpose of grazing areas?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Is it, Sir, possible for me to reply to that question?

**Maulavi MUHAMMAD AMJAD ALI:** I like to put a question regarding quantity.

**The Hon'ble the SPEAKER:** The hon. member has finished about quality and he comes to quantity (*laughter*).

**Maulavi MUHAMMAD AMJAD ALI:** Which, according to the Hon'ble Minister-in-charge, would be the efficient cattle for a household purpose?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** To whom is this question referred, Sir?

**Maulavi MUHAMMAD AMJAD ALI:** I refer this question to the Minister in-charge of Live-stock.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** I am not in-charge of Live-stock, Sir. (*laughter*).

### Wireless in Assam

**Maulavi ABDUL BARI CHAUDHURY** asked :

57. (a) Will Government be pleased to enquire and state how many wireless licenses have been issued from the Post Offices in Assam during the current year?

(b) What steps, Government are adopting for popularising wireless in Assam?

(c) Do Government propose to take steps to establish a local radio station in Assam?

**The Hon'ble Maulavi MD. ALI HAIDAR KHAN** replied :

57. (a)—It has been ascertained from the Postal Department that 944 Broad-cast receiver licenses were issued from Post Offices in Assam during the period from 1st April 1938 to 31st January 1939.

(b) and (c)—In view of the present financial position of Assam, it is not possible to do anything towards its development.

**The Assam Commissioners' Powers Distribution Bill, 1939,** copy of Bill passed by the Assam Legislative Council laid on the table.

**SECRETARY TO THE ASSEMBLY:** In accordance with the provisions of Rule 127 of the Assam Legislative Assembly Rules, I lay on the table "The Assam Commissioners' Powers Distribution Bill, 1939" which was passed by the Assam Legislative Council on the 13th March, 1939. The Bill was not referred to a Select Committee of the originating Chamber.

**The Hon'ble the SPEAKER:** The hon. members have just now come to know that Assam Commissioners', Powers Distribution Bill, 1939 has been passed by the Assam Legislative Council as has already been mentioned just now. The motion for taking this Bill into consideration will be made on Thursday the 23rd March before the voting on demand for grant fixed for that day. If the motion is carried on that day, the Bill as is shown in the programme will be taken up clause by clause on the 31st March. Notices of amendments, if any, to the provisions of the Bill, should therefore reach the Secretary on or before the 27th March.

### **The Assam Finance Bill, 1939.**

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Mr. Speaker Sir, I beg to move for leave to introduce the Assam Finance Bill, 1939.

**The Hon'ble the SPEAKER:** Motion moved:

"That leave be granted to introduce the Assam Finance Bill, 1939".

**Khan Bahadur Maulavi SAYIDUR RAHMAN:** Sir, I rise on a point of order. My first point of order is whether it is open to a Member of the Government to ask for leave to introduce the Bill without publication of the same in the Gazette and without any notice whatsoever. This Bill, Sir, was laid on the members' table on the 10th March on which date leave was to be asked and it is a fact that the Bill was not published in the Gazette under rule 51. So I want a ruling from the Chair whether the Members of the Government can ask for leave to introduce any Bill without any notice and without any publication of the same in the Gazette. My second point of order is this that this Bill has for its statement of objects and reasons reference to Agricultural Income-tax Act, 1939, and the Assam Sales Tax Act, 1939. Now as the hon. members are aware, those two Acts are not on the Statute Book at all, but the Agricultural Income-tax Bill has been referred to a Select Committee, but as regards Assam Sales Tax Act, the Bill itself has only been introduced. Is it not premature to ask for introduction of a Bill which refers to certain Acts which are not on the Statute Book at all? Is it not putting the cart before the horse?

**The Hon'ble the SPEAKER:** With regard to the first point raised by the hon. member, that without publication of this Bill in the Gazette Government are not entitled to ask for leave to introduce the Bill, I am to point out to the hon. member that rule 51 does not make it obligatory on Government to publish a Bill in the Gazette. All that the rule says is that "Governor may, order the publication of any Bill (together with the Statement of Objects and Reasons accompanying it) in the Gazette although no motion has been made for leave to introduce the Bill". Then the rule provides that when there has been such publication there will be no necessity for a Government Member to ask for leave of the House to introduce the Bill. Rule 51 only dispenses with the necessity of a



formal motion to ask for leave of the House to introduce a Bill, if there has been a publication of the Bill in the Gazette. Now, in this case the Government Member is asking for leave to introduce the Bill, he is not going to introduce the Bill. He is asking for leave of the House to introduce the Bill on the ground that the Bill has not been published in the Gazette. So, with regard to the first point of order raised by the hon. member, I hold that the Government Member is quite entitled to ask for leave of the House to introduce the Bill.

With regard to the second point of order raised, there is some force in the argument of the hon. member that when there is no Statute already in the Statute Book how can there be a Bill which deals with a matter contained in the said Statute. But in this case the hon. member will notice that the legislations to which the Assam Finance Bill refers have already been introduced, and as a matter of fact one Bill has been referred to a Select Committee. With regard to the other Bill, *viz.*, the Assam Sales Tax Bill, the motion for taking the Bill into consideration was carried the other day. Now, I do not think that the Hon'ble Minister-in-charge of the Finance Bill will move for passing the Bill before those Bills, *viz.*, the Assam Agricultural Income-Tax Bill and the Assam Sales Tax Bill, are passed. So, at this stage I hold that the Hon'ble Minister is entitled to proceed with the Bill.

**Srijut ROHINI KUMAR CHAUDHURI:** Can we consider this Bill without knowing what the Select Committee will decide about the Assam Agricultural Income-Tax Bill?

**The Hon'ble the SPEAKER:** The hon. member will please note that this Bill only seeks to fix the rates of taxation. If the House agree to pass the Assam Agricultural Income-Tax Bill, the question of fixing rates will have to come before the House. What I mean to say is that this Finance Bill does not refer to any other matters except the rates that are to be fixed for taxes, which are to be imposed by the Agricultural Income-Tax Bill and the Sales Tax Bill.

**Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Not merely rates, but articles too.

**The Hon'ble the SPEAKER:** Yes.

**Maulavi MUNAWWAR ALI:** Mr. Speaker, Sir, can there be a proposed legislation in anticipation of another legislation?

**The Hon'ble the SPEAKER:** Of course, I have given my ruling, and I have shown that the two Bills, which are referred in the Finance Bill have already been introduced. With regard to one Bill, a Select Committee has been appointed, and with regard to the other, the motion for consideration has been carried. It does not remain purely an anticipation, but this Bill is proceeding along with the Bills to which they relate and are expected to be Acts of the Legislature before this Bill is passed.

**Maulavi MUNAWWAR ALI:** All this is in anticipation.

**The Hon'ble the SPEAKER:** Of course.

**Maulavi MUNAWWAR ALI:** Has there been any precedent like this?

**The Hon'ble the SPEAKER:** I am not aware of any precedent; facts of this Bill, I have decided on its own facts. Having regard to the to ask for leave of the House to introduce the Bill.

**Maulavi MUNAWWAR ALI:** With due deference to your ruling, Sir, I beg to submit that no precedent like this can perhaps be quoted even from the House of Parliament in England.

**The Hon'ble the SPEAKER :** If there is no precedent, we can create a precedent.

**Babu HIRENDRA CHANDRA CHAKRAVARTY :** May I know from the Hon'ble Minister whether he cannot wait till the other Bills, which have been referred to in this Bill, are passed ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** Mr. Speaker, Sir, I have heard the arguments advanced by my hon. friends on the other side of the House. They are opposed to the introduction of this Bill on the ground that it anticipates a matter which has not yet come into being. Sir, these arguments could have been logically and very well advanced if I had come forward before the House with a motion for passing the Assam Finance Bill before those two Bills, viz., the Agricultural Income-tax Bill, and the Sales Tax Bill, had come into existence. The hon. members are aware that we have to go through certain procedure that is of taking leave of introducing, of moving for consideration, of moving for consideration clause by clause, and then of passing before a Bill is passed. With a view to finish the preliminary portion I have brought forward this Bill to-day so that after the Agricultural Income-tax Bill and the Sales Tax Bill, which are also before the House, are passed, we may take up the consideration stage of the Assam Finance Bill clause by clause and then pass it. In view of these facts, Sir, I do not see what are the difficulties which stand in our way at this stage.

**Maulavi Saiyid Sir MUHAMMAD SAADULLA :** Mr. Speaker, Sir, I draw your attention as well as the attention of the Hon'ble Minister-in-charge to the fact that this Bill cannot be taken into consideration now, on the ground of a defect in the preamble. The preamble is a part of the Bill, and the preamble mentions "Whereas it is expedient to fix the rates at which agricultural income shall be taxed under the Assam Agricultural Income-tax Act, 1939.....". Have we any Act, Sir, entitled the Assam Agricultural Income-tax Act ? So the introduction of this preamble in the Finance Bill is illegal.

Again the preamble says ".....and to fix the rates at which the sales of articles of luxury shall be taxed under the Assam Sales Tax Act, 1939.....".

We have not as yet got those two Acts on our Statute Book. Therefore, I submit, Sir, that a Bill drafted on such a preamble cannot be gone into.

**Rai Bahadur PROMODE CHANDRA DUTT :** May I point out, Sir, that in clause 1 of the Assam Agricultural Income Tax Bill, 1939, it is stated "This Act may be called the Assam Agricultural Income Tax Act, 1939. It shall come into force on such date as the Government of Assam may, by notification in the Gazette, appoint" ? Clause 2 states "In this Act, unless there is anything repugnant in the subject or context.....". Sir, the Agricultural Income Tax Act is not yet an Act now, so following the argument of the hon. Leader of the Opposition it may be said that the drafting of those sections of the Agricultural Income Tax Bill is defective. This is the objection that has been raised with regard to the Finance Bill. Sir, we are proceeding with the Agricultural Income Tax Bill as well as the Sales Tax Bill, and both the Bills refer to "this Act" as if those Bills have been passed. This is done only as a matter of convenience to show how the Bill will stand when passed. The Finance Bill will not be taken up for final disposal until the measures referred to there become Acts.

**The Hon'ble the SPEAKER :** With regard to the point raised by the hon. Leader of the Opposition, I think the ruling that I have already given covers this point. The Hon'ble Minister-in-charge will not ask the House to pass the Finance Bill unless those two other Bills, viz.: the

Agricultural Income Tax Bill and the Sales Tax Bill, are passed. Although there is a reference in the Finance Bill to the Assam Agricultural Income Tax Act and the Assam Sales Tax Act, in the preamble, the reference, as it at present stands, should be understood to refer to the Bills that have been already introduced in the House and are expected to be Acts before this Bill is passed. When those Bills will be passed, this preamble of the Finance Bill would certainly refer to those Acts. So, I think this objection ought not to prevail at this stage having regard to the ruling I have given. Now, the hon. members know that there is also a rule in our Assembly rules, which empowers the Secretary to make verbal alterations, where necessary, and to put marginal notes in order to make a Bill precise and if there remain any verbal inaccuracies in this Bill after it is passed there is thus a remedy provided.

*(After a pause)*

The question is—

“That leave be granted to introduce the Assam Finance Bill, 1939.”

The motion was adopted.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Mr. Speaker, Sir, I introduce the Bill.

The Secretary then read the title of the Bill.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** I beg, Sir, to move ‘that the Assam Finance Bill, 1939,’ be taken into consideration.

**The Hon'ble the SPEAKER:** Motion moved:

“That the Assam Finance Bill, 1939, be taken into consideration.”

**Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Mr. Speaker, Sir, as you have already ruled that the Hon'ble Minister-in-charge is entitled to bring in the second stage, that is the consideration stage—not clause by clause,—when we are to discuss the principle of the Bill, I am rather at a disadvantage, for out of the two matters with which this Assam Finance Bill proposes to deal, one Bill, the Agricultural Income-tax Bill has gone to a Select Committee, and we do not know what amendments in the original Bill the Select Committee will make, what rates of taxation the Select Committee will propose and what rates the House, while discussing the Agricultural Income-tax Bill, will propose. But probably, Sir, if the Government as well as you hold the view that if there be any amendment on the rates, then there will be consequential amendments in this Bill, I do not propose to discuss the principle so far as it relates to the Agricultural Income-tax. Then as regards the other items, that is rates and articles which the Assam Sales Tax Act will deal with, I have a few observations to make. I have no quarrel when it is proposed to tax motor cars at the rate of 5 per cent. on the retail sale, if this tax is levied only on the pleasure cars and the utility cars used by private individuals for their private purpose. But if the tax is to be levied on the buses, I have some objection, as I mentioned the other day while discussing the principle of the Assam Sales Tax Bill. I do not want to repeat, but my meaning will not be clear if I do not very shortly mention that bus-owners and the transport industry carried on by motor bus will be hard hit by triple duties or tax, first, on the vehicles, then on the petrol and thirdly, on their lubricants. And, as I developed the other day, bus-owners will not be businessmen, if they do not shift this imposition upon them on the passengers, and it is through rural areas that these buses ply. My friend, the other day, wanted to impress upon the House that the tax on these three items is not going to add more than a pie to the ordinary rates of fare. But he knows it quite well that the additional burden on the owner is three *pies*, when transmitted, it will be at least three *pie* on the passenger.

Then, again, a tax of the nature proposed for motor cars will drive away business from the few motor car dealers that we have in this province, for everyone knows that the average price of a motor car is in the neighbourhood of Rs.5,000 and so taxation will mean payment of an extra sum of Rs.250. Any one willing to buy a car will place his order with the Calcutta dealers where there is no such tax and save some money thereby.

Somebody observed that bicycles are the motor cars of the poor. If the Ministry really want to hit the poor, then tax bicycles. On those roads which are not convenient for motor cars, people generally use cycles there. Even ordinary *goolas* and hawkers have taken to bicycles. I will request the Hon'ble Minister in charge to take away this item. I would prefer to push bicycles from the list of the Assam Sales Tax Act.

Then, personally, of course, I have no objection to the tax on watches and clocks of the value of Rs.50 and over or on fire arms of Rs.50. Very few of our peasantry indulge in buying costly watches of Rs.50. All I want to point out is that when there is such a taxation some people will place their order in Calcutta rather than buy in Assam. So, Sir, in my opinion, this Assam Sales Tax Bill, if carried into law, will not bring in much revenue to the province, but at the same time will be a means of disabling our small trader and diverting the business towards Bengal.

**Mr. R. A. PALMER:** Mr. Speaker, Sir, the other day during the discussion of the Sales Tax Bill the leader of this group drew the attention of the Hon'ble Finance Minister to the danger to trade in a tax of this sort unless it was carefully applied. The seed, however, fell on stony ground and the Hon'ble Finance Minister only said that as this tax had worked well practically in all other parts of the world there is no reason why it should not work well in Assam also. He clearly failed to realise that Assam is in quite a different position altogether as we have no import boundaries. In this Finance Bill we have an example in the car tax. Now, this tax is a tax on sales, and not an import tax, and therefore it stands to reason that unless Bengal and Bihar impose a similar tax the final result will be that there will be no new cars sold in Assam. The present position is that if one wishes to buy a new car in Assam, one goes to a dealer of the province, and he charges you the price of the car in Calcutta, *plus* the freight. If this tax is levied, the buyer will have to pay this, and in addition, the Motor Sales Tax of about Rs.200 or Rs.250. All the buyer now have to do is to spend an anna for a stamp and order a car direct from Calcutta, where no tax is payable. The result will be that Government will not get anything by way of tax.

**Rai Bahadur PROMODE CHANDRA DUTT:** What about the cost of transport?

**Mr. R. A. PALMER:** That has already to be paid by the purchaser. The actual result of this Act will be that there will be no revenue from new cars, and there will be no new cars sold in Assam. The same will apply to wireless sets where the tax is high and where there is no import duty; they will buy in Calcutta where there is no tax. I am convinced that the general public is not philanthropic enough to pay this tax when they need not with evasion so simple.

I would like to point out again that we are not opposed to a sales tax, in fact, we are in favour of it when reasonably applied, but we are definitely very much opposed to a tax that will ruin the traders of Assam.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** Mr. Speaker, Sir, the other day on the floor of the House I referred to the hardship felt by our people who used bicycles. Apart from the business people there is another aspect of things. So far as the Sylhet College is concerned, there are some

800 students attending it and most of whom use bicycles, as the College is about 3 miles from the town and they have to cover a distance of some 6 miles every day. So far as Sylhet is concerned, it is not a luxury but a necessity. The parents of the boys are mostly poor, and if they have to pay this bicycle tax in addition to their school-fees, they will find it very hard to maintain themselves.

Then, there is another aspect of the question. The young men of this province have so long been after securing service, but now when there is so much unemployment in the province our young men are taking to business and they have to take to bicycles, and they will be simply handicapped by this tax. For myself of course, and for those living close to the border of Bengal, they can buy it from Bengal where there is no tax.

Then, as regards firearms, of course there are some people who keep firearms for the purposes of sport, and such firearms can of course be taxed. But most of our poor cultivators keep them for the protection of their crops, and I referred it to the Hon'ble Premier on the floor of this House, that in my constituency there are lots of wild animals and the ravages by these have been very considerable. I would therefore request the Government to help those poor cultivators by not taxing firearms where they are required for the protection of crops and self-protection.

**Maulavi ABDUR RAHMAN :** Mr. Speaker, Sir, it has been said by the Hon'ble Finance Minister that the Government propose to impose a tax on articles which are meant for amusement and luxury, but I can say that bicycles and such other things are not articles of amusement. It has been ably pointed out by my hon. friend Mr. Ashrafuddin Muhammad Chaudhury. Bicycles in our part of the province are used as a measure of economy and not for amusement. The guardians of school-going boys are not all well off ; they send their boys to schools to places sometimes 3 to 4 miles distant, and the boys cannot go there unless they use bicycles for the purpose, and if they are required to pay a tax on these bicycles they cannot maintain their expenses. Further, as has been very ably pointed out by the leader of this party, even traders now-a-days use bicycles. They do so not for the purpose of luxury, but for the sake of economy of time and money.

Then, as regards the other proposals as to the taxation of certain other things, it has been shown by other speakers that these things are absolutely necessary. The Hon'ble Finance Minister the other day observed that the imposition of tax on motor vehicles will not hard hit the poor and that they will have to pay only a pice. I would like to point out that even a pice is too much for the poor people. Sir, it is the policy of the Congress to help the poor people in every way, and this is advertised widely by them to attract the imagination of the masses. Their pledge is not to impose burden on the poor agriculturists but to relieve them from heavy taxation. Will I be wrong if I say that they are going back from their promises ? Are they not inconsistent ?

With these few words, I beg to oppose the very principle of this Bill.

**Srijut ROHINI KUMAR CHAUDHURI :** Mr. Speaker, Sir, I feel that we are seriously handicapped in stating our views with regard to this Bill so far as the Assam Agricultural Income-tax Act is concerned. I hope that the Hon'ble Minister will not ask the House to consider this Bill clause by clause before the report of the Select Committee comes to our hands, because a good deal will depend on the articles on which the tax shall be imposed. For instance, the other day my hon. friend Maulavi Syed Abdur Rouf suggested that mustard, jute and paddy should be exempted from the operation of the agricultural income-tax. If that is actually done, then possibly a different rate of income-tax may be suggested.

So far as this Bill relates to the proposed Assam Sales Tax Act, I could characterise the suggestions contained therein as purely an act of vengeance because that Government will possibly get nothing out of their proposals but on the other hand will kill the business of some of our local men who are managing motor and cycle business somehow or other. Take for instance the case of dealers of motor cars in the province. They have a sort of understanding or agreement with the Calcutta firms by which they get certain amount of commission for the sale and sometimes they part with a portion of their commission and give it to the customers. But now that 5 per cent. has been suggested as tax, there will be very few dealers who would be able to get an order and get any commission for himself and his customers. The customer will be wiser in putting his order not directly with the firm or the manufacturer but with the sub-dealers in Calcutta who also grant very liberal commission and by doing so the customer will not only get commission but also get exempted from the payment of this tax. So ultimately the orders will be directly put by the customers in this province with the sub-dealers in Calcutta or in other towns where this tax is not in vogue. The result will be that the local firms who are dealing with motor cars and stocking accessories will have to suffer heavy losses. One of the conditions imposed by the Calcutta distributors on the local dealers is to stock certain amount of accessories, and it is very important for the owners of motor cars that they get the parts and accessories locally. But as soon as this tax is imposed, nobody will think of carrying on this business because the customers will not go to him for supply of cars and therefore the business of stocking accessories will also have to be closed. So I repeat what the previous speaker has said that this will bring nothing to the Government and at the same time cause a greater amount of public inconvenience and also destroy the motor business of the local dealers.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Mr. Speaker, Sir, three points have been raised in this connection. First of all the hon. Leader of the Opposition is of opinion that if we impose such a tax it will hit the poor people because its incidence would fall on those people who ply the buses and on the poor passengers who travel by buses. Sir, I would only refer him to the words "motor cars" which have been used in this Finance Bill. The motor cars certainly do not include buses. Therefore, his argument that if such a tax is imposed it will hit the poor, is baseless and unreasonable.

Secondly, Sir, we have been told not only to-day also before that if we put such a tax the business will be driven from this province to that of Bengal or Bihar.

**Srijut ROHINI KUMAR CHAUDHURI:** Would it include motor lorries?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** No motor cars have been specifically mentioned. With the question of driving the business from Assam to Bihar or Bengal is connected with the question of the evasive of the provisions of the Bill. I can assure the hon. members that when this Sales Tax Bill is considered clause by clause and when the rules are made we shall see that no such business is driven to Bengal or Bihar and the tax is evaded.

Thirdly, we have been told that the tax from the sale of bicycle will hit the poor. In this connection I may say that I shall have no objection to omit the tax on the sale of bicycle if the hon. members so desire and this can be done at a later stage when the Bill comes up for consideration clause by clause. On this ground I do not see any justification of opposing the Finance Bill at this stage because it among other things prescribes the

rate at which the income from agriculture is to be taxed. It also mentions other articles of luxury, which we propose to bring within the purview of the Sales Tax Bill, it also prescribes the rates at which such articles should be taxed. My hon. friend Srijut Rohini Kumar Chaudhuri mentioned that this Bill should not be taken into consideration till the Select Committee has reported on the Agricultural Income-tax Bill. In this connection, I shall add that not only we shall wait for the consideration of this Bill till the Select Committee's report on Agricultural Bill comes to our hands but shall also wait till the Bill had been taken into consideration clause by clause and passed by this House. All these points which have been referred to now will be coming before this House and will be taken into consideration before we pass this Bill. I submit, Sir, that at present there is no justification for opposing this stage of this Bill.

**The Hon'ble the SPEAKER:** The question is :  
 "That the Assam Finance Bill, 1939, be taken into consideration."  
 The motion was adopted.

### ✓ Government motion on the prohibition of opium

**The Hon'ble Babu AKSHAY KUMAR DAS:** Mr. Speaker, Sir, I beg to move :

"That this Assembly approves the Scheme\* prepared by Government for the prohibition of opium and the expenditure of funds thereon within the limit of Rs.1,25,000 pending the submission of a supplementary demand".

Sir, I imagine that this Hon'ble House does not require an elaborate explanation in introducing this motion. It is known to every one in this House and outside this House that opium is mainly responsible for undermining the physical and mental if not moral faculties of the consumers in this province. Sir, we all know that the genesis of the campaign against opium habit dates back about half a century. There had been executive orders, there had been legislation and there had been enquiry committees, but all of them have proved failure. Except in official returns no satisfactory result has been obtained from the view point of the public. These measures have not proved really effective. In obedience to the reasoned wishes of the public this Government is going to start total prohibition in two important consuming centres—namely, Sibsagar Subdivision and Dibrugarh Subdivision excepting the north bank of the Brahmaputra. The necessity is too obvious. But I owe an explanation why I have selected those two important centres. Sir, those two centres are situated in the extremities of the province and the Government thought it pre-eminently fitted for starting prohibition work. What we lose in revenue we will gain in elevating that section of the people who are affected by this opium habit. Sir, it is essentially a humane measure and there will not be any question of caste, creed or community in respect of this prohibition scheme. Simultaneously this Government is proposing to introduce a sliding scale of reduction of opium in all other areas of this province.

Now, I have explained the nature of the scheme even though the items presented before this House are self-explanatory. Sir, there will have to be propaganda amongst the consumers and there should be vigilance in the villages and outside in order to detect smuggling and smugglers. There will have to be medical assistance to those who will stand in need of it. The organisation of such a campaign will surely cost Government; the items of expenditure which I have been presenting before the House are all well thought out and about which due regard has been paid on the financial position of the province.

**Maulavi MUHAMMAD AMJAD ALI:** Would the Hon'ble Minister give the number of opium addicts in those two districts ?

**The Hon'ble Babu AKSHAY KUMAR DAS:** The number will be 10,000, or a bit more. I can assure the Hon'ble House that further attempts will be made to economise these allotments. There will be local Committees and the prohibition scheme will be worked out in co-operation with the public, the official and non-officials in correlation to the Excise Department. Sir, the public opinion is so strong that the public will grudge no help to make the scheme a success.

Sir, with these words I commend my motion to the acceptance of the House.

**The Hon'ble the SPEAKER:** Motion moved is :

"That this Assembly approves the scheme prepared by Government for the prohibition of opium and the expenditure of funds thereon within the limit of Rs.1,25,000 pending the submission of a supplementary demand".

**Babu HIRENDRA CHANDRA CHAKRAVARTY:** Sir, I rise to oppose the scheme proposed by the Hon'ble Minister for Excise. We are all very keen to see that this opium evil should soon be eradicated from our province. For this the Government has already got before them a scheme of ten per cent. reduction. We all know too that by that method this evil will be soon eradicated from our province. Now, Sir, from this it appears that the scheme that has been produced by the Excise Minister will require an amount of no less than Rs.1,25,000. I do not think that this is an opportune moment to incur such a heavy expenditure for this purpose when the evil is going to be eradicated by other methods within a couple of years. The country has not yet recovered from the loss suffered due to the last devastating floods and the condition of the people is so very miserable that it needs no description. When the people are still groaning under the effects of the devastating floods, when they have not got enough to purchase their food, the question is whether this Government will be justified to incur an expenditure like this. We find the Government has provided some money to grant agricultural loans. But, Sir, this benevolence of the Government will weigh upon the poor people still more calamitously, because when the realisation time will come their household and everything will be sold in auction and they will be rendered homeless and destitute like anything. So, instead of spending this money for a particular area for the purpose mentioned, I would like the Government should straightaway distribute this amount as gratuitous relief to the people in flood-stricken areas (*Hear, hear*), or if they consider it so they may utilise the amount to remove other pressing wants of the province, such as medical needs, water supply, primary education and so forth. I, therefore, appeal to the House and to the Hon'ble Minister to at once drop the scheme and spend the money in the manner I have suggested.

**Srijut KRISHNA NATH SARMAH:** Mr. Speaker, Sir, in supporting the scheme, I beg to lay before the House a few facts as to what is the net result of the opium policy of the Government. There was no smuggling before as can be gathered from the official report. In 1921 as a result of the non-co-operation movement, the fall of consumption of opium and subsequent enquiry by the Congress, about the unhappiness, moral and physical degradation of the people, and as a result of the volume of the public opinion that has been created against this evil, Government was forced to adopt a policy of total prohibition of opium within ten years. They have excluded the addicts above fifty years of age from the operation of the cut and opened the Opium Registers. At first no step was taken to register the addicts by means of medical examination. Sufficient time was granted to



swell the registers. In spite of this, every year on pretext of smuggling anybody who applied for a pass was granted on a *mamuly* medical certificate. Thus during the last ten years about 20,000 new passes were granted, even in the last year 871 passes were issued on grounds stated above in spite of our severe criticism. The result that what is shown as reduction by deaths of the addicts on the one hand were replaced by the issue of new passes on the other hand. It was supposed in 1927 at the time of passing this resolution that the addicts above 50 years of age would die out and those below 50 years of age would have their ration reduced to nil at the end of the fixed period. It is seen that as soon as the addict enters his fiftieth year birth day the reduction is stopped and in many cases the reduction undergone before is restored to its original quantity as if to keep up the energy and failing health of the old age larger quantity of opium is found necessary. So by this double-edged weapon the policy of the Government is rendered ineffective. Another point of importance which the department concerned considered necessary was to exclude certain areas from the operation of this policy from time to time. I quote the following from the Excise Reports of 1936-37 and 1937-38. "Following the report of the district officer that the consumers whose rations were subjected to previous percentage reduction were complaining of inadequacy of ration and further reductions would be of great hardship to them and would tend to place them under the control of lessees and smugglers, no reduction of rations to the consumers of the North Cachar Hills, Naga Hills and the Mikir Hills portion of Nowgong and Sibsagar was ordered to be made on 1937-38. The question of reduction of opium rations in the North Cachar Hills, the Naga Hills, and the Mikir Hills portion of the Nowgong and Sibsagar was re-examined in the light of the policies followed in these places during 1937-38 and it has been decided that no further reduction should be made in these hills from 1st April 1938."

Now about the mal-practices the report states as follows :

"The mal-practices generally resorted to by the licensed vendors were short-weight sales, sales to non-registered pass holders, sales on dead men's passes, sales in excess of fixed monthly rations, and fabrication of accounts.

It is reported that opium saved by short-weight sale is sold at Rs.3 to Rs.6 per tola. No instances of doping children with opium were brought to light, but it is suspected that the practice is still prevalent among the aboriginal tribes such as Mikirs, Santals and certain classes of coolies in the tea gardens". I am sorry that Government is still using term "coolie" to garden workers in their official reports. It is also admitted by the Government that the minimum and maximum short-weight by the licensed vendors is from one-eighth to one-fourth per tola and the smuggling done by the vendors would be about 1,770 seers per annum and the number of unregistered consumers would be about nine to ten thousand. That in spite of open confession by the Government they failed to put a stop to the short-weight sales and detect the unregistered consumers. These opium vendors are doing this nefarious business without fear of detection and the unregistered consumers are swelling under the patronage of the department. Thus, though we see in paper the dwindling down of addicts due to deaths mainly, thousands of unregistered consumers are there and this fact having been known as also the smuggling going on undetected, the opium vendors are utilised by the outside smugglers as their agents to sell contraband opium for profit. Every opium addict has learnt the trade, hence there is rush for obtaining passes which is also very easy to obtain. It has been known that those addicts whose rations are reduced get a supply from the Mahaldars at a higher rate and those addicts who obtain a pass for trade sell their rations to the Mahaldars or to their fellow addicts or to any unregistered consumers

at a higher price and thereby make their livelihood. Thus the extensive smuggling business is a bye product of the Government opium policy. Hence we see every year people run mad for their eagerness to take to opium shops and this is called giving employment to the unemployed. It is also a known fact that the Excise Superintendents and Inspectors have been considered as holders of prize posts under Government.

Sir, I have been moving among our people during the time of the Congress Opium Enquiry as also in 1921 and onwards and I have been able to learn and study all kinds of corruption which it is difficult to describe in this short space of time. It is a heart-rending story to give a picture of our downfall. I would ask all of you to see the condition of these people. It pains me very much when I hear Sir Muhammad Saadulla say that instead of launching a prohibition scheme it is better to spend the money for expansion of primary education. I would in all humility ask him to go and inspect one opium shop and verify what I have said. If, as he says, opium will automatically fall by the policy followed in the past, it is a pious hope. Of course if no new passes are granted and the corruptions are put a stop to by an iron hand, the consumption of opium will be nil when every one of the addicts will die leaving behind a few deserted villages and hundreds of ruined families at least by another ten or fifteen years, as the addicts above 50 years of age are beyond the range of the Government opium policy. Out of 33,000 addicts, excluding the unregistered consumers who will be almost about the same number, if not more, only 5,200 are below fifty years of age. Even of these addicts many may belong to North Cachar Hills, Naga Hills and the portion of Mikir Hills in the Sibsagar and Nowgong districts where the reduction is discontinued. So, in my opinion the beginning that has been made by this Government is thoroughly justified. I also feel keenly when Khan Bahadur Sayidur Rahman says that the prohibition is being started in undue haste and it may end in failure. I may say that his subdivision is the heaviest in consumption and heaviest in the matter of smuggling. No opium-eater will die for want of opium. If any of them die, it will be due to old age. I calculate that the percentage of deaths among the addicts are highest during the last five years. In the year of prohibition we cannot put a stop to those whose days are numbered, but to save a nation from a ruinous habit no efforts should be spared. The only way is total prohibition and I hope Khan Bahadur, being a member of the Prohibition Sub-Committee at Dibrugarh, will try his best to do his part of his duty and I can assure him of the complete success of the scheme. I may say that the Government is not spending the money from any other sources. It is the opium revenue which will be spent for their good. This year will bring a receipt of Rs.10,40,000 as opium revenue. Government is going to spend about 6½ lakhs of rupees leaving still a balance of 3¾ lakhs as opium revenue. If any one is more anxious to spread primary education from opium revenue, this amount is still available.

Lastly in supporting the detailed expenses of this scheme, I would refer Government to my estimate of expenses which I submitted some time ago. We want more field-workers and they should be selected from among the Congress workers. The Provincial Prohibition Committee must be consulted in selecting the workers. The officers do not know our workers. Any outsiders who are not in the know of things and who have never moved with the people and have no ideas of prohibition will be just like fish out of water and will lead the movement to failure. I again repeat that the Prohibition Commissioner, whoever he may be, must not have any other duty. He must spend his whole time over this work alone and he must have his headquarters at Dibrugarh or Sibsagar.

With these few words, Sir, I support the motion and hope that the House will unanimously accept the same. ✓

### Adjournment

The Assembly then adjourned for lunch till 2 p.m.

After lunch

**Mr. F. W. HOCKENHULL:** Mr. Speaker, Sir, before making any remarks on the highly controversial subject of opium I would like to say without offence that during the last few days I have observed a tendency on the part of more than one member of the Government to regard any opinion which does not coincide with his own as a measure of opposition. There is a tendency to confuse criticism with opposition and opposition to a measure as opposition to them as a Government. Criticism there must be, Sir. No measure is more controversial than this one and in any case, if we agree to all measures the necessity for the Assembly does not arise.

Lest there should be any misunderstanding let me assure the member in-charge of this resolution at the outset that I whole-heartedly support the measure which he has brought forward. In that measure there are so many difficulties that even if we do not see exactly eye to eye with him, I hope he will bear in mind our views at a later stage. I think it might be stated that the control of opium which has been going on for 10 years and has cost this Province more than 2 crores of rupees has been, if not a failure, only a very partial success. I would suggest to the Minister that he looks upon this present proposal as an experiment, pure and simple; while we will offer him every support to make this measure a success, I hope, he will review the position at the end of one year and give us a frank interim report of the position which then arises.

There are two premises which must be borne in mind if we are to cure opium addicts—first there must be the will to be cured and secondly it must be made quite impossible for them to procure the drug. With regard to the former, if the will is there, little in the shape of propaganda is needed, but where the opium addict is one of long standing it will be difficult to rely on merely the will to be cured. It is necessary, therefore, to make it absolutely impossible for him to obtain opium, otherwise the scheme is bound to fail. Herein lies the principal difficulty of making a success of the scheme. In the two areas which are now selected for the experiment we have on the border-line the means of obtaining opium readily and easily. Our information supports the contention that in spite of the decrease in the number of addicts who are obtaining opium under passes, there is no marked diminution of the total number of addicts who obtain opium by other means.

Would the Minister consider the possibility that in selecting two subdivisions he is attempting too much at one time and may actually endanger the success of his experiment. I assume it is Government's policy gradually to extend the prohibition of opium throughout the whole Province. If we are going to spend 1½ lakhs of rupees per annum in a small area and if we are going to sacrifice the revenue from the sale of opium in that area amounting to 5 lakhs of rupees, what will it not cost when the whole Province is involved?

I would remind Government that the sale of opium through a private vendor reaches three or four times the price to be paid in a licensed shop, and it is obvious that no effort will be spared on the part of the opium smugglers and their confederates to exploit their opportunity.

May I again stress the necessity of reporting frankly at the end of a year ? This policy is a matter in which we are all equally interested. For the good name of Assam and for those who are guiding the people of Assam, we can sink our differences and rise above the level of party politics to give to Government every assistance in making a success of this effort, and I hope when they come to report they will leave out of consideration their prestige in the matter, because they have an overwhelmingly difficult task and frankly state the position.

**Mr. C. GOLDSMITH :** Mr. Speaker, Sir, this is one of the important subjects and I like to say a few words on the expenditure that has been estimated by the Hon'ble Minister. Do I understand that the Hon'ble Minister of Excise has selected these two subdivisions because they are on the extremity of the Province ?

If I heard him aright, he mentioned that these two subdivisions have been selected because they are in the extremity of the Province.

**The Hon'ble Babu AKSHAY KUMAR DAS :** No, because those are the largest consuming areas.

**Mr. C. GOLDSMITH :** Sir, there was a policy, which had been followed by the former Government, *i.e.*, the ten-year policy, by which the number of consumers had not been decreased, as was expected. The reason supplied is that new passes have been given on medical grounds and on other grounds, but if this Government now stiffens that policy that new passes should not be granted on any account I think the former policy would automatically work, and after a few years we will not have to bother with such a measure as this. However, I for one, am quite willing to support this measure of prohibition of opium because if we can save even now some opium addicts it is well and good. We have to help every man however much he may be degraded and gone down by taking any kind of intoxicating liquor or opium. In considering this subject we have to see two things. One is the consumer, and the other is the smuggler.

Now, as soon as this prohibition is started the consumer will not be able to get his opium ration. What happens to him ? He is sick, he is ill ; although his spirit is willing his body and mind are craving for opium. Now, if you ask an opium addict whether opium is good or bad, he will certainly say it is bad. I asked opium-eaters this question and they answered that opium was bad, but his body craves for more and more ration. So, what he needs is nursing, not so much propaganda but nursing. It is no good telling him that opium eating is bad, and that he should not take it. Sir, I find that Rs.20,000 has been allocated for propaganda, but it is difficult to understand how that amount will be spent. What he requires is nursing and the courses of medicine. The doctor must be ready at call to treat and give medicine to the opium addict. Substantial provision has been made for doctors, assistants, and so on and I hope the Ministry will take this point into consideration very carefully so that unnecessary expenditure may not be incurred. As regards the consumer, when he is ill, it is no good approaching him with lantern lectures or with books. Unless he is nursed, unless he is properly looked after he will go to the smuggler under the cover of darkness and procure opium. It is useless to approach a smuggler and do propaganda work for him or preach to him. The only thing to be done is to get hold of the smuggler and punish him for which of course the Excise Minister has made provisions. I do not see the reason why such a big amount should be provided for propaganda. When an opium addict is ill,

who will nurse and look after him? The hospitals will not be able to take care of him. Why not rather ask those people, who are well-wishers of the opium addicts, to take care of them. If 10,000 such families take care of one addict each, 10,000 addicts will be looked after. Otherwise it is very difficult to check an opium addict who will surely try by any means to procure opium from the smugglers.

Sir, another Rs 24,000 has been provided on account of unforeseen charges. If such a big amount is charged, the Ministry must have foreseen something. We can understand a charge of Rs.4,000 or Rs.5,000 on account of unforeseen charges, but such a big amount as Rs.24,000 is not at all reasonable. Sir, I for one, am quite willing to help opium addicts if their body and soul can be saved. I also agree with my hon. friend Srijut Krishna Nath Sarmah when he says that during all these years lakhs and lakhs of rupees have been realised from these opium consumers, and we should not grudge to spend something for them now. But I emphasise that whatever money is absolutely necessary should be spent and not anything over and above that.

**The Hon'ble Srijut GOPINATH BARDOLOI:** Mr. Speaker, Sir, it has been a pleasure to hear the advice that has been tendered by my hon. friends from the European group, in reference to this question of prohibition which Government has taken up. We have really been glad that the suggestions made have been of a constructive nature; they help us to understand the angle of vision from which they are offered. I am no less obliged to my friend Mr. Goldsmith for wishing this venture a success. If the hon. members will just be pleased to listen to me for a short while about the idea underlying this prohibition scheme and the manner in which the scheme is proposed to be worked out, I think the criticisms of opposition that have been levelled against this measure will be silenced, and those honest critics who are trying to guide us in our desire will also find satisfaction. I do not propose to answer the argument of my hon. Hirendra Chandra Chakravarty that the money that we are going to spend for this cause is being wasted, for I consider that attitude to be one which does not deserve reply—I do not say anything beyond that. But there have been two kinds of criticism which I want the hon. members to understand. On the one hand it has been said that money that has been allotted by us is much more than what is required to achieve the object for which we have launched this venture. The criticism from our hon. friends of the European group, on the other hand, seem to be that the money is much too small for two subdivisions that we propose to take up. I will speak just enough to make one understand that it is neither too small nor too big. The whole conception behind the prohibition scheme is the co-operation from the people and we have made it clear everywhere that unless full and complete co-operation comes from the people, this scheme may not be a success. It is only after we have been assured of co-operation from all quarters—from the meanest villager to the highly placed officer and non-official gentlemen of the places where we want to introduce this and only after that assurance has been obtained—that we have proposed to launch this scheme. Sir, it will seem that it is impossible for any Government with any number of officers to stop smuggling. However much we may be vigilant, if we have not a very careful eye on the addict we cannot prevent him from getting opium from some quarter and I think some degree of contraband opium must be in the country so long as there are people to get it. The idea with which this whole campaign, has been started is to take note of these addicts and their cravings, through the agency of a certain number of selfless people who are expected to keep—and I am sure those who will

work will do so—an eye over addicts. Secondly, this of course is another part of this prohibition scheme namely, putting a man to punishment if he so deserves whenever he transgresses the law. For that we will have a vigilance department which will consist of 20 officers, to which reference has been made in the estimate.

My hon. friend said that unforeseen charges were Rs.24,000. It is quite possible that this charge may even have to be increased. The unforeseen charges have got to be maintained for the simple reason that we do not know the full magnitude of the work that has to be done by Government and the number of officers that may have to be employed by Government. So unforeseen charges, to a certain extent, are necessary. But the principal idea behind the whole scheme was co-operation of the people, as I said before.

Then in reference to the treatment part of the scheme. Here also we are guided by the same idea. We expect that there will be workers in the village who will take charge of a particular number of addicts, and it will be their duty not merely to see to their treatment but they are also to nurse them. With the help of this body of workers we are expecting this scheme to be a success. Therefore the whole idea behind this scheme is one of willing and voluntary co-operation of the people. I believe, Sir, this is the spirit which should guide all right thinking and religious men in their activities. Before we had definitely decided on launching this scheme we made it a part of our duty to gauge public opinion about this matter. We had met all kinds of people. We had definite assurance from them that without any cost to Government they would come to the rescue of this people who have been degraded and are suffering from the great evil. We have greater faith on the success of this venture for another reason. It may be well known that in 1921 hundreds of young men suffered imprisonment for this cause. I may tell the hon. members that at least 1,200 people went to jail for participation in this temperance campaign. At that time it was said that the activities of these young men were against certain laws which were brought into existence at the time law like the Criminal Law Amendment Act and they were put to jail and had to undergo a great deal of suffering. But things have changed to-day. Government expect that through these body of young men—I do not mean the same body but another body inspired by the same ideal—this work which we have taken up in hand will be neither extraordinary nor unsuccessful.

Then regarding the difficulties of this scheme, we have given our attention to them. We know, Sir, we are surrounded by smugglers; we know how difficult it is to tackle smugglers. It is for that reason we have provided money for patrol parties; we have provided money for special prohibition officers; we have provided money for Prohibition Commissioner and we have done all that is possible for Government to do. But it is quite possible that the expenditure may increase; it is quite possible also that the staff that we are providing here may be inadequate. It is only to meet such contingencies that we have got a certain amount of money—Rs. 24,000 for unforeseen charges. Regarding the charges levelled against us on this account, I may further explain to the House that within the amount provided it is quite possible that we might have to reapropriate from one head of expenditure to another as time proceeds. But even as the scheme stands now, I appeal to the House that in view of the cause we have taken up, the House will unanimously give its support for the success of the scheme. **Khan Bahadur Maulavi SAYIDUR RAHMAN:** Will the Hon'ble Premier enlighten us about the unforeseen charges? I want to know the details of this twenty four thousand rupees.

**The Hon'ble Srijut GOPINATH BARDOLOI:** We have not got any detail just now. It may be necessary later.

**Khan Bahadur Maulavi SAYIDUR RAHMAN:** This is not a round figure. I find that the figure is Rs. 1,24,150 or so. So I think a detailed scheme must have been prepared.

**The Hon'ble Srijut GOPINATH BARDOLOI:** It is just to make up Rs.1,25,000 ; that is the reason why this particular figure has been given.

**The Hon'ble the SPEAKER:** I may point out that the House is not asked to give its vote for the amount. The House is asked for a vote for the approval of the scheme. There will be a supplementary demand placed before the House later on, and at that time the hon. members will be at liberty to table cut motions and ask for information as to details of the scheme in order to decide whether the whole amount or something less should be sanctioned. As no elaborate discussion is necessary at this stage, I think, the Hon'ble Minister is not going to make a speech.

**Mr. A. H. BALL:** On a point of information, Sir, may I know what medical treatment the Hon'ble Prime Minister contemplates for these addicts ?

**The Hon'ble Srijut GOPINATH BARDOLOI:** In all there are about 10,000 addicts and we do not know accurately how many unlicensed addicts there are. We have assumed that they will be in the neighbourhood of 13,000 to 14,000. We expect that 20 per cent. of these will really require medical assistance and we are just now arranging to find out necessary centres where, if necessary, some sort of sheds will be put up in urgent cases. The local public is desirous of giving us help in all these matters. The kind of treatment to be adopted has been left to the Public Health Department.

**The Hon'ble the SPEAKER:** The question is :

"That this Assembly approves the Scheme prepared by Government for the prohibition of opium and the expenditure of funds thereon within the limit of Rs.1,25,000 pending the submission of a supplementary demand".

The motion was adopted.

#### **The Assam Municipal (Amendment) Bill, 1938**

**The Hon'ble the SPEAKER:** The next item of business is the consideration of the Assam Municipal (Amendment) Bill, clause by clause.

There are no amendments tabled in connection with this Bill, so under Rule 70, I shall place the whole Bill before the House to be passed.

The question is :

"That the Assam Municipal (Amendment) Bill, 1938, be passed."

The motion was adopted.

#### **The Temporary Postponement of Execution of Decrees Bill, 1938— (Discussion continued from the 5th September, 1938).**

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Mr. Speaker, Sir, I beg to move that the Temporary Postponement of Execution of Decrees Bill, 1938, be referred to a Select Committee consisting of the following members :

- (1) Srijut Rohini Kumar Chaudhuri,
  - (2) Maulavi Abdul Aziz,
  - (3) Babu Hirendra Chandra Chakravarty,
  - (4) Srijut Kameswar Das,
  - (5) Babu Lalit Mohan Kar,
  - (6) Babu Dakshinaranjan Gupta Chaudhury,
  - (7) Srijut Rabi Chandra Kachari, and
  - (8) The Mover. (Revenue Minister).
- (Three members to form a quorum).

Sir, this Bill was sent for eliciting public opinion. The opinions, which we have received, both support the Bill as well as oppose it. I, therefore, think that before this Bill is taken for consideration, it would be better to refer it to a Select Committee.

**Mr. F. W. HOCKENHULL:** On a point of information, Sir, is any date fixed for reporting by the Select Committee?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** No, Sir.

**The Hon'ble the SPEAKER:** The question is:

"That the Temporary Postponement of Execution of Decrees Bill, 1938, be referred to a Select Committee consisting of the following members:—

- (1) Srijut Rohini Kumar Chaudhuri,
- (2) Maulavi Abdul Aziz,
- (3) Babu Hirendra Chandra Chakravarty,
- (4) Srijut Kameswar Das,
- (5) Babu Lalit Mohon Kar,
- (6) Babu Dakshinaranjan Gupta Chaudhury,
- (7) Srijut Rabi Chandra Kachari, and
- (8) The Mover (Revenue Minister).

(Three members to form a quorum).

The motion was adopted.

### **The Assam Sales of Motor Spirit and Lubricants Taxation Bill, 1939**

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** Mr. Speaker, Sir, I beg to introduce the Assam Sales of Motor Spirit and Lubricants Taxation Bill, 1939.

(The Bill was introduced)

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** I beg to move that the Assam Sales of Motor Spirit and Lubricants Taxation Bill, 1939, be taken into consideration. I hardly need say anything more in this connection than what I have already said in my budget speech and also in the statement of objects and reasons for which this Bill has been introduced. Sir, this matter has been sufficiently discussed before, and I hope that all hon. members will give us their co-operation in getting this legislation through at an early date.

**The Hon'ble the SPEAKER:** Motion moved:

"That the Assam Sales of Motor Spirit and Lubricants Taxation Bill, 1939, be taken into consideration"

**Srijut ROHINI KUMAR CHAUDHURI:** What agency does the Hon'ble Minister suggest for collection?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** That will be provided in the Rules, but so far as I can say at present it will be done through the Revenue Department and the Excise Department.

**Mr. A. H. BALL:** Mr. Speaker, Sir, my remarks about this Bill are made with the sole purpose of drawing the Hon'ble Minister's pointed attention to what we consider are defects in the enforcing of its aims and objects.

The weak point in the levying of the tax on lubricants is the case of its evasion. The storage and transport of the lubricants is not under statutory control, and inspection by the Chief Inspector of Explosives Department as is the case with petrol. It comes from a legion of sources in Calcutta and other towns. There is no legal restriction on its transport, and it is safe cargo for country boats on every big and little waterway, and it is safe evasion would therefore be a matter of course. Wholesale



Before leaving lubricating oil I would draw attention to what I believe is the general impression, that lubricating oil is a higher priced commodity than petrol and can stand a higher rate of tax. On average this is not so, the selling price for most of the trade in Assam in the lubricating oils being lower than the retail price of petrol including tax.

With regard to petrol I have the following remarks to make :—

We are not opposed to a tax on this commodity nor do we consider that a reasonable one would to any extent curtail its consumption or be harmful to road transport. But we consider that a two anna rate is a maximum and any higher rate would be a drag on development and have an adverse effect on consumption which would defeat the objects of the Bill.

With regard to the evasion of the tax on petrol although this is not so important as it is with regard to lubricants it nevertheless exists. This tax is a sales tax and cannot be levied on petrol brought into the province by the consumer. The natural tendency would therefore be to make consumers order their petrol from outside the province and the effect on the business inside the province would tend to be adverse in this way.

To what extent this ordering of supplies from outside would happen in practice it is difficult to say. It however exists and no doubt the Hon'ble Minister has taken it into account.

**Srijut ROHINI KUMAR CHAUDHURI:** Mr. Speaker, Sir, in his insatiable greed for more and more taxation the Hon'ble Finance Minister has, I am afraid, not given this matter that care and attention which he ought to have paid. First of all I want to ask him about the method of collection of these taxes. So far as petrol is concerned, I think, there is some arrangement and this can be very properly checked. But as regards lubricants what method is he going to adopt? It is not necessary to take out a license for stocking lubricants I think, Sir, as has been said by one of the previous speakers that lubricants can be had and brought from different places by country boats also. How is the Government going to check them and how are they going to realise the tax for these lubricants? That is one thing which I want to know, because honest consumers must not be made to pay while there will be loophole for dishonest consumers to go without paying the tax at all. Before we were called upon to consider this Bill we ought to have known what was in the contemplation of the Hon'ble Finance Minister, otherwise he might introduce such a method as would be oppressive to the public. Unless and until we know the agency of the collection it will be very difficult to agree to this new form of taxation.

As regards petrol, I am afraid, the rate which has been fixed by the Hon'ble Finance Minister has been fixed without much thought and I think he was also under some mistaken impression. For instance, the other day he gave out that a motor bus carrying 20 to 25 passengers will consume only one gallon petrol for 20 miles. That kind of motor bus has yet to be built. But I say, Sir, that a motor bus carrying 20 to 25 passengers will consume at least 3 gallons for 20 miles. If he has fixed the rate on his mistaken impression then I hope he will revise his opinion and reduce the rate accordingly. So far as this province is concerned the rate of two annas here we have to pay much higher than in Calcutta or Bombay. In Assam the rate is Re. 1-6 whereas in Calcutta it is Re. 1-2 and in Bombay only 15 annas. So, as we are paying more on account of excise duty or for some other reason we ought to pay less in this taxation and I would suggest that the Hon'ble Finance Minister would take this into consideration in finally assessing the rate of the tax.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** Mr. Speaker, Sir, this matter has been sufficiently discussed not only to-day but also on previous occasions. The objections raised by the hon. members or the facts which have been brought to our notice are those which should be with propriety taken up when the Bill is taken up for consideration clause by clause. My hon. friend Mr. Rohini Kumar Chaudhuri has opposed the Bill because he thinks that the agencies through which the taxes are proposed to be received, are not such which would effectively safeguard against the tax being evaded. If he has any suggestion to give in this connection, I assure him that they will be taken into consideration when the rules for this purpose are framed by Government and for which Government have taken power within the Act.

Then, Sir, we have been told that it will be easier to realise the tax from petrol but not so from lubricant. When we frame the rules we shall take all these facts into consideration along with any suggestions which the hon. members have to give so that the taxation which we intend to impose will not be evaded. These are suggestions which should be given by the hon. members when the Bill is taken up for consideration clause by clause. With these words, I commend my motion to the acceptance of the House.

**The Hon'ble the SPEAKER :** The question is :  
 "That the Assam Sales of Motor Spirit and Lubricants Taxation Bill, 1939, be taken into consideration".  
 The motion was adopted.

#### **The Assam Amusements and Betting Tax Bill, 1939**

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** Mr. Speaker, Sir, I beg to introduce the Assam Amusements and Betting Tax Bill, 1939.  
 (The Bill was introduced.)

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** I beg to move that the Assam Amusements and Betting Tax Bill, 1939, be taken into consideration. Sir, I hardly need say anything in this connection because the purpose for which this Bill has been introduced has been explained in the statement of objects and reasons and I also touched on the subject when introducing the Budget. This matter has also been discussed before on the floor of this House.

**The Hon'ble the SPEAKER :** Motion moved :  
 "That the Assam Amusements and Betting Tax Bill, 1939, be taken into consideration".

**Mr. D. B. H. MOORE :** Mr. Speaker, Sir, I rise to support this motion. We are in agreement with the principle that underlies this Bill. But while we agree that certain forms of amusement and betting should be taxed for the purpose of augmenting provincial revenues, there are, we feel, certain points in this Bill which are open to criticism and objection.

Firstly, under the heading of amusements, many members may be aware that Managers of many tea gardens in this province arrange for cinema and other forms of amusement in their gardens for the benefit of their labour force, free of charge. We are not quite clear if this form or forms of amusement are covered under the Bill. I would accordingly ask the Hon'ble Minister in charge whether he would consider including such forms of amusement given by tea gardens to their labour force free of charge in the exempting clause which is provided for in the Bill. Such entertainments are not provided for any gain or profit but simply for the simple amusement of the labour force.

Secondly, a point that arises in that connection is the giving of cinema displays in clubs. In many clubs in this province it is the custom to give

cinema entertainments without the issuing of tickets. In such cases where tickets are not issued a flat sum is guaranteed to the proprietor of the entertainment and I would like the assurance, if possible, of the Hon'ble Minister in charge that such entertainments are covered by clause 3, sub-clause (3) of this Bill whereby in such entertainments a consolidated payment of 20 per cent. of gross receipts are payable to Government by the proprietor. In other words, that the proprietor of the entertainment is responsible for the collection and submission of the tax to Government and not the club concerned.

Turning to the question of betting, here again we are in full agreement with the principle underlying the Bill. But again there are one or two points which, we feel, we must criticise. Firstly, the question of the rate proposed, *i.e.*, 7 per cent. This figure we feel to be excessive and would suggest a figure of 4 per cent. as current in Calcutta. Secondly, we notice that it is proposed to levy a tax on totalisators and also on book makers. But whereas in the case of totalisators it is proposed to tax the gross receipts, in the case of the book makers it is only proposed to tax the disbursements. This, we feel, will unduly penalise the totalisators. Secondly, the bookies' profits which are very considerable will go tax free and thirdly, it adopts the principle of taxing the man who is prepared to risk his money on a bet at the same time allowing the man who makes a profit to go tax-free. Perhaps I may give just one example to the Hon'ble House where we feel this is unfair. On many occasions in the past, and probably on many occasions in the future, horses have won which have not been backed by anybody; in other words the winning horse has not been in the book-makers book. The result of that would be under this Bill that the book-maker would take the entire receipts on that particular race which will be as profits and he will go tax-free. We, therefore, suggest for the consideration of Government a reduction in the proposed rate of 7 per cent. to 4 per cent. for both totalisators and book-makers bets and that to make things more equal between the totalisators and book-makers that, in the case of the book-maker, the tax be made on the gross receipts exactly as proposed in the case of the totalisators.

**Maulavi Saiyid Sir MUHAMMAD SAADULLA:** As regards the effect of this Bill upon the poorer section of the people, I had spoken at length in summing up the general discussion on the budget. I do not want to repeat all those arguments again to-day. But I would like to draw the attention of the Hon'ble Minister-in-charge to two points only.

I find, Sir, that in clause 8 under exemptions it is laid down that "the entertainments tax shall not be charged on payments for admission to any entertainment where the provincial Government is satisfied (a) that the whole of the takings thereof are devoted to philanthropic, religious, or charitable purposes without any charge on the takings for any expenses of the entertainment". I lay special emphasis on the words "*the whole of the takings*"; for it is known to every one that at times of dire calamities like floods, earthquakes and similar other calamities, there are various institutions and associations who stage theatrical performances, there are various institutions giving proceeds of those entertainments *minus* the actual working expenses. If this principle of the Bill remains on the Statute Book, then it will be a great detriment to the philanthropic causes which my Hon'ble friend wants to exempt if the wording "*the whole of the takings*" is kept on.

The next point that I want to raise is the one that has already been drawn attention to by my hon. friend Mr. Moore, namely, the rate proposed here of 7 per cent. is far in excess of that obtaining in Bengal and other places. My Hon'ble friend the Finance Minister might probably say

that the number of race meetings and places of amusement in Assam are very small and they are not so well patronized also and unless we increase the percentage of the tax there will hardly be any taking by the Government.

The next point that is not free from doubt and to which I wish to draw the attention of the House is that this Bill consists of two chapters. Chapter I really deals with other forms of amusements than race courses. Chapter II entirely concerns the imposition of this tax for entrance into a race meeting and betting therein. In Chapter I there are any number of penalty clauses, where fines ranging from Rs. 200 to Rs. 500 are proposed to be levied for certain delinquencies. I see no such penalty clauses in Chapter II. As to whether the legal advisers of the Government have opined that previous penalty clauses will apply to this Chapter also I am not sure. But as this Bill has been divided like this, it is open to doubt whether those penalties will apply to Chapter II also.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** Mr. Speaker, Sir, in the course of the speeches made by the two hon. gentlemen three points have been brought for our consideration.

The first is that we have been asked not to levy any tax on entertainments which are designed for an educative purpose including those in tea gardens. I am entirely at one with the hon. member who has thrown out that suggestion. I think that his object will be covered by the provision which we have already made for that purpose in the Bill. If, however, he is anxious to make it more clear I shall have no objection in accepting an amendment to be moved for this purpose when the Bill is taken up for consideration clause by clause (*applause*).

Secondly, Sir, the Leader of the Opposition has brought to my notice the question of exemptions from taxation of such entertainment which are arranged in time of floods or other calamities and the proceeds of which are given to mitigate the miseries of the people so affected. It is not our purpose to levy a tax or put any obstacle in the way of such philanthropic purpose the chief aim of which is to help the distressed people. If the hon. Leader of the Opposition is of opinion that this purpose will not be served by any of the provisions which we have made in the Bill, we shall have no objection in accepting the amendment deemed necessary by him.

Then, Sir, thirdly the point has been raised that entertainments which are given in clubs should also be exempted from a tax of this kind. In this connection I would like to add, Sir, that, if the show is for an educative purpose, we have no objection in giving such an exemption. But if the purpose of such entertainment is merely for providing the facility for a section of the public or for the members of the club, I see no reason why tax should not be levied for such amusement, which they would otherwise have got in a cinema house or other place of amusement. I would like to make it clear namely, that if the entertainment which will be given either in a club or elsewhere, or will be sponsored by amateurs or only for an educative purpose, we shall have no objection in giving the exemption. But if it is arranged for the sake of convenience of the members and is being given at the premises of the club instead of its being shown in a cinema house, there is no reason why such persons should not bear the tax.

Then, Sir, we have been told that the rates at which we wish to assess these people are very high. It is here that I do not see eye to eye with the hon. members who have protested against the high rates. I personally feel that the rates should have been even higher, because our purpose is two-fold. First of all, we realise that when people have got sufficient money to spend for amusement or for betting, they should also give up a certain portion of their income towards expenditure which will go to mitigate the miseries of

the poor people. Secondly, our purpose is also in checking habits of those people, who have no money yet would go to the races by depriving themselves of their necessities of life. We realise, Sir, that by going to races and by spending money on entertainments, many are depriving not only themselves but also persons who are depending on them for their support for the necessities of life. The rates we have suggested are neither harsh nor such as should be reduced.

I hope, Sir, I have satisfied those hon. members with regard to the objections they have raised. Our purpose is not to ban such amusements and entertainments which are either educative or the proceeds of which would go towards the help of the poor or distressed people. Our purpose is only to tax lavish expenditure.

**Mr. BAIDYANATH MOOKERJEE:** On a point of information, Sir. One point is not clear. Suppose an amusement is given in one's private compound and it is open to the public without requiring any price to be paid. I want to know whether Government will exempt that or not.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** There will be no question of taxation, because there will be no income.

**Mr. F. W. HOCKENHULL:** Just one point, Sir, the Hon'ble Finance Minister is not quite clear about it. In regard to entertainments given in clubs the hon. member who made the proposal is not asking for exemption in any shape. What he wants to clarify is just this. Where there is no ticket for admission the proprietor of the cinema show should be responsible for paying the tax rather than the club members who form the body corporate, and no question of exemption from payment arises. I hope the Hon'ble Minister will admit this case, because otherwise it makes very great complications and will upset a good many clubs which have only small memberships.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** That difficulty would be met.

**The Hon'ble the SPEAKER:** The question is:

"That the Assam Amusements and Betting Tax Bill, 1939, be taken into consideration."

The motion was adopted.

### **The Assam Motor Vehicles Taxation (Amendment) Bill, 1939**

**The Hon'ble Srijut GOPINATH BARDOLOI:** Mr. Speaker, Sir, I beg to introduce the Assam Motor Vehicles Taxation (Amendment) Bill, 1939.

(The Bill was introduced.)

**The Hon'ble Srijut GOPINATH BARDOLOI:** I beg to move, Sir, that the Assam Motor Vehicles Taxation (Amendment) Bill, 1939, be taken into consideration.

In making this motion I may state that while it is undoubtedly a taxation Bill, it is one which is the most innocent of all the Bills since introduced. There was some feeling in certain quarters, when the taxation proposal in reference to motor vehicle was first introduced, the amount of Rs.24 per year per car that was fixed then was considered lower in case of cars, particularly private cars. I suppose, most of us possess cars and we should be prepared to pay at least one rupee a month in order to make up the amount proposed in my Bill.

**The Hon'ble the SPEAKER:** Motion moved is:

"That the Assam Motor Vehicles Taxation (Amendment) Bill, 1939, be taken into consideration",

**Mr. F. W. HOCKENHULL\***: Mr. Speaker, Sir, I have only one remark to make about this motion. The Motor Vehicles Taxation (Amendment) Bill is so popular to the Police Department that they have already issued enhanced rates. *(Laughter.)*

**The Hon'ble the SPEAKER**: The question is:  
"That the Assam Motor Vehicles Taxation Amendment Bill, 1939, be taken into consideration."

The motion was adopted.

### The Goalpara Tenancy (Amendment) Bill, 1939

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED**: Mr. Speaker, Sir, I beg to introduce the Goalpara Tenancy (Amendment) Bill, 1939.  
(The Bill was introduced.)

Mr. Speaker, Sir. I beg to move that the Bill be referred to a Select Committee.

The Bill which deals with this matter is based on the principle of giving relief and for the purpose of improving the conditions and status of raiyats under the Zemindari Estate within the district of Goalpara. Matters dealing with the Bill are the following:—(1) reduction of occupancy transfer fee, (2) complete usufruct mortgage, (3) reduction of rent may be claimed in defence in any suit, (4) limitation of rent in case of under raiyats, (5) occupancy right to under raiyats, (6) Instalment of land rents, (7) land-lords allowed to credit any payment towards recoverable arrears, (8) reduction of the rate of interest, (9) abolition of damages on arrears of rent, (10) facilitating the division of tenancies and distribution of rents, (11) right of surrender to under tenants, (12) suspension of provision relating to enhancement of rent for a period of 10 years, and partial deposit of damages. It has the power to reduce the rent in exceptional cases and to prescribe such procedure for recovery of rent. Government have in this Bill tried to remove partially, if not wholly, the grievances of the peasants which they had against the Zemindars. Two other similar Bills, notices of which have been received, are proposed to be introduced by the private members. There is another matter, namely, the question of the abolition of the certificate procedure about which we want to make our position clear. We have proceeded in bringing this legislation on the specific grievances which were brought to our notice by the tenants. The certificate procedure has never been utilised either in Goalpara or in any other district, because it was provided that unless the records of rights were prepared it cannot be made use of. Sir, we have not provided for the deletion of this provision in our Bill because we feel that such action on our part would mean admission of a grievance which in fact does not exist.

**Maulavi MUHAMMAD AMJAD ALI**: On a point of information, Sir. Does the Hon'ble Minister mean to say that the certificate procedure is not complete in Goalpara?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED**: No, Sir. Certificate procedure is not made use of in Goalpara, at all.

**Maulavi MUHAMMAD AMJAD ALI**: What about Bijni and Mechpara?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED**: Certificate procedure is not made use of even then. So, Sir, if the hon. members desire that the provision relating to certificate procedure in the existing Act should also be deleted, this Government will have no objection in

\* Speech not corrected.

doing so, or why we have not provided in this Bill is for the reason that such change would imply to mean that this procedure was utilised by the Zemindars.

**Maulavi JAHANUDDIN AHMED :** May I know what is the utility of this chapter if it is not enforced ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** Sir, I do not myself see the utility of this chapter when it has not been utilised. It is for this reason I have made it clear that this Government will not oppose if it be the opinion of the hon. members of this House that this chapter should also be deleted.

**Maulavi MUHAMMAD AMJAD ALI :** On a point of information, Sir. Are we to understand that if there is any move on our part to do away with this particular chapter then Government will not oppose it ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** We are not going to oppose it, Sir.

**Maulavi GHYASUDDIN AHMED :** On a point of information. Are Government prepared to reduce section 170 which confers power on the Zemindars ?

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** No, Sir. Our Bill is there and it is open to the hon. members to make such changes as they like when the Bill comes up for consideration clause by clause. So I beg, Sir, to move that the Bill be referred to a Select Committee consisting of the following members.

**Maulavi JAHANUDDIN AHMED :** May I enquire.....

**The Hon'ble the SPEAKER :** The Hon'ble Minister has not yet finished his speech. After he has moved his motion the hon. members will have the right to speak as many points as they like. Now the hon. member should sit down.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** I beg to move that the Goalpara Tenancy (Amendment) Bill, 1939, be referred to a Select Committee consisting of the following members :—

- (1) Srijut Jogendra Chandra Nath,
- (2) Srijut Paramananda Das,
- (3) Mr. Jobang D. Marak,
- (4) Kumar Ajit Narayan Dev,
- (5) Srijut Santosh Kumar Barua,
- (6) Maulavi Muhammad Amjad Ali,
- (7) Maulavi Ghyasuddin Ahmed,
- (8) Maulana Abdul Hamid Khan,
- (9) Srijut Sarveswar Barua, and
- (10) The mover (The Revenue Minister).  
(4 members to form the quorum.)

**Maulavi GHYASUDDIN AHMED :** Sir, I suggest that the name of Maulavi Jahanuddin Ahmed may be included in the Committee.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED :** The Committee is already sufficiently big, and I think no addition should be made.

**Maulavi MUHAMMAD AMJAD ALI :** From this side of the House we have only got 3 members on the Committee, and I think addition of one member would not matter very much.

**The Hon'ble Mr. FAKHRUDDIN ALI AHMED:** I have taken four members from the Opposition in consultation with the hon. Leader of the Opposition.

**The Hon'ble the SPEAKER:** As I pointed out on other occasions, it is the right of the hon. Leader of the Opposition to supply names. If the Hon'ble Revenue Minister has included the names in consultation with the hon. Leader of the Opposition, I don't think it would be proper for any hon. member of the Opposition to suggest any addition or alteration in them.

**Srijut ROHINI KUMAR CHAUDHURI:** Sir, we only want that the number should be increased by one. The hon. Leader of the Opposition has only supplied the names according to the number prescribed by Government.

**Maulavi Saiyid Sir MUHAMMAD SAADULLA:** May I make a statement in this connection, Sir? The Hon'ble Revenue Minister asked me to supply him three names for Select Committee of the two Tenancy Bills. I consulted my party members and decided that the number allotted to us was too small. So I requested the Hon'ble Minister to increase the number and he made it four. Then I submitted four names to him in consultation with some of my party members.

**The Hon'ble the SPEAKER:** Motion moved is:—  
“That the Goalpara Tenancy (Amendment) Bill, 1939, be referred to a Select Committee, consisting of the following members:—

- (1) Srijut Jogendra Chandra Nath,
- (2) Srijut Paramananda Das,
- (3) Mr. Jobang D. Marak,
- (4) Kumar Ajit Narayan Dev,
- (5) Srijut Santosh Kumar Barua,
- (6) Maulavi Muhammad Amjad Ali,
- (7) Maulavi Ghyasuddin Ahmed,
- (8) Maulana Abdul Hamid Khan,
- (9) Srijut Sarveswar Barua, and
- (10) the mover (the Revenue Minister),  
(4 members to form a quorum.)”

**Maulana ABDUL HAMID KHAN:** Mr. Speaker, Sir, মাননীয় অর্থসচিব গোয়ালপাড়া প্রজাসভ আইনের যে সংশোধনী বিল উপস্থিত করিয়াছেন তৎপ্রতি লক্ষ্য করিবার জন্ত এই হাউসের সমস্ত সদস্যবৃন্দের দৃষ্টি আকর্ষণ করিতেছি। এই বিলে গোয়ালপাড়া জেলার লক্ষ লক্ষ হিন্দু, মুসলমান, খৃষ্টান দরিদ্র প্রজা শ্রায়সঙ্গত দাবীর প্রতি লক্ষ্য রাখিবার ব্যবস্থা না করিয়া মাননীয় অর্থসচিব নামমাত্র কয়েকজন জমিদারের প্রেমে আসক্ত হইয়া অথবা তাহারা দল হইতে চলিয়া গেলে মিনিষ্ট্রী দুর্বল হইবে এই ভয়ে ভীত হইয়া যে বিল আনয়ন করিয়াছেন তাহার ফলে গোয়ালপাড়া জেলার প্রজাসাধারণকে চিরকাল জমিদারদের গোলাম হইয়া থাকিতে বাধ্য হইবে। মাননীয় অর্থসচিবের সম্বন্ধে আনন্দবাজার পত্রিকায় দেখিয়াছি.....

**The Hon'ble the SPEAKER:** কোন একটা সংবাদপত্রে মাননীয় মন্ত্রীর সম্বন্ধে কি বলা হইয়াছে না হইয়াছে, আমার মনে হয়, এই আলোচনা উপস্থিত করা উচিত নয়।



**Maulana ABDUL HAMID KHAN :** গোয়ালপাড়া জেলার জমিদারদের জমিদারী সত্ত্ব কি ভাবে সৃষ্টি হইয়াছে অথবা তাহাদের আইনসত্ত্ব কি কি অধিকার আছে মাননীয় অর্থসচিব বোধহয় তৎপ্রতি দৃষ্টি করেন নাই তাই আমি গোয়ালপাড়া জেলার জমিদারী প্রথার কিছু বর্ণনা এই শাউসে দিতেছি। গোয়ালপাড়া জেলার ৩,২৮৫ বর্গ মাইল জমির ভিত্তর জমিদারী এলাকা হইল ৩,২৪০ বর্গমাইল। ১৬৬২ খৃঃাব্দে গোয়ালপাড়া জেলা দুইটা ভাগে বিভক্ত ছিল। একভাগে দুবড়ী, গোয়ালপাড়া, করাইবাড়ী এই তিন খানা উত্তর পূর্ব রংপুর নামে অভিহিত হইত এবং মোগল রাজাদের অধীনে ছিল। অপর অংশ পূর্ব দুয়ার নামে অভিহিত হইত এবং উঠা মোগল রাজাদের অধীনে ছিল। মোগল রাজাদের সময় উভয় অংশের সীমার সীমান্ত হইত।

**The Hon'ble the SPEAKER :** এই হিত্যাপের এত আবশ্যকতা নাই। এই বিলের মধ্যে যে ব্যবস্থা করা হইয়াছে তাহার কোন ব্যবস্থা মাননীয় সভ্যের মনোপুত হয় নাই এবং কোন ব্যবস্থা পরিবর্তন করা দরকার এবং কি ভাবে পরিবর্তন করা দরকার সেই বিষয়েই আলোচনা হওয়া উচিত।

**Maulana ABDUL HAMID KHAN :** আমি বলিতেছি যে গোয়ালপাড়া জেলার জমিদারদিগকে চিরস্থায়ী বন্দোবস্ত গভর্ণমেন্ট কোন কালেই দেন নাই। মাননীয় অর্থসচিব বোধ হয় সিলেট ও বাংলা বিহারের জমিদারী প্রথার প্রতি লক্ষ্য রাখিয়া বর্তমান বিল রচনা করিয়াছেন। ইহা করা সম্পূর্ণ ভুল হইয়াছে। এই বিল জমিদারদের স্বার্থের প্রতি লক্ষ্য রাখিয়া করা হইয়াছে। মাননীয় অর্থসচিব বোধহয় জানেন না যে গোয়ালপাড়ার জমিদারদের প্রজাদের উপর আইনসত্ত্ব কোনই অধিকার নাই। ইহারই ইতিহাস বর্ণনা করিবার আমার ইচ্ছা ছিল।

**The Hon'ble the SPEAKER :** কোন ব্যবস্থা জমিদারদের স্বার্থের প্রতি লক্ষ্য রাখিয়া করা হইয়াছে তাহা মাননীয় সভ্য দেখাইয়া দিবেন।

**Maulana ABDUL HAMID KHAN :** জমিদারদের নজরানা আদায় করিবার যে অধিকার দেওয়া হইয়াছে তাহা গভর্ণমেন্ট কোন দলিলে জমিদারদিগকে লিখিয়া দিয়াছেন তাহা জানিনা। জমিদারকে, জমি বিক্রয় দরুণ, প্রজা নজরানা দিতে বাধ্য থাকিবে এমন কোন অধিকার বা দলিল গভর্ণমেন্ট জমিদারকে দিয়াছেন বলিয়া আমি বিশ্বাস করিনা। আমি বলিতেছি যে গোয়ালপাড়ার জমিদারদের চিরস্থায়ী বন্দোবস্ত দেওয়া হয় নাই। হুজুরের বিষয় এই যে বর্তমানের জমিদার বন্ধ রাজস্ব সচিব প্রজার বাৎসরিক খাজনার দুই গুণ নজর দিবার ব্যবস্থা করিয়াছেন। প্রজার স্বাধীনতা থর্ক করা কিছুতেই সম্ভব হয় নাই। প্রজা জমি ধরিদ করিবে, তজ্জন্ত জমিদারকে কেন নজর দিবে তাহার কোন কারণ নাই ও থাকিতে পারেনা। তারপর ৩৩ ধারায় প্রজানা হ্রাসের যে ব্যবস্থা করা হইয়াছে তাহা মোটেই সন্তোষজনক নহে। প্রজার পক্ষে হাইকোর্ট পর্য্যন্ত জমিদারের সঙ্গে লড়াই করিয়া খাজানা হ্রাস করা সম্ভব নহে। বর্তমানে

খাশ মহলে শতকরা ৩৩ টাকা ও ২৫ টাকা হিসাবে প্রজাদের খাজানা হ্রাস হইবার ব্যবস্থা দেওয়া হইয়াছে, কিন্তু গোয়ালপাড়া জেলায় জমি প্রবল বন্ডা এবং গত ভূমিকম্পে অশাশন্যে পরিণত হইয়াছে ইহা গভর্ণমেন্ট অবগত থাকা সত্ত্বেও এবং অত্যধিক পরিমাণে পাট ও অন্যান্য ধান শস্যাদিরই মূল্য হ্রাস হওয়া সত্ত্বেও গভর্ণমেন্ট গোয়ালপাড়ার প্রজাদের খাজানা হ্রাসের ব্যবস্থা করেন নাই। খাশ মহলে যে ভাবে খাজানা হ্রাস হইবে, সেই পরিমাণে গোয়ালপাড়া জিলার প্রজাদেরও খাজানা হ্রাস হইতে পারিবে এই ব্যবস্থা ৩৩ ধারায় দেওয়া উচিত ছিল। তারপর গোয়ালপাড়া জিলার জমিদারদের সার্টিফিকেট পাওয়ার রহিত করিবার ব্যবস্থা করা হয় নাই। গোয়ালপাড়া জিলার প্রবল প্রতাপান্বিত জমিদারগণ আইনের ধার ধারেন না। তাহারা নিজেদের ক্ষমতা দ্বারাই সমস্ত করিতে সক্ষম। তাহাদের আইনের কোন দরকার করেনা। তাহারা প্রজাদিগকে কয়েক খানায় আবদ্ধ রাখিয়া অথবা আবশ্যিক হইলে জলে নামাইয়া রাখিয়া ও নানা প্রকারে প্রজার উপর উৎপীড়ণ দ্বারা খাজানা আদায় করেন। এমতাবস্থায় সার্টিফিকেট পাওয়ার তাহাদের দরকার হয়না। তারপর আবওয়াব স্বরূপ নজরানা, তলবানা ইত্যাদি নানা ভাবে প্রজাদের নিকট হইতে অস্থায়রূপে টাকা আদায় করা হয় তাহা রদ রহিত করিবার জন্য এই বিলে কোন ব্যবস্থা করা হয় নাই। প্রজা ১২ বৎসর কাল জমি ভোগ করিবার পর তাহার দখলীসত্ত্ব জন্মিবে বলা হইয়াছে। কিন্তু নদীতে জমি ভাস্কার দরুন বা অথ কোন নৈসর্গিক কারণে অনেক প্রজা সম্পূর্ণ ১২ বৎসর কোন জমি দখল করিতে পারেনা। এমতাবস্থায় ৬ বৎসরে দখলী সত্ত্ব দেওয়া উচিত ছিল। তারপর এই বিলে এমন কোন ব্যবস্থা করা হয় নাই যে জমিদার প্রজাদের নিকট হইতে এত টাকা খাজানা বাবদ আদায় করিতে পারিবে অর্থাৎ জমিদার গভর্ণমেন্টকে যত টাকা দেন তাহার চেয়ে কত বেশী জমিদার প্রজার নিকট হইতে আদায় করিতে পারিবেন। তাহা এই বিলে বলা হয় নাই। গোয়ালপাড়ার জমিদারগণ গভর্ণমেন্টকে বৎসরে মাত্র ১১,৪১১ টাকা খাজানা দেন কিন্তু তাহারা প্রজাদের নিকট হইতে বৎসরে প্রায় ৬২ লক্ষ টাকা আদায় করিয়া থাকেন। এমতাবস্থাতেও মাননীয় রাজস্ব সচিব তাহার বিলে জমিদারদিগকে সম্পূর্ণ সুবিধা দিবার প্রয়োজন মনে করিয়াছেন। প্রজার জমি নদী শিকণ্ডি হইলে জমিতে যে মাছ থাকিবে তাহা মারিবার অধিকার প্রজার নাই। জমিদারের মাছ ধারিবার সম্পূর্ণ অধিকার আছে ইহার কোন যুক্তিসঙ্গত কারণ আছে বলিয়া আমি মনে করি না। তারপর ধান, পাট শস্য ইত্যাদি খরিদ বিক্রয় করিতে ঘাটে বন্দার নৌকা বান্ধিলেই ব্যবসায়ীদের খুটাগারী টেক্স দিতে হয় ইহা সম্পূর্ণ অস্থায় প্রথা। গ্রামে ব্যবসায়ী না আসিলে কৃষক প্রজা কি করিয়া ফসল বিক্রয় করিবে? যদি ব্যবসায়ী গ্রামে নৌকা বান্ধিবার সুযোগ না পায় এবং তাহারা যদি গ্রামে না আসে তাহা হইলে প্রজাগণ জমিদারের উপর নির্ভর করিয়া কি করিয়া জীবন ধারণ করিতে পারে? প্রজাগণ নিজের জমির উপর কোন হাট বাজার করিলে তাহার লাভ মুনাফা জমিদারগণ সম্পূর্ণ

ভোগ করিয়া থাকেন—জমিদার হাটকর আদায় করেন। সিলেট টাউন টেনেন্সি বিলে সহরের প্রজাদের এই বিষয়ে যে অধিকার দেওয়া হইয়াছে মাননীয় রাজস্ব সচিবের উচিত ছিল সেইরূপ অধিকার গোয়ালপাড়ার প্রজাদেরও হেন। তারপর প্রজার জমিতে মন্দির, মসজিদ বা গীর্জা তৈয়ারি করিবার অধিকার প্রজাদের নাই। যদি কোন মুসলমান প্রজার জমি খাজানার দায়ে বিক্রয় হইয়া যায় এবং ঐ জমিতে যদি কোন মসজিদ থাকে তাহা হইলে ঐ মসজিদ নিলাম খরিদবার ইচ্ছা করিলে ভাঙ্গিয়া দিতে পারে কেননা পূর্ক প্রজার জমির উপর কোন অধিকার নাই। সেইরূপ যদি কোন হিন্দু প্রজার জমি বিক্রয় হইয়া যায় এবং ঐ জমির ভিতর কোন মন্দির থাকে তাহা হইলে ঐ মন্দির মুসলমান পরিদার ভাঙ্গিয়া ফেলিতে পারে কারণ মন্দির থাকি জমির উপর পূর্ক হিন্দু প্রজার কোন অধিকার থাকিবে না। বাহাতে প্রজারা স্বাধীন ভাবে ও নিষ্কররূপে নিজের জমিতে মন্দির, মসজিদ, গীর্জা প্রভৃতি স্থাপন করিয়া ধর্ম কর্ম করিতে পারে তাহার ব্যবস্থা মাননীয় রাজস্ব সচিব এই বিলে করেন নাই। তারপর জমিদারকে জোতদারগণ য পরিমান খাজনা দিয়া থাকেন তাহার ১০০ গুণ বেশী খাজনা প্রজার নিকট হইতে আদায় করিবার অধিকার দেওয়া হইয়াছে। ইহা সম্পূর্ণ অগ্রায় হইয়াছে। খুব বেশী হইলে শতকরা ২৫ টাকা বেশী দিবার ব্যবস্থা করা উচিত ছিলনা ১০০ বিঘা জমি যে প্রজা ভোগ করে যদি তাহার অধিকাংশ জমি ভূমিকম্প বা বন্যা বা অন্য কোন নৈসর্গিক কারণে নষ্ট হইয়া যায় তাহা হইলেও সেই জমি জমিদারের নিকট ইস্তফা দিবার অধিকার এই বিলে দেওয়া হয় নাই। যে জমিতে ফসল হয় না, পড়িয়া থাকে সেই জমির খাজনা প্রজা কি ভাবে দিবে? গোয়ালপাড়া জিলার যে সমস্ত কংগ্রেস কমিটি আছে সেইসব কমিটির সেক্রেটারী ও সদস্যবর্গ সকলে মিলিয়া মাননীয় রাজস্ব সচিবের নিকট এই সব পতিত জমির খাজনা রেহাই দিবার ব্যবস্থা করিবার অনুরোধ করা সত্ত্বেও তিনি বিলে একরূপ কোন ব্যবস্থা করেন নাই। তখন তিনি বলিয়াছেন যে বিহারের গভর্নমেন্ট এই বিষয়ে যে ব্যবস্থা করিয়াছেন তিনিও সেই ব্যবস্থা অবলম্বন করিবেন। এখন বিলে তাহার কিছুই করা হয় নাই।

**Maulavi MUHAMMAD AMJAD ALI:** ভুলে গেছেন।

**Maulana ABDUL HAMID KHAN:** বোধ হয় ভুলিয়া গিয়াছেন (laughter)। গোয়ালপাড়া জিলার প্রজাদের যে অবস্থা এবং বর্তমান শস্যের ও পাটের মূল্য হ্রাসের প্রতি লক্ষ্য রাখিয়া খাজনা হ্রাস করিবার ব্যবস্থা করা নিতান্ত দরকার। গভর্নমেন্টকে ১১,৪১১ টাকা দিয়া প্রজাদের নিকট হইতে উহার ৬২,০০,০০০ (ষাষটি লক্ষ) টাকা আদায় করেন। এমতাবস্থায় প্রজাদের পক্ষ হইতে কিছু বলিলে জমিদারের বিরুদ্ধে অগ্রায় কিছু বলা হইয়াছে বলিয়া বলা যাইতে পারেনা। খাস মহালে যে হিসাবে খাজনা আদায় হয় গোয়ালপাড়ায় সেইভাবে খাজনা আদায় করিলে আমাদের কোন আপত্তি থাকিতে পারে না। তারপর প্রত্যেক জমিদারী ফরেষ্টের কাঠ বিক্রি করিবার সময়

জমিদারগণ প্রজার নিকট হইতে ২১০ পয়সা হিসাবে লোকেল রেট আদায় করিয়া থাকেন। লোকেল রেটের এক পয়সাও জমিদারগণ গভর্ণমেন্টকে দেন না। এই অস্তায় লোকেল রেট আদায় করা সত্ত্বেও জমিদারদের স্বার্থ হানি কোথায় হয় জানি না। বিশেষ করিয়া প্রজাদের শাল, শিশু, সেগুন ইত্যাদি গাছ রোপন করিবার অধিকার প্রজাসত্ত্বে আইনে না দেওয়াও, প্রজার ঘোর অনিষ্ট হইতেছে। আজ যদি গোয়ালপাড়া প্রজারা তাহাদের নিজদের জমিতে শাল, শিশু, সেগুন বুনিতে পারিত তাহা হইলে প্রজা কত লাভবান হইত। প্রজার অধিকার আছে কেবল আম, কাঠাল গাছ বুনিতে এবং তাহার ফল ভোগ করিতে। দুখের বিষয় এই যে গোয়ালপাড়া জেলার প্রজারা আম, কাঠাল ফলও ভোগ করিতে পারে না কেননা গোয়ালপাড়া জিলায় যে রকম বালু পরা মাটি তাহাতে গাছের ফল ভাল হয় না। তারপর প্রজারা এই গাছের কেবল ফল ভোগ করিতে পারে, কাঠ ব্যবহার করিতে পারে না। গোয়ালপাড়া জেলার প্রজাদের শাল, সেগুন, শিশু গাছ বুনিবার অধিকার দেওয়া নিতান্ত উচিত ছিল।

কংগ্রেস পার্টি দেশকে স্বাধীন করিবার চেষ্টা করিতেছে কিন্তু বিদেশী ইংরেজ গভর্ণমেন্টকে তাড়াইয়া দিয়া দেশে জমিদারদের অত্যাচার চিরকালের জন্য কায়েম করিয়া রাখার কোন মূশ্য নাই। যে দেশের প্রজার নিজের জমিতে গাছ রোপন করিবার অধিকার নাই সেই দেশের গভর্ণমেন্টের স্বাধীনতার কথা বলার কোনই মূল্য নাই। মাননীয় রেভিনিউ মিনিষ্টার আসাম লেগু রেভিনিউ ম্যেজিস্ট্রেট যদি বিশেষ করিয়া দেখেন তাহা হইলে বুঝিতে পারিবেন যে তিনি এই বিলের দ্বারা গোয়ালপাড়া জেলার প্রজাদের স্বার্থ হানি করিয়াছেন কিনা। ঐ ম্যেজিস্ট্রেটে গোয়ালপাড়া জিলায় প্রজাসত্ত্বে সম্বন্ধে বিশেষ বর্ণনা দেওয়া হইয়াছে। গভর্ণমেন্ট রিপোর্টে পর্য্যন্ত বলা হইয়াছে যে গোয়ালপাড়া জিলায় জমিদারদিগকে প্যামেন্ট সেটেলমেন্ট দেওয়া হইয়াছে কিনা তাহার সম্বন্ধে বিশেষ সন্দেহ রহিয়াছে। মোগল রাজাদের সময় গোয়ালপাড়ার জমিদাররা যে খাজনা দিত এখনও সেই হিসাবেই দিতেছে প্যামেন্ট সেটেলমেন্টের জন্য তাহাদের সহিত ব্রিটিশ গভর্ণমেন্টের কোন হুতন বন্দোবস্ত হয় নাই। এমতাবস্থায় জমিদারদের কি কি আইন সঙ্গত অধিকার আছে তাহার নিরপেক্ষ বিশেষ তদন্ত করিয়া দেখা উচিত এবং গভর্ণমেন্ট প্রজার স্বার্থের প্রতি বিশেষ লক্ষ রাখা দরকার অন্যথা গোয়ালপাড়ার প্রজাদের উপর বিশেষ অবিচার করা হইবে। আমি দীর্ঘকাল যাবৎ গোয়ালপাড়া জিলায় প্রজাবর্গের দুর্দশার প্রতি গভর্ণমেন্টের দৃষ্টি আকর্ষণ করিয়াছি কিন্তু গভর্ণমেন্ট আমার কথায় এতদিন পর্য্যন্ত কোন দেন নাই। আমি গতবার এই সম্বন্ধে একখানি বিল উত্থাপন করিয়াছিলাম কিন্তু মাননীয় গভর্ণর বাহাদুর তাহা বাতিল করিয়া দিয়াছেন। গতবার পুনরায় ভূতপূর্ব রেভিনিউ মিনিষ্টার একখানি বিল আনয়ন করিয়া উহা সিলেক্ট কমিটিতে দিয়া ছিলেন কিন্তু মিনিষ্ট্রি চলিয়া যাওয়ায় ঐ বিলের কিছুই হইল না। এখন আবার হুতন রেভিনিউ মিনিষ্টার একটি বিল আনিয়াছেন এবং ঐ বিল সিলেক্ট কমিটিতে দিবার ব্যবস্থা

করিয়াছেন হয়ত এই মিনিষ্টি ও চলিয়া যাইবে এবং বিল সিলেক্ট কমিটিতেই থাকিয়া যাইবে (laughter)। এই বিল সিলেক্ট কমিটিতে দেওয়ার আশি বিপক্ষে কে-না ইহাতে কোনই লাভ নাই। এই বিল সিলেক্ট কমিটিতে না দিয়া এখনই ন্যায় সঙ্গত ও বিচক্ষণভাবে বিচার করিয়া গরিব হিন্দু মুসলমান প্রজাদের স্বার্থের প্রতি লক্ষ্য রাখিয়া এই বিলে যেন ব্যবস্থা এখনই করা হয়—কেবল সিলেক্ট কমিটিতে দিয়া, দেয়া করিয়া গরিব প্রজাদের উপর যেন জুলুম করিবার ব্যবস্থা করা না হয়। পাশবস্তি বাংলা দেশের জেলাগুলিতে এই সময় প্রজাকে অনেক অধিকার দেওয়া হইয়াছে। রংপুর জেলায় জমিদারের উচ্ছেদ অধিকার উঠাইয়া দেওয়া হইয়াছে এবং প্রজারা নানাভাবে তাহাদের ন্যায় সঙ্গত অধিকার ভোগ করিতেছে কিন্তু ভ্রমের বিষয় যে গোয়ালপাড়া জিলার প্রজাদের দুর্দশার প্রতি পুনঃ পুনঃ গভর্ণমেন্টের দৃষ্টি আকর্ষণ করা সত্ত্বেও প্রজাদের প্রতি গভর্ণমেন্ট দৃষ্টি দিতেছেন না। সুতরাং আমি আশা করি যে এই বিল সিলেক্ট কমিটিতে না দিয়া এই হাউসেই বাহাতে শীঘ্র পাশ হয় তাহার ব্যবস্থা করা হউক। ইহাই আমার অনুরোধ।

**Maulavi MATIOR RAHMAN MIA:** Mr. Speaker, Sir, মাননীয় রেভিনিউ মিনিষ্টার গোয়ালপাড়া প্রজাস্বত্ব আইন সংশোধনী যে বিল আনয়ন করিয়াছেন ঐ বিলে গোয়ালপাড়া জেলার জমিদারদের যে সমস্ত বিষয়ে সুবিধা দেওয়া হইয়াছে তাহা প্রজাদের পক্ষে ঘোর অনিষ্টকর কাজেই ইহার নাম প্রজাস্বত্ব আইন না দিয়া জমিদার স্বত্ব আইন দিলে অত্যুক্তি ছিলনা। কারণ প্রজার ক্ষতিজনক বহু বিষয় আছে এই বিলে উহা রদ রাখতের কোন ব্যবস্থা উত্থাপন করা হয় নাই সেই সম্বন্ধে আমি আপত্তি করিতে চাই এবং এক একটা করিয়া উক্ত প্রজার ক্ষতি জনক বিষয় আশি এই হাউসে উপস্থিত করিব। গোয়ালপাড়ার জমিদারগণ সর্বপ্রকার জমির পত্তন প্রার্থী প্রতি দরখাস্তে প্রজার নিকট হইতে ওয়ার্ডস ষ্টেটের অধীনে ১২ হিসাবে অপর্যাপ্ত প্রাইভেট ষ্টেটে ও সমস্ত জোতদারগণ ২—৩ বা তদোধিক টাকা দরখাস্ত নজর বলিয়া অত্যন্ত ভাবে আদায় করেন উহা রহিত এবং রদ হওয়া উচিত। খাস পতিত জঙ্গল জমির পত্তন কালিন প্রতি বিষয় ১২ হইতে ৫০২ তক খাস পত্তন নজর প্রজার নিকট হইতে আদায় করেন। জমিদার ও জোতদারগণ জমির জঙ্গল নিজ নিজ খরচায় পরিষ্কার ক্রমে আবাদের উপযুক্ত করিয়া দিলে উহার নজর পাইতে পারেন, অন্যথায় প্রজাগণ নিজ নিজ খরচায় জঙ্গল পরিষ্কার করিয়া আবাদের উপযুক্ত করিলে জমিদার ও জোতদারগণের উক্ত প্রকার নজর নেওয়া কোন রূপেই সঙ্গত নয়। জমিদার ও জোতদারগণ তাহাদের নিজ নিজ মাহিয়ানা ভুক্ত বরকন্দাজ বা পিয়ন দ্বারা জমি পত্তন সম্বন্ধে সাধারণের আপত্তি বিপত্তি জানিবার জন্য দরখাস্তকারী প্রত্যেক প্রজার নিকট হইতে নোটিশ ফি বাবৎ ১০ চারি আনা হিসাবে আদায় করেন উহা অত্যন্ত অন্যায় এবং অসঙ্গত। খারিজ দাখিল ও খাস পত্তন প্রার্থী প্রত্যেক প্রজার নিকট হইতে ১২ হিসাবে জরিপ ফি

বলিয়া আদায় করা হয় ইহাও নিতান্ত অন্যায, কারণ জমিদার ও জোতদারগণের মাফিনায় ভুক্ত আমিন দ্বারা উক্ত জমি জরিপ করান হয়। প্রজাগণ পরস্পরের মধ্যে নিজ নিজ খাজনা দেওয়া গুজস্তাভুক্ত জমি খরিদ বিক্রয়ের অথবা ওয়ারিশী অংশ পৃথক পৃথক নামে উঠাইবার সময় খরিদা জমির খরিজ দাখিল ফি খাজনার তিনগুণ অথবা মূল্যের শতকরা ১০\ হিসাবে নব্বয় আদায় করেন উহা এবং নামজারি ফি কোন প্রকারেই আদায় হওয়া সম্ভব নয়। বাংলা দেশের মত প্রতি দরখাস্তে মং মাত্র ১\ নামজারী ফি হওয়া উচিত ছিল।

ছন বন কর বলিয়া প্রত্যেক গুজস্তা ভুক্ত প্রজার নিকট হইতে প্রতি বৎসর খাজনার সঙ্গে সঙ্গেই অন্যায ভাবে ১।।০ হিসাবে লোকেল পাশ আদায় করা হয় ও কতিপয় জমিদার জোতদারের নিজেদের পুণ্যাহের জন্য পুণ্য খরচ বলিয়া প্রত্যেক প্রজার কাছ থেকে ।।০ হইতে ১\ হিসাবে প্রতি বৎসর প্রত্যেক প্রজার নিকট হইতে আদায় করেন, এবং প্রজা ২০\ টাকার অতিরিক্ত খাজনা আদায় দিলে জমিদার ও জোতদারগণ প্রত্যেক প্রজার নিকট হইতে প্রত্যেক দাখিলায় টীকেট খরচ দরুন এক আনা করিয়া ও দাখিলা খরচ বাবদ এক আনা করিয়া অবৈধ ভাবে আদায় করিয়া থাকেন ইহা এবং তহরী, পরবী, তলবানা, মুণ্ডলি, ভেটা, মরচা বেগার ভাণ্ডারি ঈশ্বর বৃত্তি, কালীবৃত্তি ইত্যাদি উপরোক্ত সমস্ত আবগার আদায় করেন, ঐ সমস্ত আদায় রদ রহিত করা সম্ভব এবং উহা আদায় বে আইনী ঘোষণা করা উচিত এবং উক্ত প্রকার কেহ করিলে তাহাকে ফৌজদারীতে সোপর্দ করা সম্ভব।

জোতদারগণ জমিদারকে আদায় দেওয়ার অতিরিক্ত লোকেল রেট নামে বহু টাকা প্রজার নিকট হইতে প্রতি বৎসর আদায় করিয়া উহার অধিকাংশই নিজেরাই আত্মসাৎ করেন, উহা আদায় রদ রহিত এবং বে আইনী বলিয়া ঘোষণা করা উচিত।

প্রজারা নিজেদের মধ্যে নিজ নিজ উৎপন্ন ফসল বা গৃহজাত জিনিষ হাট বাজারে খরিদ বিক্রয়ের খাজনা জমিদারগণ অন্যায ভাবে প্রজাদের নিকট হইতে আদায় করিয়া থাকেন। যেমন এক আনায় তরকারী বা দুধ বা অন্য যে কোন জিনিষ বিক্রয় করিলে প্রত্যেকের নিকট হইতে এক পয়সা দুই পয়সা হিসাবে এবং ধান পাটের মণ প্রতি এক আনা দুই আনা তকও হাটকর আদায় করিয়া থাকেন। ইহাতে প্রজার ভীষন ক্ষতি হয়। কাজেই প্রজাদের পরস্পরের মধ্যে জিনিষ খরিদ বিক্রয়ের খাজনা রহিত করা সম্ভব। বরং ব্যবসায়িক যাহারা, উক্ত জিনিষ খরিদ বিক্রয়ের ব্যবস্থা করিয়া পয়সা উপার্জন করে তাহাদের নিকট হইতে এই খাজনা আদায় করা যাইতে পারে। প্রজা-গণ হাট বাজারে বা কোন বন্দরে ছোট বর কোন নৌকা ধরাইলেই ১০ আনা হইতে ১\ টাকা তক খুটাগাড়ী খাজনা আদায় করা হয়। ইহাতে প্রজাগণ সুবিধা মত উপযুক্ত মূল্যে যথা ইচ্ছা তথা শয্য খরিদ বিক্রয় করিতে পারেনা—উহা এবং ভিন্ন স্থান হইতে

কোন ব্যবসায়ী প্রজার জিনিস খরিদ করিলে প্রতি মণে ১০ আনা হইতে ১০ আনা বা ততোধিক ভাবনা খাজনা আদায় করা হয় এবং ইহাতে প্রজা ধানা পাট ইত্যাদি বিক্রয় করিলে মণ প্রতি ১০ আনা হইতে ১০ আনা বা ততোধিক মূল্যে কম পায়। প্রজার উৎপন্ন শস্য উপযুক্ত মূল্যে বিক্রয় হওয়ার জন্য খুটাগাড়ী ও ভাবাণ মহাল উঠাইয়া দেওয়া আশু দরকার।

প্রজাগণ এ বাবৎ খাল, বিলে, নদী, নালায় নিজ নিজ ইচ্ছামত খাওয়ার মাছ ধরিত, কিন্তু কিছুদিন বাবত প্রজাকে কোথাও কোন খাল, বিল, নদী, নালায় মাছ ধরিতে দেওয়া হয় না। বরং উণ বিদেশী মাঝিকে ইজারা দেওয়া হয়। ইজারদাবণ। সেই সমস্ত জলাশয়ে কাহাকেও নামিতে দেয় না। তদরূপ প্রজার মাছ খাওয়া, জল পান করা গরু মহিষ ইত্যাদির জল পান, গা ধোয়ার অত্যন্ত অসুবিধা হইয়াছে। কাজেই প্রজাগণের সর্বত্র ইচ্ছামত খাওয়ার মাছ পূর্ববর্ত মারিবার অধিকার এবং চৈত্র মাসে ৫ হাত পর্যন্ত থাকা গভীরতা জলাশয়ে সর্বত্র প্রজাদের ও সর্বসাধারণের সুবিধার জন্য এবং পশুদির ব্যবহারের জন্য রিজার্ভ রাখা দরকার।

কৃষিক্রীবি প্রজার গরু, মহিষ, বোড়া ইত্যাদি পশুর বাস খাওয়ার জন্য এবং প্রজার ঘর বাড়ী তৈয়ার ও রক্ষার সাহায্যের জন্য এবং স্কুল, মাদ্রাসা, পুকুর, নমাজেব মাঠ, মসজিদ, কালীবাড়ী ইত্যাদী সর্বসাধারণের উপকারার্থে ও ধর্ম কার্যের সুবিধার জন্য ঐ সমস্ত স্থান রিজার্ভ রাখা একান্ত দরকার।

গোয়ালপাড়া প্রজাসভ আইনে ৩৩ ধারায় খাজনা কনের প্রথা আছে কিন্তু প্রবল পরাক্রান্ত জমিদারের সহিত জুঝিয়া গরিব কৃষক কখনই খাজনা কনাইতে পারে না। কাজেই কোন নৈসর্গিক কারণে যথা ভূমিকম্পে জমি নীচু বা উচু হইলে বা নদীর ঢালায় জমিতে বালু পড়িয়া জমির উর্বরতা শক্তি হ্রাস হইলে, ও শস্যের মূল্য কম হইলে যেমন বর্তমানে গোয়ালপাড়া জিলার অবস্থা হইয়াছে—এই সমস্ত অনিবার্য কারণে বিনা মামলায় জমির খাজনা উপযুক্ত পরিমাণ কম করা নিতান্ত দরকার।

অতিরিক্ত ঝড়ায়, খরায় বা অকাল প্লাবনে কিম্বা ভূমিকম্পে অথবা নদীর ঢালায় এবং কীট পতঙ্গে প্রজার শস্যাদি নষ্ট করিলে ঐ বৎসরের জন্য প্রজার খাজনা সম্পূর্ণ রেমিশন হওয়া দরকার।

সার্টিফিকেট মামলা প্রজার ঘোর অনিষ্টকারী; যমদূত স্বরূপ। কারণ অনিবার্য কারণে প্রজাগণ যথা সমস্ত খাজনা দিতে না পারিলে, কিন্তু খেলাপী সূদ ইত্যাদি ধরিয় মামলা দায়ের ক্রমে প্রজার স্থাবর সম্পত্তি সম্পূর্ণ হস্তান্তর করিবার নিষেধ দিয়া অস্থাবর সম্পত্তি—যথা হালের গরু, খাওয়ার ধান, চাউল, বাসন তৈজসপত্র ইত্যাদি ক্রোক বিক্রয়

দ্বারা প্রজ্ঞাকে সর্বশাস্ত করিয়া পণের কাঞ্চাল সাঁজাইয়া উহাতেও টাকা আদায় না হইলে পরে জমিও নিলাম বিক্রয় করিয়া নেওয়া হয়। কাজেই উক্ত আইন রদ রহিত করিয়া যে জমির খাজনা বাকী পরিবে উক্ত জমি জমিদার বা জোতদার নিজে খাস দখলে নিয়া উহার উৎপন্ন শস্যের দ্বারা বকেয়া খাজনা আদায় হইলেই প্রজ্ঞাকে তাহার নিজ নিজ জমি ফেরত দিবে। প্রজ্ঞাগণ ওমিতে শস্য আবাদ না করিলে অথবা উক্ত জমিতে শস্য না জন্মিলে তৎকালের সেই জমির খাজনার জন্য প্রজ্ঞাগণ দায়ী হইবে না ও কোন জমির খাজনার জন্য কখনও প্রজ্ঞার অস্থাবর কোন মালগাজল ক্রোক নিলাম বিক্রয় করিতে পারিবে না এবং কখনও কোন অবস্থাতেই প্রজ্ঞার জমি জমিদার জোতদারগণ হস্তান্তরিত করিতে পারিবেন না। জমিদার জোতদার খাজনার মালিক—তাহাদের শুধু খাজনা পাইবার অধিকার থাকিবে প্রজ্ঞার জমির উপর কোন হস্তক্ষেপ করিতে পারিবে না। জমিদারকে প্রজ্ঞার খাজনা আদায় করিবার জন্য মাননীয় রাজস্ব সচিব যে, অতিরিক্ত ক্ষমতা তাঁহার আনিত গভর্ণমেন্ট বিলে দিয়াছেন উহা অত্যন্ত অন্যায্য হইয়াছে। আশা করি তিনি উহা প্রত্যাহার করিবেন।

প্রজ্ঞাগণ নিজ নিজ খাজনা দেওয়া জমিতে নিজ নিজ ইচ্ছা মত, জমিদার জোতদারের বিনা অনুমতিতে, বিনা নজরে যথা ইচ্ছা সর্বপ্রকার মূল্যবান বৃক্ষাদি রোপন ও ছেদন করিতে, পুকুর জলাশয় খনন করিতে, ইমারতাদি তৈয়ারি করিতে পারিবে। তাহাতে কেহ কোন বাধা জন্মাইতে পারিবে না, করিলেও উহা গ্রাহনীয় হইবে না।

জমিদার ও তদধীন জোতদারের প্রজ্ঞাগণ তাহাদের নিজ নিজ ব্যবহারের জন্য বিনা খাজনায় বা বিনা পাশে লাঙ্গল, জোয়াল, বেদা, ইকরা, খরি, খের, খাম, খুটা, বাগ ইত্যাদি জিনিষ জমিদারের খাস জমি বা পাহার হইতে সংগ্রহ করিবার অবাধ অধিকার দেওয়া একান্ত দরকার।

জমিদার এবং জোতদারগণ নিজ নিজ প্রজ্ঞার নিকট হইতে আদায়ী খাজনার টাকার শতকরা ২৫ টাকা হিসাবে প্রজ্ঞার হিতার্থে ব্যয় করিয়া প্রতি গ্রামে গ্রামে নিজ নিজ মাতৃ ভাষায় শিক্ষার ব্যবস্থা, গ্রামে গ্রামে কুয়া, ইন্দারা, জলাশয় খনন, ডাক্তারখানা স্থাপন, রাস্তা তৈয়ার, গরিব প্রজ্ঞাকে বৃত্তি, ষ্টাইপেণ্ড ও প্রজ্ঞার সর্বপ্রকার সাহায্যের ব্যবস্থা করিয়া তাহাদের শিক্ষা দীক্ষা এবং সর্ব প্রকার উন্নতির সাহায্যের ব্যবস্থা করা দরকার। স্বাভাবিক কারণে, যথা অকাল প্লাবন, অজন্মা অত্যধিক বর্ষায় বা রৌদ্রে অথবা অপন্ন দিগকে রক্ষা করিবার জন্য টাকা, পয়সা, ধানা, চাউল, ঔষধ, পথ্য, কাপড়, গরু, বীজ, ইত্যাদির দ্বারা উপযুক্ত সাহায্য করিবার জন্য প্রতি বৎসর জমিদার ও জোতদারগণ নিজ নিজ এলাকার প্রজ্ঞার নিকট হইতে আদায়ী টাকার মধ্য হইতে উপযুক্ত পরিমাণ টাকা একটি রিলিফ ফাণ্ডে রাখিয়া উক্ত ফাণ্ডের টাকা গভর্ণমেন্টের হাতে জমা রাখা দরকার।



এই সমস্ত বিষয়ের আমাদের মাননীয় রাষ্ট্র সচিব গোয়ালপাড়া প্রজাবহু সংশোধন বিলে কোন স্থান দেন নাই। আমি ইতিপূর্বেও এই সমস্ত বিষয় জানাইয়াছি ও শুনাইয়াছি এবং এখনও শুনাইতেছি। আশাকরি এখন এই সমস্ত বিষয় বিশেষ ভাবে বিবেচনা করিয়া মাননীয় রাষ্ট্র সচিব গোয়ালপাড়ার প্রজাবহু বাহাতে সুবিধা হয় ও তাহার বাঁচিয়া থাকিতে পারে তাহার ব্যবস্থা অবশ্য করিবেন। ইহাই আমার অনুরোধ।

**Maulavi JAHANUDDIN AHMED:** Mr. Speaker, Sir, first of all I will go to the proceedings of the last session on this subject. During that session some of us introduced the Goalpara Tenancy (Amendment) Bill and the Hon'ble Minister in charge of Revenue and Finance gave us an assurance of accepting the principles of the Bill. I will now read what was said by the Hon'ble Finance Minister at that time. He first of all opposed the Government Bill which was sponsored by hon. Srijut Rohini Kumar Chaudhuri the then Minister in charge of Revenue because he did not agree with the principles of that Bill. So he said, "So far as the present Government is concerned, we consider that the principles involved or incorporated in the Bill introduced by the previous Government do not meet the requirements or the benefits we would like to give to the tenants of the two districts concerned. So if we accept the principles of those Bills, we would be failing in our duty by not bringing measures which, we think, will bring relief to the people. So far as this Government is concerned, we do not propose to proceed with the Bill introduced by the previous Government." Then, Sir, as regards the Bill introduced by Srijut Jogendra Chandra Nath the Hon'ble Finance Minister said: "So I would suggest that the hon. member who has introduced this Bill should withdraw the same on the undertaking that Government, at the next session, will introduce a Bill which will meet the requirements and give relief to the tenants concerned." Then regarding the Bill introduced by Maulana Abdul Hamid Khan the Hon'ble Minister said: "I am in agreement with all the sentiments which have been expressed by my hon. friend Maulana Abdul Hamid Khan in moving the motion for reference of the Bill to a Select Committee. Sir, I would like to point out to him that what he proposes to achieve for the poor tenants by this Bill is also the intention of Government, that is to say, of giving relief to the poor tenants of his district, and I, Sir, made a request to him that this purpose would be better served and would be earlier served if he had given an opportunity to Government to introduce the Bill during the next session. I am opposing the present motion *not because I am against the principle or the measures* which he wants to introduce for giving relief to the poor tenants, but I am simply opposing it, at this stage, in order to help the poor tenants at an earlier date."

Now, Sir, I would like to go into details with regard to the Bill which the Hon'ble Revenue Minister has introduced for the poor tenants of Goalpara to give them relief at an earlier date.

Now, in this Bill he has made a provision which we used to enjoy so long without paying a single pie, but now we are to pay something more to the zemindars.

(At this stage the clock struck 4 P.M.)

**The Hon'ble the SPEAKER:** Order, order. The House stands adjourned to 2 P.M. to-morrow.

#### Adjournment.

The Assembly was then adjourned till 2 P.M. on Friday the 17th March 1939.

Shillong:

The 4th May, 1939.

A. K. BARUA,

Secretary, Legislative Assembly, Assam.

## EXPLANATORY NOTE REGARDING THE PROHIBITION OF OPIUM

It is proposed to introduce the experiment of total prohibition of raw opium in the Sibsagar subdivision of Sibsagar district and Dibrugarh subdivision of Lakhimpur district (except the area north of the Brahmaputra river) with effect from the 15th April 1939, or 1st *Bohag*. This will entail the provision of a special staff, including doctors whose medical assistance will alleviate the physical sufferings of the consumers when deprived of their dose and so far as possible help to wean them from the habit. Elsewhere the rations of all consumers will be progressively reduced by one-eighth part per quarter so that all will have disappeared within two years. The actual details of the expenditure involved will depend upon the experience gained in actual practice. The Excise Commissioner has been appointed to be Prohibition Commissioner. It is anticipated that a sum of one and a quarter lakhs will be required for staff (Preventive and medical), propaganda, etc., as detailed below. In respect of propaganda the utmost use will be made of unofficial temperances agencies. The Prohibition Commissioner will discharge the work in addition to his ordinary duties as Excise Commissioner and therefore no additional cost is entailed on his account excepting expenses in travelling. As the experiment proves successful the official staff will move to other areas, and it is expected to cover the whole Province within two years: the ultimate cost is therefore at most two lakhs and a half.

Meanwhile accelerated reduction of rations will be in force in other areas: it is expected that the loss of revenue will be Rs.3,70 in the areas of prohibition, and altogether it may be a little over 5 lakhs, which have been taken into account on the receipt side. The reduction in expenditure on purchase of opium will be Rs.68 below that provided in the budget, which is a saving. It was however impossible to include the expenditure in the main budget and the authority of the Assembly is therefore sought for incurring charges under the scheme. On the basis of estimates sought for be now prepared the Assembly will be asked to make a supplementary grant at a later session.

	Rs.
Travelling Allowance of Prohibition Commissioner	2,000
Two staffs of ditto (11 months at Rs.45 per month).	990
Two Assistant Prohibition Commissioners (11 months).	4,400
Travelling allowance of ditto (11 months)	2,200
Assistant Surgeon at Rs.150 per mensem (11 months).	1,650
Travelling allowance of ditto ...	1,100
Allowance to Local Board Doctors (13) at Rs.20 per mensem (11 months).	2,860
Eleven Sub-Assistant Surgeons at Rs.70	8,470