



**Proceedings of the Seventh 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  
Tuesday, the 5th March, 1940

PRESENT

The Hon'ble Mr. Basanta Kumar Das, Speaker in the Chair, the ten  
Hon'ble Ministers and 85 members.

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**QUESTIONS AND ANSWERS**

**STARRED QUESTIONS**

(to which oral answers were given)

*Re* period of office held, the number of days spent on tour and the  
amount of travelling allowances drawn, by the Congress-Coali-  
tion Ministry and the present Ministry

Babu LALIT MOHAN KAR asked :

\*101. Will Government be pleased to lay on the table a statement  
showing—

- (a) The period for which each of the Hon'ble Ministers has held office up to 21st February, 1940 ?
- (b) The number of days for which each of the Hon'ble Ministers was on tour during the said period ?
- (c) The total amount of allowance already drawn by, as well as the amount that has become due to each of the Hon'ble Ministers for himself and his establishment, on account of his touring during the said period ?

\*102. Will Government be pleased to state—

- (a) The period for which the Congress-Coalition Ministry held office during the year 1939-40 ?
- (b) The total amount of travelling allowance drawn by the members of the Congress-Coalition Council of Ministers during the year 1939-40 ?
- (c) The period for which the present Ministry held office during the year 1939-40 ?
- (d) The total amount of travelling allowance already drawn by as well as the amount that has become due to the members of the present Council of Ministers during the year 1939-40 ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

101. (a), (b) & (c)—A statement has been laid on the table :

*Statement referred to in reply to starred question No. 101(a), (b) and (c)*

Hon'ble Ministers	Period for which office has been held up to 21st February, 1949	No. of days spent on tour	Total amount drawn by each Hon'ble Minister	Total amount drawn by the establishment of each Hon'ble Minister
1	2	3	4	5
			Rs. a p.	Rs. a p.
Hon'ble Prime Minister.	3 months and 4 days.	34	667 11 0	707 14 0
Hon'ble Minister, Education.	Ditto ..	36	896 11 0	631 5 0
Hon'ble Minister, Agriculture.	Ditto ..	28	677 8 0	613 0 0
Hon'ble Minister, Medical.	Ditto ..	32	666 8 0	643 15 0
Hon'ble Minister, Local Self-Government.	Ditto ..	46	983 15 0	757 7 0
Hon'ble Minister, Excise.	Ditto ..	26	461 4 0	446 10 0
Hon'ble Minister, Public Works Department.	2 months and 16 days.	28	816 14 0	567 15 0
Hon'ble Minister, Revenue.	Ditto ..	19	484 4 0	507 4 0
Hon'ble Minister, Industries.	Ditto ..	25	497 0 0	588 7 0
Hon'ble Minister, Forests.	1 month and 13 days.	7	298 0 0	246 5 0
			6,449 11 0	5,710 2 0



**The Hon'ble Maulavi SAIYID SIR MUHAMMAD SAADULLA** replied :

102. (a)—Seven months and 17 days.

(b)—Rupees 5,983-10-0.

(c)—The hon. member is referred to column 2 of the statement given in reply to question 101.

(d)—Rupees 6,449-11-0.

**Maulavi MABARAK ALI**: In view of the fact that the present Ministry drew Rs.6,449-11 0 in the course of three months and the previous Ministry drew Rs.5,983-10-0 in the course of 7½ months, may I know whether people derived proportionate benefit from the present Ministry ?

**The Hon'ble the SPEAKER**: That is a question of opinion. The hon. member may put question in a different way.

**Maulavi MABARAK ALI**: Whether the people have benefited by these tours ?

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

**Babu DAKSHINA RANJAN GUPTA CHAUDHURI**: May we know the reason of the disparity in the amount obtained by the two sets of Ministers ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA**: The difference in the amount is due to three factors—first, a larger number of Ministers. Most of the Ministers are new and they had to acquaint themselves with the problems in the province and they had to go out as this is the touring season. These Ministers did not follow the Congress principle of travelling in second or third class. The rates charged by previous Ministers were lower.

**Mr. FAKHRUDDIN ALI AHMED**: Is it a fact that among the previous Ministers, only Mr. Bardoloi and myself drew travelling allowance at the rate of 2nd and 3rd class, while other Ministers drew first class ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA**: I am obliged for the information given by the hon. member.

**Babu DAKSHINA RANJAN GUPTA CHAUDHURI**: Is it not a fact that in the previous Ministry, except one, all were new ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA**: Yes, Sir.

**Babu BIPIN BEHARI DAS**: May I know if the Ministers addressed any public meeting in different places while on tour in order to get information about public grievances in the locality ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA**: So far as I am personally concerned, I grew hoarse. I had to address as many as six meetings during the course of one day.

**Babu BIPIN BEHARI DAS**: What about other Ministers ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA**: They probably followed the same course.

**Mr. FAKHRUDDIN ALI AHMED**: Is it not a fact that persons who had come new to the administration like Hon'ble Miss Mavis Dunn and Khan Bahadur Sayidur Rahman have drawn less travelling allowance than that drawn by other Ministers ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA**: That may be so, Sir, as it may be apparent from the list that has been submitted. The largest amount was drawn by Hon'ble Minister, Local Self-Government. Hon'ble Minister, Education, comes next. Hon'ble Minister, Public Works Department, comes third. He had to attend a Labour Conference at Delhi.



**Babu DAKSHINA RANJAN GUPTA CHAUDHURI:** May we know whether the Minister for Local Self-Government toured Habiganj once on the 19th November and again on the 11th December ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** It may be in the public interests. I am not aware what actually he did at Habiganj. He is present here and he will be able to say what he did.

**The Hon'ble the SPEAKER:** Does the hon. member want any answer from Hon'ble Minister for Local Self-Government ?

**Babu DAKSHINA RANJAN GUPTA CHAUDHURI:** I shall be glad to have an answer from the Hon'ble Minister.

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI:** On public duty, Sir, I visited this place.

**Babu DAKSHINA RANJAN GUPTA CHAUDHURI:** May we know what was the nature of that public duty ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** That will be cross-examining, Sir.

**Representation of the Indian Christians of the plains districts in the different Departments of the Provincial Services**

**Mr. C. GOLDSMITH** asked :

\*103. Will Government be pleased to state—

- (a) The total number of posts held by the Indian Christians of the plains districts in Assam in the Provincial Services showing dates of their appointments in the different Departments under the Government ?
- (b) Whether the Indian Christians of the plains districts in Assam have been adequately represented in the different Departments of the Provincial Services under the Government ?
- (c) If not, will Government be pleased to state why their cases have been so far neglected ?
- (d) Do Government now propose to take into consideration, the claims of the Indian Christians of the plains districts in Assam for posts in the Provincial Services ?

**The Hon'ble Maulavi SAIYID SIR MUHAMMAD SAADULLA** replied :

103. (a)—Only one post in the Provincial Gazetted Services is held by an Indian Christian of the plains districts.

(b)—Indian Christians are not treated as a separate community for appointment to the services.

(c)—No doubt these disappointing results were due to lack of suitable candidates in competition for unreserved vacancies.

(d)—The whole question, including the claims of such small groups as Indian Christians, is being examined.

**Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY:** May I know, Sir, whether the tribal Christians and Indian Christians belong to different units or to the same unit ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** No. The tribals whether they are Christians or whether they belong to their original faith or whether they take 'Saran' and brought into fold of Hinduism are all included under the 'tribal' category.

**Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY:** Are not the Tribal Christians, Indians, Sir ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Yes, Sir.

**Mr. C. GOLDSMITH:** With regard to (e) why is it disappointing?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** The reply is already there. Disappointing results were due to lack of suitable candidates in competition for unreserved vacancies.

**Agricultural loans sanctioned by the Bijni Raj Wards' Estate**

**Maulavi MUHAMMAD AMJAD ALI** asked :

\*104. With reference to the answer given to starred question No.33(c) at the Budget session of the Assembly, 1939, regarding agricultural loans of Rs.9,000 that was reported to have been issued by the Bijni Raj Wards' Estate between the 15th of September 1938 and 2nd December 1938, will Government be pleased to state (in a tabular form)—

- (a) the date of issue of the loans,
- (b) the names of persons with their fathers' names to whom the loans were issued,
- (c) the amount issued on joint and several liability,
- (d) the period, if any, for which each loan was issued,
- (e) the village, Dehi and Mauza of the borrowers,
- (f) the name and office of the issuing officer?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN** replied :

104. (a) to (f).—The amount of Rs.9,000 includes Rs.1,220 spent as gratuitous relief. The sum of Rs.25,000 was the total sum which included the amounts sanctioned in July and August 1938. The distribution of agricultural loans began in July 1938. From the 15th September 1938 to the 2nd December 1938 only—One bond was, as far as could be ascertained, issued and the details are shown in the statement laid on the table.

*Statement referred to in reply to starred question No. 104(a)—(f)*

Serial No. of Bonds	Date of issue of loans	Name of debtors	Father's name	Village	Mauza	Dehi	Amount issued to each borrower on joint and several liability	Total amount of each bond	The period for which loan was issued	The name and office of the issuing officer
157	17th Oct. 1938.	Janab Munshi ..	Late Nazu Sheikh	Phakhiura-char.	..	Dalgoma.	12	..	One year.	Additional Superintendent.
		Fayez Mallik ..	„ Natu Mallik	„	..	„	10	..	„	„
		Zendar Molla ..	„ Tamez Molla	„	..	„	4	..	„	„
		Billal Molla ..	„ Delbar Molla	„	..	„	4	..	„	„
		Abedali Molla ..	„ Goni Molla	„	..	„	4	..	„	„
		Mahammad Samsar Fakir. Aji	Abdul Ali Fakir..	„	..	„	16	..	„	„
		Naib Ali Dewani	Anibuddin Munshi.	„	..	„	10	..	„	„
							60	60		



**Maulavi MUHAMMAD AMJAD ALI:** May I inform the Hon'ble Minister that the statement referred to in question No. 33(c) of the Budget Session of the Assembly, 1939, to the effect that between the 15th September 1938 and 2nd December 1938, Rs.9,000 was distributed as agricultural loan, was not correct, but only Rs. 60 was distributed ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** The information given to the hon. member was incorrect.

**Maulavi MUHAMMAD AMJAD ALI:** May I ask the Hon'ble Minister-in-charge how does he like to deal with the man who supplied this incorrect information to the Ministry ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** This information was based on the letter of the Deputy Commissioner dated 23rd December, 1938.

**Maulavi MUHAMMAD AMJAD ALI:** The difference in the amounts being very great, that is to say, from Rs. 60 to Rs. 9,000, may I request the Hon'ble Minister to deal with the person, who gave such false information, in a severe manner ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** I cannot say that the information was false, but there was some misunderstanding in the matter because some amount had already been spent before that date.

**Maulavi MUHAMMAD AMJAD ALI:** Was not my question very specific, that between 15th September, 1938 the date on which the order was passed, and 2nd December 1938, the date on which I filed the adjournment motion, Rs. 9,000 was not issued but only Rs. 60 was given ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** The matter will be enquired into.

**Maulavi MUHAMMAD AMJAD ALI:** Will the Hon'ble Minister also enquire who else was responsible for this false statement and deal with them accordingly ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Yes, Sir, the enquiry will cover all these things. If any one is found at fault, necessary steps will be taken against him.

**Re Komorakhati Professional Grazing Reserve in the Tezpur subdivision**

**Srijut MAHADEV SARMA** asked :

- \*105. Will Government be pleased to state—
- (a) Whether 'Komorakhati' is a professional grazing reserve in the Tezpur subdivision ?
  - (b) Whether that is the only grazing reserve amongst various mouzas of the subdivision ?
  - (c) Whether it is a fact that from some time past, many immigrants are occupying lands forcibly into that grazing reserve ?
  - (d) Whether the graziers and the local public are protesting against such encroachment ?



(e) What steps, if any, are being taken by the District authorities, either to evict the encroachers or to stop further encroachment ?

(f) Whether it is a fact that very recently telegrams were sent to Government for taking immediate action against such encroachment ?

(g) If so, what steps are being taken by Government to redress the grievances of the people ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN** replied :

105. (a) to (e)—The information has been called for.

(f)—Yes, a telegram was received.

(g)—The Deputy Commissioner was asked for immediate enquiry and report.

**Srijut MAHADEV SARMA** : Is it not a fact that this reserve had been encroached upon since a very long time ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAMAN** : Yes, Sir.

**Srijut MAHADEV SARMA** : Then why no steps are being taken, as this is the only grazing reserve in the locality ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN** : Sir, no action has been taken because no decision was arrived at about the Line Enquiry Committee.

#### UNSTARRED QUESTIONS

(to which answers were laid on the table)

#### Construction of an earthen bund at Ratla

**Babu KARUNA SINDHU ROY** asked :

105. Are Government aware that an earthen bund was constructed at Ratla last year to save the *Buro* crops of Halirhaor under the police station Dharampassa ?

**The Hon'ble Maulavi MUNAWWAR ALI** replied :

105.—Yes.

**Babu KARUNA SINDHU ROY** : Do Government know that half the area under cultivation has not been cultivated this year in the absence of outlets ?

**The Hon'ble Maulavi MUNAWWAR ALI** : Yes, even more than that.

#### Introduction of sheep breeding

**Srijut GAURI KANTA TALUKDAR** asked :

106. (a) Does the Hon'ble Minister-in-charge of the Live Stock Department propose to introduce breeding of sheep in an extensive scale in the province, with a view to build up wool industry amongst the villagers ?

(b) If so, do Government propose to distribute good stud sheep free to deserving persons in suitable places for the purpose of making an experiment ?

**The Hon'ble Maulavi MUNAWWAR ALI** replied :

106 (a)—A scheme for sheep rearing near Barapani in Khasi and Jaintia Hills is under the consideration of Government. Government do not contemplate to take it up on an extensive scale at an experimental stage.

(b)—The question will be examined.

**Srijut GAURI KANTA TALUKDAR** : With regard to (a), may I know when the scheme for sheep rearing near Barapani is likely to be given effect to ?

**The Hon'ble Maulavi MUNAWWAR ALI** : It is more than what I can tell the hon. member just now.

**Srijut GAURI KANTA TALUKDAR** : Do we understand it will be done very soon ?

**The Hon'ble Maulavi MUNAWWAR ALI** : As soon as possible.

**Srijut GAURI KANTA TALUKDAR** : Is there any likelihood of any other centres also being opened in the Assam Valley ?

**The Hon'ble Maulavi MUNAWWAR ALI** : That I cannot say just at the present moment.

**Srijut GAURI KANTA TALUKDAR** : Will Government consider about the usefulness of opening centres like that in the Assam Valley ?

**The Hon'ble Maulavi MUNAWWAR ALI** : Of course, the matter will be considered.

**Srijut GAURI KANTA TALUKDAR** : With regard to (b), may I know whether Government propose to distribute good stud sheep in the districts, as they are doing in the case of stud bulls ?

**The Hon'ble Maulavi MUNAWWAR ALI** : This particular question will also be considered along with others.

#### **Opening of a centre or two for making an experiment in horse-breeding**

**Srijut GAURI KANTA TALUKDAR** asked :

107. (a) Are Government aware that breeding of horses is almost unknown to the people of this province and horses required for the use of our people have to be imported from outside ?

(b)—If so, do Government propose to open a centre or two in some suitable localities for making an experiment in horse-breeding ?

**The Hon'ble Maulavi MUNAWWAR ALI** replied :

107. (a)—Yes, the hon. member is very nearly correct.

(b)—Government have not yet in contemplation opening of such centres. The experiment is likely to involve a heavy expenditure. The question, however, will be examined.

#### **Re Legislation for dealing with the cattle epidemics and for compulsory inoculation**

**Babu RABINDRA NATH ADITYA** asked :

108. (a) Are Government aware that there is no law for compelling inoculation of cattle specially when there is the outbreak of any epidemic disease in any area ?

(b) If so, do Government propose to sponsor a legislation for effectively dealing with the cattle epidemics and for compulsory inoculation ?



**The Hon'ble Maulavi MUNAWWAR ALI** replied :

108. (a)—Yes.

(b)—The matter is under the consideration of Government and engaging their special attention.

**Babu RABINDRA NATH ADITYA**: May I know what steps Government propose to take in the matter ?

**The Hon'ble Maulavi MUNAWWAR ALI**: As regards legislation, the matter is under consideration.

**Babu RABINDRA NATH ADITYA**: Have they got any other proposal for checking epidemic disease among cattle ?

**The Hon'ble Maulavi MUNAWWAR ALI**: We are trying to control the disease by our Veterinary staff and the increase of the staff is also in contemplation.

**Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY**: Will the Hon'ble Minister kindly say whether the Veterinary staff at Sunamganj is not insufficient for checking cattle disease ?

**The Hon'ble Maulavi MUNAWWAR ALI**: This is altogether a question of opinion.

**Grant to Jamuguri Hospital and an additional grant towards the pay of the doctor of the Government subsidised hospital at Kalaberi**

**Srijut OMEO KUMAR DAS** asked :

109. Will Government be pleased to state—

(a) Whether they have received a resolution (No.10) of the Tezpur Local Board, passed in the meeting of the Board on 28th November 1939, requesting Government to sanction a grant of Rs.3,000 for the Jamuguri Hospital ?

(b) If so, what Government propose to do in the matter ?

110. Will Government be pleased to state—

(a) Whether they have received a resolution of the Tezpur Local Board held on 29th November 1939, about the additional grant of Rs. 15 towards the pay of the doctor of the Government subsidised hospital at Kalaberi (Tezpur) ?

(b) If so, will Government be pleased to state the steps they propose to take in the matter ?

**The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY** replied :

109. (a)—Government have received a copy of the proceedings of the Board's meeting as usual.

(b)—Government await the receipt of an application for a special grant in-aid through the prescribed channel.

**Srijut MAHADEV SARMA**: With regard to (b), have Government instructed the authorities concerned to adopt the line of action which they have suggested in reply to this question ?



**The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY:** The procedure is prescribed in rule 115 of the Local Self-Government Manual.

**Srijut MAHADEV SARMA:** Has the Board been instructed to that effect as a result of the resolution it has adopted in the meeting?

**The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY:** Yes, Sir, Government order is to await a petition through proper channel.

**The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY** replied:

110. (a)—Yes.

(b)—The hon. member's attention is invited to the motion moved last week by me authorising among other things the raising of the monthly subsidy to Rs.35 per mensem.

**Srijut MAHADEV SARMA:** In view of the fact that the people have represented the matter to Government, are Government prepared to take this case as a special one, and make the grant asked for?

**The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY:** There are demands from other quarters also, Sir, and this matter will be considered on its merits.

Complaint for small number of questions answered.

**Babu RABINDRA NATH ADITYA:** Mr Speaker, Sir, the number of questions replied to every day by Government is rather small, and we are afraid that many of the questions we put for this Session will not be answered if answers to more questions are not given everyday.

**The Hon'ble the SPEAKER:** Yes, if the number of questions is large, then the number of questions which are put up for answers everyday is very small. I request the Hon'ble Ministers to put down questions which would be sufficient for one hour every day.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I understand, Sir, the number of questions this time is less than usual. We are expediting replies as far as possible, but it will not be possible to reply those questions for which reference has to be made to the plains.

### Demands for grants

#### GRANT No. 2

#### 7.—LAND REVENUE

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.15,21,200 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1941, for the administration of the head "7.—Land Revenue".

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

"That a sum not exceeding Rs.15,21,200 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1941, for the administration of the head "7.—Land Revenue".

The hon members know that 2½ hours have been allotted for this grant, but as we have got 40 minutes from question time I allot 10 minutes more to this grant and half an hour to the other grant for administration of justice.

Now, there are about 33 cut motions, and the first motion is in the name of Maulavi Matior Rahman Mia. He wants to raise a discussion about a matter of local grievance.

**Maulavi MATIOR RAHMAN MIA:** Sir, I beg to move:

“That the provision of Rs.3,182 under Grant No. 2, Major head—7.—Land Revenue, Minor head—B—Tahsil and other establishments—3.—Management of Private Estates under Act X of 1892. Sub-head—1.—Pay of Establishment, Detailed head—Clerks, at page 34 of the Budget be reduced by Rs.100, i.e., the amount of the whole grant of Rs.15,21,200 do stand reduced by Rs.100.”

Sir, গোয়ালপাড়া জেলার অন্তর্গত মেছপাড়া ওয়ার্ড ইষ্টেটের মুসলমান প্রজার সংখ্যা শতকরা অনুমান ৮০ হইতে ৮৬ পর্য্যন্ত হইবে। এই ইষ্টেটের ম্যানেজার সহ প্রায় ৬০ জন অফিসার হইবে এবং ৫০৩০ জন ফরেষ্ট গার্ড এবং বরকন্দাজ ইত্যাদি আছে। ইষ্টেটের যাহা আয় হয় তাহার অধিকাংশ মুসলমান প্রজাদের দ্বারাই হয়। কিন্তু মুসলমানের সংখ্যানুপাতে সেখানে খুব কম মুসলমান অফিসার নিযুক্ত করা হইয়াছে। প্রজার বহু আবেদন নিবেদন স্বত্বেও বর্তমান ইষ্টেটের উর্দ্ধতম অফিসার যিনি আছেন তিনি সে বিষয় একটুও ক্রক্ষেপ করিতেছেন না। অফিসারের সংখ্যার পরিমাণ আমার যতদূর জানা আছে তাহা জানাইতে চাই। ম্যানেজার ৩ জন—৩ইজন অমুসলমান আর একজন মুসলমান; নায়েব ৫ জন—৩ জন অমুসলমান আর একজন মুসলমান; ডেপুটী রেঞ্জার ২ জন—২ জনই অমুসলমান, মুসলমান একজনও নাই; ফরেষ্টার ৩ জন—মুসলমান একজনও নাই; অ'ভারসিয়ার ১ জন—মুসলমান নাই; ক্লার্ক ১২ জন—অমুসলমান ১০ জন আর মুসলমান ২ জন; মোহরার ১৬ জন—অমুসলমান ১১ জন আর মুসলমান ৫ জন; কাননগো ৫ জন—মুসলমান একজনও নাই; আমিন ১০ জন—৮ জন অমুসলমান আর ২ জন মুসলমান; ফরেষ্ট গার্ড ১২ জন—অমুসলমান ৩ জন আর মুসলমান ৯ জন; বরকন্দাজ ৩০ জন—অমুসলমান ২৪ জন আর মুসলমান ৬ জন; চৌকীদার ৭ জন—মুসলমান একজনও নাই। এই ইষ্টেটে মুসলমান প্রজার সংখ্যাই বহু অংশ বেশী এবং তাহাদের দেওয়া টাকার দ্বারাই এই ইষ্টেটের বেশী উন্নতি হইয়াছে। কিন্তু বড়ই দুঃখের বিষয় যে সেই ইষ্টেটের প্রজাদের মধ্যে উপযুক্ত লোক থাকা স্বত্বেও তাহাদের সংখ্যানুপাতে কোন কর্মচারী নিয়োগ করা হইতেছেন। বরং কিছুদিন যাবৎ ৮।১০ জনকে কর্মচ্ছুত করা হইয়াছে। এবিষয়ে পূর্বে বহু আবেদন করা হইয়াছে, কিন্তু কোন ফল হয় নাই। আমি সেই জন্ত এই ছাটাই প্রস্তাবের দ্বারা এই ইষ্টেটের মুসলমানের সংখ্যানুপাতে উপযুক্ততানুসারে প্রত্যেক অফিসে মুসলমানকে নিয়োগ করিবার জন্ত এই জরুরী প্রস্তাব অনয়ন করিয়াছি। আমি আরও বলিতে চাই যে যদি গভর্ণমেন্ট এই বিষয়ে ভাড়াবাড়ি তীক্ষ্ণ দৃষ্টিপাত না করেন তাহা হইলে আমার মনে হয় প্রজাদের আবেদন নিবেদন যে ভাবে উপেক্ষিত হইতেছে তাহাতে প্রজাদের ভিতর একটা ভীষণ চাঞ্চল্য এবং অশান্তির সৃষ্টি হইবে। কাজেই আমি গভর্ণমেন্টকে জানাইতে চাই যে মুসলমানের সংখ্যানুপাতে অনতিবিলম্বে প্রত্যেক জায়গায় মুসলমান কর্মচারী নিযুক্ত করা হউক।



**The Hon'ble the SPEAKER :** Cut motion moved :

"That the provision of Rs.3,182 under Grant No. 2, Major head—7.—Land Revenue, Minor head—B.—Tahsil and other establishments—3.—Management of Private Estates under Act X of 1892, Sub-head—1.—Pay of Establishment, Detailed head—Clerks, at page 34 of the Budget be reduced by Rs.100, i.e., the amount of the whole grant of Rs.15,21,200 do stand reduced by Rs.100."

**Maulavi MUHAMMAD AMJAD ALI :** Mr. Speaker, Sir, the grievances which my hon. friend has tried to bring to the notice of Government by this motion are genuine. I know that there were several Muslims *working in the* Estate previously, and about a couple of months ago five of them have been dismissed, and the Estate is now being denuded of all Muslim officers that were serving there before. The cut motion that has been moved by my hon. friend is to let the Government know that there is a genuine demand on the part of the Muslims of that locality who happen to form the bulk of the tenantry of the Mechpara Estate. The Estate is at present being managed by the Government, and it is about 25 years or so that due to the influx of the immigrants in that area the Muslim population has increased considerably and there are suitable candidates available from among them also who can be taken in. But for the reluctance on the part of the Government to see that some Muslims ought to be appointed their case is going in sheer neglect. So this is a fit occasion when this grievance has been ventilated, and I hope Government will see to it.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** The principle of communal representation in public services has been recognised by Government and is embodied in Rule 537 of the Assam Executive Manual. Now this principle has also been extended to Ward's Estates by the Government as far back as 1919 by circular letter No. 1957-R. of 24. The Government is not aware that there is inadequacy of representation of Muslims in the particular estates. Government is obliged for bringing this fact to their notice and I may assure the hon. mover that necessary directions will be given to the Managers to give adequate representation to the Muhammadan community.

**Maulavi MATIOR RAHMAN MIA :** কিন্তু আমি মাননীয় মন্ত্রী মহোদয়কে একটা কথা বলিয়া এই motion withdraw করিতে চাই। বর্তমান ক্ষেত্রে সেখানে কয়েকজন মুসলমান কর্মচারী গ্রাসাচ্ছাদন করিতেছেন। কিন্তু মানেজার এখন বলেন—“যে পর্য্যন্ত আমি খান থাকিব সে পর্য্যন্ত মুসলমানকে চাকরি দিব না—কাউন্সিল বা যেখানেথেকে তাহারা ওকুম নিয়া আসুক”। কাজেই সে সম্বন্ধ গভর্ণমেন্ট কি বিবেচনা করবেন তাহা আমি জানিতে চাই।

**The Hon'ble the SPEAKER :** That is a new point that has been raised.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** That is a new question. But I can inform the hon. member that the matter is receiving our consideration already.

**Maulavi MATIOR RAHMAN MIA :** আচ্ছা; গভর্ণমেন্টের এই প্রতিশ্রুতি পাইয়া আমি সভার অনুমতিক্রমে আমার motion withdraw করিলাম।

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



**Maulana ABDUL HAMID KHAN:** Sir, আমি প্রস্তাব করিতেছি যে ২নং গ্রান্ট, মেজর হেড—৭—লেণ্ড রেভিনিউ, মাইনর হেড—B—তাহসিল এবং অন্যান্য এষ্টাব্লিশমেন্ট—৩—১৮৯২ সাল ১০ আইন অনুসারে প্রাইভেট ইষ্টেটের মেনেজমেন্ট, সাব-হেড—১—কর্মচারীর বেতনের বাবং বাজেটের ৩৪ পৃষ্ঠায় যে ৫,১৪৯ টাকা বরাদ্দ করা হইয়াছে তাহা হইতে ১০০ টাকা কর্তন করা হউক; অর্থাৎ সমস্ত গ্রান্টের ১৫,২১,২০০ টাকা হইতে ১০০ টাকা বাদ দেওয়া হউক।

(That the provision of Rs.5,149 under Grant No. 2, Major head—7.—Land Revenue, Minor head—B.—Tahsil and other Establishments—3.—Management of Private Estates under Act X of 1892, Sub-head—1.—Pay of Establishment (total), at page 34 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.15,21,200 do stand reduced by Rs.100.)

আমার এই প্রস্তাব মাননীয় রেভিনিউ মন্ত্রী মহোদয় আন্তরিকতার সহিত বিবেচনা করিবেন—ইহাই আমার অনুরোধ। একদিকে বিজনী কোর্ট অব ওয়ার্ড ইষ্টেট এবং মেছপাড়া কোর্ট অব ওয়ার্ড ইষ্টেটের হস্তগত জমিদার পক্ষ—যাহারা নাবালক নহেন, মেয়ে মানুষ নহেন, পাগল নহেন, বন্ধুহীন নহেন—বরং প্রবল শক্তিশালী জমিদার এবং অন্যান্য বিজনী এবং মেছপাড়া ইষ্টেটের সরোপস্থ কৃষক সম্প্রদায়। গত ১৯৩৭ সালের প্রবল ভূমিকম্পে এই দুইটি ইষ্টেটের অধিকাংশ জমি বালু পড়িয়া আবাদের অযোগ্য হইয়াছে। ইহার ফলে মেছপাড়া এবং বিজনী ইষ্টেটের শতকরা ৪০ জন প্রজা—যদিও তাহাদের ৪০৫০ বিঘা এবং ততোধিক জমি আছে, তাহা স্বত্বেও তাহাদের অনেকের দরং, কামরূপ প্রভৃতি জেলায় গিয়া মজুরি করিয়া বহুকষ্টে জীবিকা নির্বাহ করিতেছে। তত্তপরি গত কয়েক বৎসর যাবৎ কোন কোন জায়গায় অত্যধিক বর্ষার জল হওয়ার দরুন অধিকাংশ জমির ফসল নষ্ট হইয়া গিয়াছে। তাহা গভর্ণমেন্ট সম্পূর্ণভাবে অবগত আছেন। এই দুইটি ইষ্টেটের প্রজাবৃন্দ অধিকাংশ সময় গভর্ণমেন্টের নিকট টাকা কর্ত্তা গ্রহণ করিয়া জীবিকা নির্বাহ করিয়া থাকে। এমতাবস্থায় খাদ্য মহালের সহিত তুলনা করিয়া তাহাদের খাজনার হার টাকা প্রতি হস্ততঃ পক্ষে যদি ১০ আনা ৫ মনো না হয় তাহাহইলে তাহাদের বাড়া-বর, জমি-জমা যা কিছু আছে সমস্ত জমিদারের হস্তগত হইয়া যাইবে। ইতিমধ্যে জমিদারগণ অর্থাৎ এই দুইটি ইষ্টেটের মালিকগণ সার্টিফিকেট দ্বারা অধিকাংশ জমি নিলামে খরিদ করিতেছেন। আরও যদি কিছুকাল এইভাবে খাজনার হার কম করা না হয় তাহাহইলে শতকরা ২০ জন লোকের জমি জমিদারের করতলগত হইবে। সেজন্য আমি অনুরোধ করি যে খাসমহালে যে রকম প্রজাদের প্রতি অনুগ্রহ করিয়া অবস্থাভেদে প্রচার খাজানা টাকা প্রতি ১০ আনা কম করা হইয়াছে, তদনুরূপ এই দুইটি ইষ্টেটের প্রজাদের প্রতিও বিবেচনা করা হউক। বিশেষ করিয়া মেছপাড়ার প্রজাদের অবস্থা নিতান্ত ভয়াবহ হইয়াছে। মাননীয় মন্ত্রী মহোদয় যদি মটরযোগে লক্ষীপুর হইতে ককরগঞ্জ পর্যন্ত যান তাহাহইলে তাহার মনে হইবে যে ইহা বোধ হয় আরবের মরুভূমি—কোন দিকে ফসল নাই। প্রবল বর্ষায় ব্রহ্মপুত্রের

বলু পড়িয়া এমন অবস্থা হইয়াছে যে মকভূমি ছাড়া আর কিছু বলবার উপায় নাই। এই অবস্থা বিবেচনা করিয়া সম্ভব তাহাদের প্রতি সুবিচার করা হউক—ইহাই আমার অনুরোধ। সুবিচার অর্থে আমি এমনভাবে উক্ত চাইনা যাতে ব্রিটিশের কুটনীতি অবলম্বন করিয়া কোন প্রকার ধামাচাপা দিয়া প্রচার প্রতি দৃষ্টিপাত করা হইবেন। আন্তরিক ভাবে এবং স্বয়ং নিজে তদন্ত করিয়া, বিষয়টার গুরুত্ব উপলব্ধি করিয়া বিষয়টা বিচার করিবেন—ইহাই আমার আশা। ইহা বলিয়াই আমি আমার motion পেশ করিলাম।

**The Hon'ble the SPEAKER:** Cut motion moved :

“That the provision of Rs.5,149 under Grant No. 2, Major head—7.—Land Revenue, Minor head—B.—Tahsil and other Establishments—3.—Management of Private Estates under Act X of 1892, Sub-head—1.—Pay of Establishment (total), at page 34 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.15,21,200 do stand reduced by Rs.100.”

**Mr. JABANG D. MARAK:** I stand to oppose this motion. Because the discussion on this motion will be quite futile. As long as the Zemindari system will last this question cannot be affected. So I oppose this motion.

**Maulavi MATIOR RAHMAN MIA:** আমি এই প্রস্তাব রক্ষাকরণে সমর্থন করি। আমাদের মাননীয় মৌলানা সাহেব যে ছাটাই প্রস্তাব আনয়ন করিয়াছেন তাহা সম্পূর্ণ অায়সঙ্গত এবং এই বিষয়ে গভর্ণমেন্ট অগোণে শুধু দৃষ্টি নয়, তাহাদের কর্তব্য মনে করিয়া ইহাকে কার্যে পরিণত করা একান্ত দরকার। গত বাৎ ১৩৩৭ সালের প্রবল ভূমিকম্প এবং তত্পরি ক্রমাগত উর্ধ্বোপরি বর্ষা ও অজন্মায় ঐ স্থানের অবস্থা এত শোচনীয় হইয়াছে যে তাহা শুধু মকভূমি কেন শ্রমশানের চেয়েও অধিক কিছু বলা যাইতে পারে! কারণ ব্রহ্মপুত্রের স্রোতে উচু স্থান ভাঙিয়া গিয়াছে এবং বর্ষার প্রায় ছই নদার স্রোত গিয়া এস্থানের সমস্ত শস্যাদি নষ্ট করিয়া ফেলিয়াছে। আজ ৪৫ বৎসর যাবৎ প্রজাগণ কিছুমাত্র শস্য পায় নাই এবং ভবিষ্যতে যে সেখানে শস্য হইবে তাহারও কোন সংভাবনা নাই। ব্রহ্মপুত্রের ধারে এবং অত্যাশ্র উচু স্থানেও সমদ্রমত বৃষ্টি নাহওয়ায় জমির উর্বরা শক্তি হ্রাস হওয়ায় এবং শস্যাদির মূল্য কম হওয়ায় প্রজাদের অবস্থা ভয়ানক শোচনীয় হইয়াছে। তাহারা মর্জানের নিকট হইতে যে ঋণ গ্রহণ করিয়াছিল তাহাও পরিশোধ করিতে পারিতেছে না এবং জমিদারের খাজানা বাকী পরায় জমিদারগণ সার্টিফিকেট দ্বারা মামলা মোকদ্দমা করিয়া প্রথম তাহঁর মালপত্র, গরু বাছুর, ঠেঙ্গমপত্রাদি নিলাম করিয়া অবশেষে জমি নিলাম করিয়া জমিদারের খাস দখলে নিয়া প্রজাদিগকে পথের ভিখারী করিতেছেন। কাজেই আসামের অত্যাশ্র জেলার তুলনায় গোয়াপাঁড়া জেলার প্রজার অবস্থা বিশেষতঃ মেছপাঁড়া এবং বিজনী ইষ্টেটের প্রজার অবস্থা অত্যন্ত শোচনীয় হইয়াছে। জমিদারগণ যে ভাবে লাভবান হইতেছে এবং যে প্রজাদের দ্বারা তাহাদের জমিদারীর এত আয় হইতেছে, সেই প্রজাদিগকে যদি তাহাদের শোষণ হইতে গভর্ণমেন্ট রক্ষাকরণ ব্যবস্থা না করেন, তাহা



হইলে তা বিমানে এই ক্রীড়ানের প্রজাদের—তাহাদের সমস্ত শস্যাদি নষ্ট হইয়া গিয়াছে এবং  
 যাগাণা দৈনিক হাজিরা মজুরি কাড়ও পাইগেছে না, তাহাদের ক্রীড়ান ত্যাগ করিয়া  
 বাইতে হইবে, নাঃর অ-খার মাতে হইবে তজ্জন্ত হযতঃ জমিদারী সব জন শূন্য হইয়া  
 যাইবে। কাজেই আমি আশাকরি আখাদের পুনপ্রিয় গভর্ণমেন্ট জন সখার গর ক-্যাণের  
 জন্ত এবং প্রকর উপকারের জন্ত যেকোনও উপায় অবলম্বন করণা বিজনী এবং মেছ-  
 পাড়া ইষ্টেটের প্রজার খাজনা অন্তঃ শতকরা ৫০ টাকা হিসাবে কম করার ব্যবস্থা  
 করিবেন। ইহা বাজয়াই আমি ঐ প্রস্তাব সমর্থন করিলাম।

**Srijut BELIRAM DAS :** মৌলবী সাহেবের কাছে থেকে আমি কিছু জানিতে পারি  
 যে তিনি এই এসেম্বলিতে টাঙ্গা পতি ১০ আনা খাজনার মাফ চাওয়ার পক্ষে ভোট দিয়া  
 ছিলেন কিনা?

**Maulavi Syed ABDUR ROUF :** On a point of information, Sir, I  
 would like to know whether the Government have got the right and power to  
 grant remission of land revenue in a ward's estate under the provision of the  
 existing Act.

**The Hon'ble the SPEAKER :** The Hon'ble Minister will certainly  
 give a reply to that.

**Maulavi JAHANUDDIN AHMED :** Mr. Speaker, Sir, in support  
 of this motion I would like to say a few words. As Mr. Marak has said that  
 Goalpara district is under the Zemindary system and the Government can-  
 not do anything or have no right to do anything, Sir, I would just like  
 to mention one thing. One of the conditions under which this  
 Zemindary system was recognised by British Government was that  
 Zemindars should look to the welfare of their tenants and the result of that  
 condition is the Bengal Tenancy Act and certain other Tenancy Acts of the  
 province. If the Zemindars do not look to the interest of their tenants  
 and do nothing to look to their welfare then the Government certainly  
 reserves the right of giving some relief to the tenants by legislation or in  
 some other way as they think fit and just. So under that condition, I  
 think, this Government has also the right to remit the rent of the tenants  
 under the circumstances mentioned by my hon. friend Maulavi Matior  
 Rahman. Sir, I need not elaborate the conditions prevailing in these two  
 Zemindary areas. Everybody of this House knows very well that the conti-  
 nuous floods and earthquakes that are going and have gone through the dis-  
 trict of Goalpara have deteriorated the condition of land and also the conti-  
 nuous floods have destroyed the paddy and other crops continuously for 5 years  
 and I hope that under these circumstances Government can give relief to the  
 tenants if the Zemindars do not come forward to do that. With these few  
 words, I support the motion.

**Srijut HALADHAR BHUYAN :** সভাপতি ডাঙরবায়ী এই কার্ট মোচনটো মই  
 সর্বান্তঃকরণে সমর্থন কৰো। বস্ত বাহানিব দাম কমি গৈছে বুলি খাচ মহল বিলাকৰ  
 প্রজার খাজনা ১৬ টকা লৈকে টকা প্রতি ১০ অনাকৈ মাফ দিছে। নানা বকমে  
 শস্যাদিব দাম কমি যোৱাত আক নানা বকমে বান পানী বা ভূমিকম্প ইত্যাদিব দ্বাৰা  
 অন্তঃ ঠাইত যেনেকৈ মাটি নষ্ট হৈছে, জমিদারী বা অন্তঃ permanently settled  
 ঠাইত, যেনে আউনি মাটি, গড়মূৰ ইত্যাদি সৰ্ব বি বিলাক মাটি আছে তাতো তেনেকৈ



সমানে মাটি নষ্ট হোৱাত বাইজৰ ভূখণ্ডৰ পৰিষ্কাৰ হৈছে। সেই কাৰণে গৱৰ্ণমেণ্টৰ পাচ মহলৰ প্ৰজাবিলাকে যেনেকৈ টকাও ৥০ অনাকৈ পাৰা নাহক পাৰ্ছছে, জামদাৰীৰ বাইজৰ তেনেকৈ টকাও ৥০ অনাকৈ নাহক পোৱা উচিত। যদি বৰ্তমান পাৰ্ছনৰ দ্বাৰা সেই ঠাইৰ প্ৰজাবিলাকক টকাও ৥০ অনাকৈ পাৰা নাহক দিবলৈ বাস্তৱিকতে গৱৰ্ণমেণ্ট অসমৰ্থ হয় তেনেহলে সোনকালে গৱৰ্ণমেণ্ট তাৰ এটা বৰস্থা কৰাৰে ভাল হয়। Government of India Act মতে পাজানা আদি বন্দবস্ত কৰাৰ নিষিদ্ধ প্ৰাৰম্ভিক গৱৰ্ণমেণ্টক সম্পূৰ্ণ ক্ষমতা দিয়া হৈছে। তেনেহলে যদি গৱৰ্ণমেণ্টে সেইটো কৰে তেনেহলে বাস্তৱিক পক্ষে গৱৰ্ণমেণ্টৰ নিমিত্তে সেইটো বৰ অসুবিধা হ'ব। কেবল জামদাৰীতেই নহয়, আশা কৰা বহুতো পাৰ্ছ আছে আৰু temple land আছে—সেই প্ৰকাৰৰ বাইজৰ দ্বাৰাও টকাও ৥০ অনাকৈ পাৰা নাহক পায় তাৰ নিমিত্তে বন্দবস্ত কৰা উচিত। ইয়াকে কৈ মই এই প্ৰস্তাৱ সপৰ্য্যাপন কৰিলো।

**Maulavi MUHAMMAD AMJAD ALI:** Mr. Speaker, Sir. I found that all sections of the House have agreed to the question of granting reduction of rent to the extent of 50 per cent. in the Mechpara and Bijni Estates. There is no disagreement on that question. But a doubt has been expressed whether under the existing rules certain reduction of rent in the Wards' Estates can be given. I urge upon the Government to see that instances are not rare when due to failure of crops on account of hailstorm, drought and flood certain remission of rent in the Bijni and Mechpara Estates was given in the pre-reform days. Bijni as a matter of fact collects annually on an assessment of 8 lakhs of rupees as rent from the tenants but pays to Government only Rs.2,400 annually. The rest of the amount goes to fill the coffers of the Estate. It is spent for their own benefit. But in the interest of the Zemindars themselves reduction of rent in times of necessity should be given. That there was necessity in the last year has been told by several speakers of this House just now. There was recurrent flood in the year 1938, due to which there was loss of crops in the Estates of Bijni as well as in Mechpara and due to drought of 1937, there was also failure of crops. Cultivator suffered a good deal, and the harsh applying of the Certificate Procedure has made the condition of the tenantry still more worse. Now, they have to fall back upon their resources at hand or borrow money or go elsewhere. This is the condition of tenantry of Mechpara and Bijni Estates. During the year 1938, Government sanctioned a loan of Rs.25,000. It was sanctioned by the Saadulla Ministry but as soon as they resigned and the Congress-Coalition Ministry took office the granting of loan was stopped. The tenantry suffered a good deal and I had to table an adjournment motion before the House. The reply was given that these loans were being distributed. To-day, Sir, in reply to a question we have elicited a reply from the Ministry that out of Rs.25,000 only Rs.60 was given during the period from the date of sanctioning that is from 15th of September 1938 up to 2nd December 1938 that is upto the date of filing of the adjournment motion. So, Sir, I can say that this is the way how the tenants are treated by the Officers in whose charge they are put. A case has been well made out that if the tenants in the Khash Mahals are to get reduction in land-revenue, their neighbours of Goalpara who are also hard hit ought to get reduction of rent.

**The Hon'ble the SPEAKER:** I hope the hon. member will finish.

**Maulavi MUHAMMAD AMJAD ALI:** Under the circumstances, the Ministry can and should find out means to give them reduction of substantial portion of rent in Bijni and Mechpara Estates.



**The Hon'ble the SPEAKER:** The Hon'ble Minister will please reply.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Mr. Speaker, Sir, Government are in full sympathy with the object of this motion.

**Maulana ABDUL HAMID KHAN:** মাননীয় মন্ত্রী মহোদয় যদি বাংলাতে বলেন তাহা হইলে ভাল হয়।

**The Hon'ble the SPEAKER:** The hon. member wants the reply to be given in Bengali.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Yes Sir, I am speaking in Bengali.

মাননীয় মেম্বার মহোদয়ের প্রস্তাবের প্রতি গভর্ণমেন্টের আন্তরিক সহানুভূতি আছে। এখানে ছুট রকম remission এর কথা বলা হইয়াছে—একটা হইয়াছে natural calamity র জন্তু আর একটা হইয়াছে দারিদ্র্যের জন্তু। Ward Estate management এর জন্তু কতকগুলি rule আছে এবং সেই rule অনুসারে বৎসর বৎসর অনেক টাকা মাফ দেওয়া হয়। কিন্তু general remission এর কথা বলিয়াছেন যে 50% reduction গভর্ণমেন্টের খাস মহালা দেওয়া হইয়াছে। সে সম্বন্ধে কথা হইতেছে এই যে গভর্ণমেন্টের খাস মহালা পূর্বে re-settlement হইয়া গিয়াছে—সেখানে জিনিষ পত্রের দাম বেশী ছিল বলিয়াই খাজানা হার বৃদ্ধি করা হইয়াছিল। জিনিষ পত্রের মূল্য কমিয়া যাওয়ার দরুন গভর্ণমেন্টের খাস মহালা টাকা প্রতি ১০ আনা মাফ দেওয়া হইয়াছে। কিন্তু আপনাদের Ward Estate এ খাজনার হার বৃদ্ধি হইয়াছে কি না এবং এখন তাহা মাফ দেওয়ার দরকার আছে কি না, এই বিষয়ে কোন তদন্ত হয় নাই; আর না হইবারই কথা, কেননা সেখানে আপনাদের কোন record-of-right নাই।

**Maulavi JAHANUDDIN AHMED:** May I know from the Hon'ble Minister whether under the circumstances mentioned here such as flood, earth-quake, etc., the tenants deserve remission of land-revenue or not?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** That will be a matter of enquiry. For natural calamity the tenants are getting remission according to rules.

**Maulana ABDUL HAMID KHAN:** আমি জানি যে কোর্ট অব ওয়ার্ড ইষ্টেটেমেন্ট settlement করা হইয়াছিল।

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** আর একটা কথা এই যে গভর্ণমেন্টের Court of Wards হইতেছে জমিদারের পক্ষ হইতে গভর্ণমেন্টের কাছে একটা আমানত দেওয়া জমিদার যাহা নির্ধারণ করিবেন গভর্ণমেন্ট তাহাই আদায় করিতে পারেন। অত্যা জমিদারেরা যে পর্যন্ত নাকি এ বিষয়ে remission না দেন, গভর্ণমেন্ট তাহা দিতে পারেন না। কেন না, যদি গভর্ণমেন্ট আপনাদের শতকরা ৫০ টাকা খাজানা মাফ দেন তাহা হইলে আমানত রক্ষা করা হইবে না। ইহাই মুস্কিল।



**Maulana ABDUL HAMID KHAN:** আমি জানতে চাই যে অস্ত্র অমিদারেরা যখন এক টাকা বৃদ্ধি করিয়াছেন তখন মেৎপাড়ার অমিদার ছই টাকা বৃদ্ধি করিয়াছেন।

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** বৃদ্ধি করার কথা এখন হয় নাই কমাটোর কথা হইতেছে। গভর্ণমেন্ট এ বিষয়ে আপনাদিগকে একটা প্রতিশ্রুতি দিতে পারেন না। গভর্ণমেন্ট এ বিষয়ে তদন্ত করিয়া দেখিবেন এবং যদি এই সম্বন্ধে কিছু করিতে পারা যায় তাহা হইলে করিবেন।

**Maulavi MATIOR RAHMAN MIA:** বর্ষা এবং ভূমিকম্পের জন্য তদন্ত না করিয়া গভর্ণমেন্ট সেখানে ছই-আড়াই লক্ষ টাকা সাহায্য দেন। যদি তাহা করা হইত তাহা হইলে পুনরায় কেন তদন্ত করিতে হইবে তাহা আমি বুঝিতে পারিতেছি না। আপাত আসামে খাজনার হার বিধা প্রতি ১০ আনা হইতে ১/০ আনা; কিন্তু আমাদের সেখানে বিধা প্রতি ২ টাকা হইতে ৩ টাকা; ইহা জানা স্বত্বেও গভর্ণমেন্ট কেন পুনরায় তদন্ত করিবেন তাহার কারণ আমি বুঝিতে পারিতেছি না।

**The Hon'ble the SPEAKER:** The hon. member is not to argue the question again in this manner.

**Mr. BAIDYANATH MOOKERJEE:** On a point of information Sir, may we know whether Government has received any representation from the tenants of Bijni Estate?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** No, Sir.

**Maulavi JAHANUDDIN AHMED:** Is any representation necessary under the circumstances?

**Maulana ABDUL HAMID KHAN:** মাননীয় রেভিনিউ মিনিস্টারের উত্তর মোটেই সন্তোষজনক নহে। আমি বলিতে চাই যে তদন্ত মানে যদি estate এর ম্যানেজার বা অফিসারদের দ্বারা হয় তাহা হইলে তিনি সর্বদাই মনে রাখিবেন যে প্রজাদের সঙ্গে তাগদের কোন সম্বন্ধ নাই। এমতাবস্থায় যদি কোন বেসরকারী কমিটি করিয়া তদন্ত করা হয় তাহা হইলে আমি বিশ্বাস করি। কিন্তু estate এর অফিসারদের উপর আমার মোটেই বিশ্বাস নাই।

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** আমি বলিগাছি যে একটা তদন্ত করা হইবে। ইহাতে যদি সম্ভূত হন তাহা হইলে আমি আশা করি মাননীয় মেম্বর মহোদয় তাহার motion টি উঠাইয়া লইবেন।

**Maulana ABDUL HAMID KHAN:** তদন্ত কি ভাবে হইবে? সরকারী, না অন্য কোন ভাবে?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** সরকারী—আমরা নিজেরাই করিব।

**The Hon'ble the SPEAKER:** Order, Order, I cannot allow all these to go on. I wish to know what the hon. member proposes to do with regard to this motion.



**Maulana ABDUL HAMID KHAN:** আমি আমার পস্তার মাননীয় মিনিষ্টারের প্রতিশ্রুতিক্রমে withdraw করিলাম।

The motion was by leave of the House, withdrawn.

**The Hon'ble the SPEAKER:** The next motion also stands in the name of Maulavi Matior Rahman Mia. This also concerns a very small matter.

**Babu RABINDRA NATH ADITYA:** Why do the hon. members of the Government party put their Ministers in such awkward position on the floor of this House by bringing cut motion on small matters?

**Mr. JOBANG D. MARAK:** We have also got our grievances which we like to put before the House.

**The Hon'ble the SPEAKER:** As I told yesterday, the members belonging to Government party may bring forward their grievances relating to very minor matters in their party meeting and have the attention of the Ministers drawn to them. Now, this is a very small matter regarding clerks of the Mechpara Wards' Estate. It is not good to raise a discussion and after having an assurance from the Hon'ble Minister then to withdraw it. I don't think that would be at all helpful. That can be very well done in party meetings.

**Maulavi MAHAMMAD AMJAD ALI:** But the party meeting is confined only to party members.

**The Hon'ble the SPEAKER:** Any member of the party can bring forward his grievances at the party meeting and if the party does not decide in his favour, then of course he has a remedy here.

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI:** We are under peculiar circumstances in this Session. Most of the grievances relate to the past Government.

**The Hon'ble the SPEAKER:** But Government should be in a position to consider their grievances.

Now what does the hon. member propose to do?

**Maulavi MATIOR RAHMAN MIA:** I propose to move my motion.

Sir, I beg to move that the provision of Rs.3,182 under Grant No.2, Major head—7.—Land Revenue, Minor head—B.—Tahsil and other Establishments—3.—Management of Private Estates under Act X of 1892, Sub-head—1.—Pay of Establishment, Detailed head—Clerks, at page 34 of the Budget, be reduced by Rs. 10, *i.e.*, the amount of the whole grant of Rs.15,21,200 do stand reduced by Rs.10.

**Srijut KAMESWAR DAS:** On a point of order, Sir. It seems that this motion is included in motion No.1 which has already been moved by the same member previously.

**The Hon'ble the SPEAKER:** Yes, I think it is so. This refers also to the clerical staff. I cannot allow the hon. member's motion.

**Maulavi ABDUR RAHMAN:** Sir, I beg to move that the provision of Rs.5,664 under Grant No.2, Major head—7.—Land Revenue, Minor head—B.—Tahsil and other Establishments—3.—Management of Private Estates under Act X of 1892 (total), at page 34 of the Budget, be reduced by Rs.5, *i.e.*, the amount of the whole grant of Rs.15,21,200 do stand reduced by Rs.5.

The object of the motion is to discuss about the general administration of the private estates.



Sir, it is well known to hon. members of this House under what circumstances and when private estates come under the management of the Government. When the proprietors of the private estates find themselves incapable of managing their own affairs or when the number of proprietors becomes innumerable, then only the proprietors surrender their estates to Government for better management. But what happens in reality and what is the experience gathered by us regarding the so-called better management of the private estates by the Government? My own personal experience regarding such estates in my own subdivision is this. Government usually appoint some highly paid officers, mostly retired officers, at the helm of affairs in regard to the management of private estates. These officers regard these estates as if they are their own private property or as if they are masters of the kingdom over which they reign. Even complaints are not uncommon that the proprietors do not regularly receive their monthly dues. This is not the first time, Sir, that I have come forward with such a motion. Since the year 1937, I am acquainted with such kinds of motions from individual members of this House. This goes to show clearly that the management of the private estates by Government is not at all satisfactory. My intention in bringing this motion to the notice of the Hon'ble Minister-in-charge is to draw his attention to the necessity of better management of these private estates and to see that some of the ancient estates of the province may thus be saved from encumbrances. Sometimes, Sir, such estates are taken over by Government when they are highly encumbered, and if the Government management simply goes on in a stereotyped way without any payment whatsoever towards arrears of dues, and debts then it is useless, Sir, that the management should be with the Government. With these few words, Sir, I beg to commend my motion for the acceptance of the House.

**The Hon'ble the SPEAKER:** Cut motion moved:

"That the provision of Rs.5,664 under Grant No.2, Major head—7.—Land Revenue, Minor head—B.—Tahsil and other Establishments—3.—Management of Private Estates under Act X of 1892 (total), at page 34 of the Budget, be reduced by Rs.5, i.e., the amount of the whole grant of Rs.15,21,200 do stand reduced by Rs.5."

**Maulavi JAHANUDDIN AHMED:** Sir, in support of this motion, I should like to mention a particular estate in the district of Goalpara recently taken over by the Government. It is the Nilmadhab and Priamadhab Barua estate which has been taken over by the Government under the management of Bijni Court of Wards' Estate. When Government took over charge of this estate, the proprietors of the estate showed some 280 bighas of land as their private Khanabari land, and rent receipts were issued as Khanabari land. This was brought to the notice of the Deputy Commissioner, Mr. Fletcher, by the tenants of the estate. They protested in accepting rent receipts, because they used to hold these lands not under Khanabari previously, but as ordinary tenanted land, which they were enjoying for more than 30 or 40 years, that is to say they had the occupancy right there. Now, if these lands are now taken under the Khanabari, then the rights of the tenants will go away. I have brought the facts to the notice of the Deputy Commissioner and the latter has not been able to do anything about this. So, I hope, the Government will please make enquiry into the matter, so that the tenants may not lose their legitimate rights.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Sir, when the hon. mover moved this motion, I hoped to hear from him some specific instances of mismanagement of private estates. But he has made only a general allegation that highly paid officers are appointed and that these



officers do not accord very good treatment to the proprietors. It is very difficult, Sir, for Government to reply to such general allegations. But I may assure the hon. mover that, if any specific instances are brought to the notice of Government, due enquiry will be made and steps taken.

There is another allegation made by the hon. mover that Government takes over estates which are highly encumbered and where there is no possibility of paying off the debts. But it is not so. Government, in taking these estates, always follow the rules that are laid down in the Wards Manual. Of late, there has been a spate of petition from Sylhet side for taking their estates under the management of Court of Wards and Government are carefully examining these petitions. I may assure the hon. members of the House that Government will not take these estates over unless they are satisfied that the estates are solvent and will be able to pay off their debts.

As regards the allegation made by Mr. Jahanuddin Ahmed, Government have no information, but they will enquire into the matter.

**Maulavi JAHANUDDIN AHMED:** May I inform the Hon'ble Minister that there was litigation between the sharers of this estate and Rai Bahadur C. K. Sen was the arbitrator? He mentioned in his judgment that each shareholder has only got two annas of the Khanebari land. I hope the Hon'ble Minister will look to the judgment of the Rai Bahadur.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** As I said the matter will be looked into.

**Maulavi ABDUR RAHMAN:** I may mention a particular instance. May I ask the Hon'ble Minister whether he received several petitions from the Baniyachong Wards' Estate and Ehiya Estate? Allegations were made against the Deputy Commissioner of Sylhet.

**The Hon'ble the SPEAKER:** The hon. member did not give any specific instances in his speech. What does the hon. member propose to do? Does he like to withdraw the motion?

**Maulavi ABDUR RAHMAN:** Sir, I beg leave of the House to withdraw my motion.

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

**The Hon'ble the SPEAKER:** Then we come to Srijut Purna Chandra Sarma's motion. I do not understand what the object of the motion is. It appears unintelligible to me.

**Srijut PURNA CHANDRA SARMA:** It is meant to criticise the Government for not extending the Tahsildari system to other places in the temporarily-settled area of the province.

**The Hon'ble the SPEAKER:** Very well. The hon. member may move his motion.

**Srijut PURNA CHANDRA SARMA:** I beg Sir, to move that the provision of Rs. 6,039 under Grant No. 2, Major head—7.—Land Revenue, Minor head—B.—Tahsil and other Establishments, Sub-head—1.—Pay of Establishment, Detailed head—Tahsildars, at page 34 of the Budget, be reduced by Re. 1, *i.e.*, the amount of the whole grant of Rs. 15,21,200 do stand reduced by Re. 1.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** May I submit, Sir, that this motion and motion Nos. 17\* and 19\* are connected. They may be taken up together.

**The Hon'ble the SPEAKER:** Yes, other hon. members may speak on this motion.

**Srijut PURNA CHANDRA SARMA:** My intention in moving this motion is that instead of the present state of affairs in the province regarding land revenue collection we propose the extension of the Tahsildari system in

\* See foot-note of page 534.



all parts of the temporarily-settled areas. At present there are two systems of land revenue collection in the province. One is the Mauzadari system and the other is the Tahsildari system. The Tahsildari system is yet in an experimental stage. It is being experimented in one of the Tahsils in the Assam Valley. But I do not know personally about the working in that part of the province where Tahsildari system is in vogue. But of the two systems we prefer the Tahsildari system. The Tahsildars are all Government servants, whereas the Mauzadars are non-official contractors of the Government for the purpose of collection. So, if instead of Mauzadars, we have Tahsildars, we will get so many Government servants whom we can employ in all public activities and for all beneficial purposes of the society. For instance, even apart from their duties to Government in the matter of collection, we can utilise their services in the expansion of education in the mass literacy scheme and in rural uplift work and in bringing in the people to a better standard generally at least in matters of social and rural organisation work. At the same time we get their services to substitute the Sub-Deputy Collectors.

Now, Sir, on the other hand what do we get from the Mauzadars now? We find practically that many of these families have been ruined because they are not able to pay Government revenue in time. We also do not get their services for any beneficial purposes. For instance, for the expansion of education and for rural uplift work we do not generally get their services. At the same time, being non-official contractors of the Government, they propagate amongst people against any nationalist movement. They are the most reactionary elements in the Assam Valley, and being supported by them, the anti-national movement is holding the ground in many parts of the province. For this reason we want that the Mauzadari system should be substituted by the Tahsildari system. By this Government will be able to regulate the habits of the people too in the matter of payment of revenue, which will expedite payment of revenue to the Government in more proper time than under the Mauzadari system.

With these words, I bring this motion for the expansion of the Tahsildari system.

**The Hon'ble the SPEAKER:** Cut motion moved: "That the provision of Rs. 6,039 under Grant No. 2, Major head—7.—Land Revenue, Minor head—B.—Tahsil and other Establishments, Sub-head—1.—Pay of Establishment, Detailed head—Tahsildars, at page 34 of the Budget be reduced by Re. 1, *i.e.*, the amount of the whole grant of Rs. 15,21,200 do stand reduced by Re. 1."

As motions Nos. 17\* and 19† are connected, hon. members may speak on this.

\* 17. Srijut Mahi Chandra Bora to move:—

That the provision of Rs. 4,71,200 under Grant No. 2, Major head—7.—Land Revenue, Minor head—D.—Charges on account of Land Revenue Collections (total), at page 36 of the Budget, be reduced by Re. 1, *i.e.*, the amount of the whole grant of Rs. 15,21,200 do stand reduced by Re. 1.

(To raise a discussion about the Mauzadari system.)

† 19. Srijut Sarveswar Barua to move:—

That the provision of Rs. 4,71,200 under Grant No. 2, Major head—7.—Land Revenue, Minor head—D.—Charges on account of Land Revenue Collections (total), at page 36 of the Budget, be reduced by Re. 1, *i.e.*, the amount of the whole grant of Rs. 15,21,200 do stand reduced by Re. 1.

(To raise a discussion about the Mauzadari system.)



**Srijut MAHI CHANDRA BORA :** Sir, it is not in a spirit of animosity that I stand to support the motion moved by my hon. friend Mr. Sarma. If I support this motion, Sir, I do so because I am convinced that the Mauzadari system, which is now universal in the temporarily-settled districts of Assam, is beneficial neither to the raiyats nor to the Mauzadars. I am also convinced that this system is an anachronism in these days of provincial autonomy.

Sir, in order that this system might be understood in its true perspective, and in order to appraise some of the hon. members who are not so familiar with the system, I would quote a certain portion from the illuminating introduction to the Assam Land and Revenue Regulation :

“From the very early days of British rule in Assam, the method of collecting the revenue adopted was an agency known originally as the Choudhuri, and later as the Mauzadar. This officer was originally responsible not only for the collection of the revenue on a commission basis but also for its assessment, over a fixed area ; his power was considerable and the system was open to obvious objections. In 1883 therefore it was proposed gradually to abolish the Mauzadari system and to substitute a system similar to that of the Tahsildari system of Upper India by which collections were made by salaried officers with no personal interest in the assessment or collection. The main object, however, of the change was economy. The change was not carried through entirely ; in 1893 there were 23 Tahsils, of which 12 were in Kamrup, and in the next 10 years only three more were added. In 1903, the Chief Commissioner (Sir Bampfylde Fuller) proposed the re-introduction of the Mauzadari system in place of Tahsils, on the following grounds :—

- (i) Although the Tahsildari system was primarily cheaper, it led to greater arrears and greater remissions.
- (ii) It was less popular, owing to the greater distances to which the people had to travel to pay land revenue.
- (iii) The saving in cost of the Tahsildari system did not counterbalance the loss to the state of the political and administrative advantages of the Mauzadari system.

The Government of India accepted the proposals and the Mauzadari system is now universal in the Assam Valley districts.”

Now, Sir, though it was admitted that the Tahsildari system was cheaper, it was only on political considerations which weighed with the then Government, that the Mauzadari system was re-introduced in the province. Now, Sir, the Mauzadar is a creature of the Deputy Commissioner ; the power of his appointment, the power of his dismissal and the power of his suspension, etc., entirely rest with the Deputy Commissioner, subject of course to confirmation by the Commissioner. The Mauzadar is entrusted with several special duties, and he is recognised as an Assistant to the Deputy Commissioner. He is also held to be a public servant. No prosecution can be launched against a Mauzadar for any act alleged to have been done in discharge of his duties without the previous sanction of the Commissioner. To all intents and purposes he is a public servant, and yet peculiarly enough a Mauzadar has been permitted to dabble in politics. But the politics of a Mauzadar is the politics of his master, the Deputy Commissioner. He must dance to the tune of the Deputy Commissioner, otherwise he will be in difficulties. Sir, the Deputy Commissioners are unfortunately not generally noted for their sympathy towards any progressive movement, or any movement for the emancipation of the country. So the Mauzadars, who are simply creatures of the Deputy Commissioners, have been forced by circumstances to stand in the way of any progressive movement in the country.



Again, Sir, the Mauzadars are empowered with execution of warrant of attachment and sale of movable properties. These two aspects of their power, *viz.*, to attach movable properties and to take part in politics, are the most objectionable features of the Mauzadari system. If any *raiyat* has the hardihood of incurring displeasure of the Mauzadar, he is humiliated and harassed in all possible ways. Therefore, Sir, the *raiyat* does not dare go against the wishes of the Mauzadar.

Sir, I come from a family of Mauzadars, and I know their difficulties. This system is not beneficial to the Mauzadars also. It has brought ruin to the several families of Mauzadars. Therefore, I request the Hon'ble Revenue Minister to see that this system is replaced by the Tahsildari system, or some such agency, and in the meantime to see that the rules empowering the Mauzadars to take part in politics and to execute warrant of attachment of movable properties of the defaulters be changed in no distant date.

**Srijut SARVESWAR BARUA :** Mr. Speaker, Sir, as the subject has been dealt with in some detail by the previous speakers I need not waste the time of the House by going over it again. I only want to say a few words regarding one or two aspects of this system.

Sir, it is quite obvious that this system has outgrown its utility. At this stage of our political evolution the farming out of Government revenue to private individuals is, to say the least, antiquarian. That this system is an anachronism is apparent in all the plains districts, nay, the whole province except, I think, in the excluded and partially excluded areas. There is no room for Mauzadari system now. The anomaly of a Mauzadar's position as to whether he is a Government servant or a mere contractor is quite apparent, and taking advantage of the difficulty of launching private prosecutions against him, the Mauzadar has adopted many mal-practices. They are found to misappropriate Government revenue. The land revenue reductions which are granted to the *raiyats*, be they 3 annas, 5 annas or 8 annas in the rupee, had been appropriated by the Mauzadars in many cases and even now these remissions go to the pockets of the Mauzadars, with the result that the benefit is hardly realised by the people for whom they were meant. Similarly, it has been found that Mauzadars realise land revenue from *raiyats* who have been granted remission on account of drought or other calamity ; but still the land revenue is realised. These realisations do not go to the Government coffers, but find their way into the pockets of the Mauzadars.

Then there is another mal-practice which is rampant. Land revenue is sometimes realised from the *raiyats*, but still the *raiyats* are shown in the list as defaulters and the money which is thus realised by the Mauzadar is misappropriated by the Mauzadar and is not credited to Government. In some cases Mauzadars are found to have realised land revenue from the *raiyats* without granting any receipt, and sometimes bogus receipts are granted and the *raiyats* are shown in the list as defaulters. Such a thing has happened in a Mauza in the North Lakhimpur subdivision—the Mauzadar realised the revenue from the *raiyats* for the year 1937-38 issuing bogus receipts. Some counterfoil receipt books were used by the Mauzadar for the period from November to March and receipts were granted from these counterfoil receipt books which were not issued to Mauzadar from the Revenue office. Somehow he managed to get hold of these books from the office.

Subsequently the Mauzadar failed to clear the Government demand and submitted a list of defaulters, and the *raiyats* from whom he had realised the revenue by issuing the bogus receipts on these forms were shown in that defaulters' list, and subsequently these bogus receipts were found with the *raiyats* by the Mandals who had been deputed by the Sub-Deputy Collector



for realising the revenue. The result is that though these receipts have been found in possession of the *raiya*s the Mauzadar is not being prosecuted because the Mauzadar was helpful to the Subdivisional Officer and the Deputy Commissioner.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** May I ask the hon. member the name of the Mauzadar who is responsible?

**Srijut SARVESWAR BARUA:** I do not wish to mention any names, but I can inform the Hon'ble Minister that he is the *ex*-Mauzadar of Tilahi Mauza.

Now, the money has not yet been realised by the Government and the man has not been prosecuted. This is remarkable, but perhaps, as my hon. friend Srijut Mahi Chandra Bora has said, he was very helpful to the Deputy Commissioner and to the Subdivisional Officer in the furtherance of their political ends.

Now, Sir, that the system is not beneficial to the *raiya*s is well known; that it is not beneficial to the Mauzadars also is apparent from the fact that several Mauzadars have been ruined by this system. The Government has admitted that the Tahsildari system has been found successful in Majuli.....

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Yes, Sir, that is so.

**Srijut SARVESWAR BARUA:** To show that the Government admit that the Tahsildari system has been a success I will read from the Memorandum on the Budget estimates for the year 1940-41:—"The Mauzadari system for collection of Government revenues had not been working well in some areas due to the slackness and unbusiness-like habits of the Mauzadars. In the Majuli areas, particularly, the slackness and dishonesty on the part of some of the Mauzadars concerned contributed largely to the enormous accumulation of arrears. With a view to improve matters and to make an experiment of the Tahsildari system, a Tahsil was established in those areas with effect from the 1st January, 1935 on a temporary basis and is continuing as such up till now. The working of the Tahsil, since its inception, has been uniformly satisfactory. It is, therefore, proposed to retain the Tahsil permanently." If it has succeeded so well in the Majuli area, I think it will succeed in other places, and I hope Government will make it a point to replace the Mauzadari system by Tahsildari system in all other areas also, and that only the Excluded and Partially-excluded areas may be exempted.

**Srijut MAHADEV SARMA:** মাননীয় সভাপতি ডাঃবীয়া, এই motion মই সমর্থন কৰো। সমর্থন কৰাৰ বাহিৰে কাৰণ এই যে এই প্ৰচলিত মৌজাদাৰী প্ৰথাই কোনো পক্ষকে ভাল ফল দিব পৰা নাই। বিশেষতঃ বৰ্তমান আমাৰ দেশৰ যি অৱস্থা এই অৱস্থাত মৌজাদাৰী প্ৰথা নিতান্ত অসুপায়িত আৰু এই প্ৰথাই আমাৰ মৌজাদাৰ সকলক প্ৰধানতঃ যি অনিষ্ট কৰিছে এইটো কবই নেলাগে। গৱৰ্ণমেণ্টৰ পক্ষৰো এই প্ৰথাৰ পৰা বিশেষ একো লাভ হোৱা নাই। মই সবহ কথা নকওঁ, আমাৰ তেজপুৰ ছব্ডিভিজনলৈকে যদি চায়, ৫ | ৬ বছৰৰ পৰা এই প্ৰথাৰ ফলত উত্তৰ পক্ষৰে যি অনিষ্ট হৈছে সেই সম্পৰ্কে ছটা এটা কথা উল্লেখ কৰিলেই মোৰ এই কথা ভালকৈ বুজিব পাৰিব। তেজপুৰ ছব্ডিভিজনত গৱৰ্ণমেণ্টে অৰ্থাৎ জিলাৰ ডিপুটী কমিছনাৰে কিছুমান মৌজাদাৰক এনেকৈ লাই দিছিল যে প্ৰায় ৬৭ জন মৌজাদাৰে সি বিলাকৰ মৌজাৰ খাজনা তোলাৰ কাৰণ



এৰি অৱ কামত ব্যস্ত থাকোতে আৰু গৱৰ্ণমেণ্টে সেই বিষয়ে কোনো কান নকৰাত তেজপুৰ অঞ্চলৰ বহুত খাৰানা গৱৰ্ণমেণ্টৰ পক্ষে বাকী পৰিছিল। তাৰ বিষয়ৰ ফল কেৱল সেই সকল মৌজাদাৰেই ভোগা নাই—বাইজেও ভূগিন লগাত পৰিছিল। মুঠৰ ওপৰত ক'ব কি হল? কেইবাজনো মৌজাদাৰ বৰ্খাস্ত হল আৰু তাৰ জেৰ আজিলৈকে চলি আছে। বহুত সময়ত বাইজৰ খাজনাৰ বচিদ থকা প্ৰসেও কিছুমান বাইজৰ মাটি annulled হৈছিল, অধিক খাজনা আদায় কৰিছিল ইত্যাদি বেমেজালিৰ বিষয়ে আৰু তাৰ ফলত এই ব্যৱস্থাপক সভালৈকে কিছুমান প্ৰমাদি বা adjournment motion ৰ জৰিয়তে বা cut motion ৰ জৰিয়তে গৱৰ্ণমেণ্টৰ দৃষ্টি আকৰ্ষণ কৰাৰ কথা ১৯৩৭ চনৰে পৰা আপোনালোকে মন কৰিছে। গতিকে এই ব্যৱস্থাপক সভাত বহুতো সভ্যৰ পৰা আপোনালোকে মৌজাদাৰ সকলৰ অনিয়মিত কাৰ্য্যৰ কথা শুনিবলৈ পায়। তথাপি ফলতঃ আৰ্হি গম পাও যে ইয়াৰ দ্বাৰা অধিকাংশ মৌজাদাৰৰ আৰ্থিক অৱস্থা বেয়াহে হৈছে কাজেই এই প্ৰথা কোনো পক্ষেৰ কাৰণেই চলাই থকা সত্ত্বেও নহয়—এখে মোৰ ভাব। সেই কাৰণে মই আশাকৰো গৱৰ্ণমেণ্টে সতি সোনকালে এই প্ৰথা উঠাই দিব।

এই প্ৰথাৰ বিষয়ৰ ফল কিমান তললৈ গৈছে তাৰ উদাহৰণ দিলেই আপোনালোকে বুজিব পাৰিব। সিদিনা বাতৰি কাকততো ওলাইছে—নিশাচৰৰ দুৰ্গতিৰ কথা। তাতো মৌজাদাৰৰ সংগ্ৰহ থকা দেখা যায়। দুজন মৌজাদাৰে এজন এছেম্বলিৰ সভ্যক ৰাজনৈতিক কাৰণে লগ পাবলৈ যাওঁতে গুপ্তচৰ সকলে অপমান কৰিলে। এই মৌজাদাৰ সকল নিজৰ কোনো প্ৰয়োজন নোহোৱা কথাটো যে অপমানিত হৈছে তাৰ বাবে মনত বৰ দুখ পাইছো। (A voice: কি হৈছে?) যদি আপোনালোকে অনুমতি দিয়ে তেনেহলে মই ক'ব পাৰো। ঘটনাটো হৈছিল এই বুলি প্ৰকাশ পাইছে:—

“বিশ্বস্ত সূত্ৰে জানিব পৰা গৈছে যে দুজন নিশাচৰক, জনৈক এছেম্বলিৰ সভ্যক হস্তগত কৰিবলৈ যোৱাত ৮ ফেব্ৰুৱাৰী তাৰখে তিন চুকায়াত হঠাতে ৰাজ নিশা গুপ্ত প্ৰহৰীয়াই পাই এজনক সৰ্ব্বাঙ্গে পাছৰ প্ৰহাৰ কৰি গাটী আটল কৰি দিয়ে আৰু আৰু জনক কানত ধৰাই ২০ বাৰ উঠাবহা কৰি আঠুৰ কামোৰনি মাৰি এৰি দিয়ে। শুনাযায়, গুপ্তচৰ দুজনৰ এজন নগাওঁৰ মৌজাদাৰ আৰু আন জন শিৱসাগৰৰ দাগী সাবেক মৌজাদাৰ।”

এই বিলাক কথা বাতৰি কাকতত পঢ়ি সচাকৈয়ে মনত বৰ বেয়া পাত। মৌজাদাৰ সকল সন্মানী মানুহ। পূৰ্বৰে পৰা তেওঁ বিলাকৰ এই পদবী পুৰুষানুক্ৰমে চলি আহিছে। যিসকল পৌৰাণিক বংশৰ মৰ্যাদা সম্পন্ন লোক সিবিলাককে মৌজাদাৰ পতা হয় আৰু মৌজাদাৰ সকলৰ বংশ ধৰ সকলকেই মৌজাদাৰী পদত নিযুক্ত কৰা হয়। এনকুৱা সভ্য লোক সকলে যদি ৰাজনৈতিক কাৰণে দুৰ্গতি পাব লগা হয় তেনেহলে এইটো বৰ দুখ লগা কথা নহয়নে?



**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI:** Does the hon. member accept responsibility for the statement in the paper that he reads out, Sir ?

**The Hon'ble the SPEAKER:** He is only stating that there is an allegation like that.

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI:** But you have several times ruled, Sir, that no contents of paper should be read unless the hon. member who proposes to read it accepts responsibility for the same.

**The Hon'ble the SPEAKER:** If the hon. member says that there is a particular allegation in the paper of which he takes the responsibility and he desires to read it, should I prevent him ?

**Srijut MAHADEV SARMA:** এই কাকতৰ পৰা substance হে দিছে। গাটেই খন পঢ়া নাই। হুজুৰ মোজাদাৰ যে অপমানিত হৈছে, সেইটোৰ এই প্ৰথাৰ দোষৰ প্ৰাৰণেই নহয়নে? মোজাদাৰী প্ৰথাই যি বিষয়ময় ফল দিয়ে সেইটো বিষয়েই মই কৈছো—মই ব্যক্তিগত ভাবে কাকো অক্ৰমণ কৰিবলৈ ধৰা নাই। কাজেই বৰ্ত্তমান সময়ত এই প্ৰথা কলিমা একলীয়াতকৈ বহুশাল ভাৱৰ মোজাদাৰী প্ৰথা উঠাই দি গৱৰ্ণমেণ্টে নতুন প্ৰথা প্ৰবৰ্ত্তন কৰা উচিত। এনে প্ৰথা পৰিবৰ্ত্তন কৰিবৰ কাৰণ কেতিয়াবাই উদ্ভাৱ হ'ল।

**Khan Bahadur Maulavi KERAMAT ALI:** If I rise at all to speak on this occasion, I do so only with a view to correct the idea that the Mauzadars as a class suffer from a slave mentality. Sir, the hon. mover of the motion has said that the Mauzadars always consider themselves as the servants of the Deputy Commissioner. Sir, there are Mauzadars and Mauzadars. It may be that there are Mauzadars who think that they are Government servants and should carry out the wishes of the Deputy Commissioners in all instances. But there are again Mauzadars in whose house full scope is given to the members of the family for political education. Otherwise, perhaps we would not have seen my hon. friends Srijut Rajendra Nath Barua or Srijut Mohi Chandra Bora in the group in which they sit now.

As regards the motion itself, I may inform the hon. members that the Government have already taken steps to replace Mauzadars by Tahsildars in places where this is necessary. Therefore, this motion should not be pressed and should be withdrawn.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** The Government does not hold any brief for the Mauzadari system (*Hear, hear*). They strongly repudiate the suggestion that the Mauzadars as a class are kept on for political considerations. I am really surprised to hear bitter criticism of the system from those who have lived, moved and had their being in the midst of the system.

**The Hon'ble the SPEAKER:** Therefore they are in the know of things.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** The system, as has been pointed out, has outlived its utility now. Hon. members of the House may remember that this matter was mooted out by the last Retrenchment Committee and the recommendations of the Retrenchment Committee are now for consideration before the Government. I may inform the hon. members of the House that Government are trying to examine the



system. Of course, it will be difficult to precipitate the collapse of the Mauzadari system for financial considerations. Because as hon. members of this House know that although the Tahsildari system is said to be cheaper, in practice, it involves an initial cost of about four to five thousand rupees for the entertainment of the Tahsildar and his staff and also it involves a non-recurring expenditure of some four to five thousand rupees for building. So the financial commitments involved in this proposal would be heavy.

**Srijut DEBESWAR SARMAH:** I question that, Sir.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Why question? Only recently one Tahsil has been constituted at Gauri Sagar and for that purpose Rs.4,000 to Rs.5,000 are required for the entertainment of the staff and a similar additional amount for building purposes.

**Srijut DEBESWAR SARMAH:** I think the Majuli Tahsil was opened for some Rs.2,000.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** It may differ in different places. But as I said that one Tahsil will require a very big amount. So it is not possible under the present circumstances to think of replacing the Mauzadari by Tahsildari all at once all over the province. But I may inform hon. members of this House that I have already issued instructions to the Commissioner of Divisions to examine where it is absolutely necessary to replace this system by Tahsildari system. Government have already realised that in many places this system had failed (*Hear, hear*). For, there have been numerous cases of defalcations. So Government is in sympathy with the proposal that this system should be replaced, I mean the Mauzadari system should be replaced by Tahsildari system (*Hear, hear*). But it is not possible to do it all at once and Government are taking steps towards the goal which is being aimed at. In view of this, I think the hon. mover will feel inclined to withdraw his motion.

**Srijut PURNA CHANDRA SARMA:** I am glad that the Hon'ble Minister has accepted the principle and undertaken to extend the system as far as possible. But I hope he will expedite the progress so that we can have the system as early as possible. Of course, I had not the intention to censure Government for this.....

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI:** He is making a speech.

**Srijut PURNA CHANDRA SARMA:** In view of the assurance from Government, I beg leave of the House to withdraw the motion.

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

**The Hon'ble the SPEAKER:** The next motion\* is in the name of Srijut Jogendra Chandra Nath. I think that this question has already come in connection with motion No.2, moved by Maulana Abdul Hamid Khan.

**Srijut JOGENDRA CHANDRA NATH:** This is a different question.

**The Hon'ble the SPEAKER:** The question of flood has already been discussed and the Hon'ble Minister has also replied.

The next motion stands in the name of Maulavi Matior Rahman Mia. Does the hon. member wish to move it?

\* 6. That the provision of Rs.5,149 under Grant No.2, Major head—7.—Land Revenue, Minor head—B.—Tahsil and other establishments, Sub-head—3.—Management of Private Estates under Act X of 1892, Detailed head—1.—Pay of Establishment (total), at page 34 of the Budget, be reduced by Re.1, i.e., the amount of the whole grant of Rs.15,21,200 do stand reduced by Re.1.

(To criticise Government for failure of giving remission of rents to the tenants of Bijni and Mechpara Court of Ward's Estates proportionate to the damage done by the sudden flood of the 27th September 1939.)



**Maulavi MATIOR RAHMAN MIA:** Sir, I beg to move that the provision of Rs.5,664 under Grant No.2, Major head—7.—Land Revenue, Minor head—B.—Tahsil and other Establishments—3.—Management of Private Estate under Act X of 1892 (total), at page 34 of the Budget, be reduced by Re.1, i.e., the amount of the whole grant of Rs.15,21,200 do stand reduced by Re.1.

Sir, মেছপাড়া ইষ্টেটের বর্তমান ম্যানেজার অর্থাৎ উর্দ্ধতম কর্তৃকারীর কার্যে প্রজাদের ভিতর ভীষণ অশান্তির সৃষ্টি হইয়াছে। কারণ তিনি ষোড়শত্বে একজন প্রচার জমি মত একজন প্রজাকে নিয়া এবং কতক প্রজাদের জমি রিজার্ভে পরিণত করিয়া অথবা জোত্রদারকে বন্দোবস্ত দিয়া প্রজাদের ভিতর মারামারি, মামলা-মোকদ্দমা ইত্যাদি করাইয়া ঘোর অশান্তির সৃষ্টি করিয়াছেন। এই বিষয়ে ইতিপূর্বে গভর্ণমেন্টের নিকট—যে যে স্থানে অশান্তির সৃষ্টি হইয়াছে সে সে স্থানের প্রজারা মিলিয়া বহু দরখাস্ত এবং টেনিগ্রাম দিবাছে। কিন্তু গভর্ণমেন্ট সে বিষয়ে দৃষ্টি নিক্ষেপ করিয়াছেন কি না জানিনা। যদি প্রমাণ স্বরূপ গভর্ণমেন্ট জানিতে চান তাহা হইলে দুই একটি স্থানের কথা বলিতে পারি।

কিছুদিন পূর্বে রামহরির সেরে একজন বিশিষ্টব্যক্তি রেভিনিউ মিনিষ্টারের কাছে একখানা টেনিগ্রাম করিয়াছিলেন। সেখানে প্রায় ৪০০।৫০০ বিঘা জমিতে ২০।০ ঘর প্রজা বহুদিন যাবৎ আছে এবং গাণদের নিকট হইতে দরখাস্ত নজর নেওয়া হইয়াছে। এখন সেই জমি ম্যানেজার জোত্রদারকে হুতন ভাবে পণ দিবার বন্দোবস্ত করিয়াছেন এবং পূর্বে প্রজাদিগকে উঠাইয়া দিবার ব্যবস্থা করিতেছেন। তাহার জন্য কিছুদিন পূর্বে মারামারি হইয়াছে, মোকদ্দমা হইয়াছে। অর্থাৎ তিনি সেই ব্যবস্থা করিয়াছেন—সেজন্য গভর্ণমেন্টের কাছে টেনিগ্রাম, দরখাস্ত পেশ করা হইয়াছে।

খায়রনুজ্জাম চার বৎসর হইয়াছে একজন প্রজাকে ৮০ টাকা নজর দিয়া ৪০ বিঘা জমি পত্তন দেওয়া হইয়াছে—সে খাজানা দিগা দাখিলা নিয়াছে। কিন্তু পুনরায় তৌজি হইতে সেই জমি নিয়া রিজার্ভে পরিণত করিতে চাহিতেছেন। এবং ম্যানেজারের ইচ্ছাতে বিভিন্ন স্থানের প্রজার বহুশত গরুর দ্বারা উক্ত জমির শস্যাদি খাওয়াইয়া নষ্ট করিয়া দেওয়া হইয়াছে। এবং সেই জমি রিজার্ভে পরিণত করিবার চেষ্টা হইতেছে। তাহার জন্য কোটে এখনও মোকদ্দমা চলিতেছে।

হাতীশিলায় কতকজন মুসলমান টাকা দিয়া তথাকার পুরাতন চিন্দু প্রজার জমি খরিদ করিয়া সেখানে বসবাস ও ভোগ দখল করিয়া আসিতেছে। বর্তমান ম্যানেজারের ইচ্ছিতে এবং সহায়তায় ঐ স্থানের কতিপয় লোকের দাবা সে জায়গা বেদখল করাইয়া রিজার্ভে পরিণত করিবার চেষ্টা করা হইতেছে এবং তথায় লাইন প্রথা সৃষ্টি করিয়া ডিপুটি কমিশনারকে রিপোর্ট দেওয়া হইয়াছে।



সেই বাড়ীতে একজন লাথেরাওয়ার প্রায় ৮০ বৎসর যাবৎ তাহার সেই জমি ভোগ দখল করিয়া আসিতেছেন। বর্তমান ম্যানেজার প্রজার সমর্থন লাভের জন্য সেই জমি অন্য লোককে পত্তন দিতে গিয়া সেখানে ভীষণ অশান্তির সৃষ্টি করিয়াছেন। সেখানে rioting হইয়াছে, মারামারি হইয়াছে এবং অনেক লোক হাস্পাতালে আছে।

তুলসীবাড়ী হাটের পূর্ব প্রায়গা নদীতে ভাঙ্গিয়া পাওয়ায় সেই হাটের স্থান নির্দেশেও ছুতন বন্দোবস্তি নিয়া ম্যানেজারের কার্যে মারামারি হয়। সেজন্য সেখানে পৃথক ভাবে দুইটা হাট হইয়াছে।

এরকম সর্বত্র জমিজমা নিয়া ও অন্যান্য কার্যের জন্য ভীষণ অশান্তির সৃষ্টি করা হইয়াছে এবং প্রজারা মারামারি করিয়া ধ্বংসোন্মুখে দাড়াইয়াছে। কাজেই এবিষয়ে গভর্ণমেন্টের অগোনে আন্তর্দৃষ্টি কামনা করি যাতে ইহার প্রতিকার সম্ভববিধা হয় এবং প্রজাদিগকে অশান্তির হাত হইতে রক্ষা করিবার জন্য ব্যবস্থা করা হয়।

**The Hon'ble the SPEAKER:** Cut motion moved:

“That the provision of Rs.5,664 under Grant No.2, Major head—7.—Land Revenue, Minor head—B.—Tahsil and other Establishments—3.—Management of Private Estates under Act X of 1892 (total), at page 34 of the Budget be reduced by Re.1, i.e., the amount of the whole grant of Rs.15,21,200 do stand reduced by Re.1.”

I think the Hon'ble Minister will now reply.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:**

প্রস্তাবক মহোদয় যে অভিযোগ উপস্থিত করিয়াছেন গভর্ণমেন্ট সেবিষয় অবগত নহেন। কেবল একটা অভিযোগ গভর্ণমেন্টের হাতে আসিয়াছে। সেটা হইতেছে রামহরির চর বলিয়া একটা জায়গার সামসুদ্দিন বলিয়া একজন লোক গভর্ণমেন্টের কাছে একখানা টেলিগ্রাম করিয়াছিল। সেই টেলিগ্রাম খানা ডিপুটী কমিশনারের কাছে পাঠান হইয়াছিল এবং ডিপুটী কমিশনারের একটা চিঠির জবাব পাওয়া গিয়াছে। তিনি ঐ বিষয় তদন্ত করিয়াছেন এবং চিঠিতে তিনি বলিয়াছেন—

“Nothing seems to have been done so far by anybody to disturb those in possession. There has been no breach of the peace recently nor is there any reasonable likelihood of its taking place. Nevertheless, I am taking steps to see that nothing may cause trouble and that those in possession are not disturbed pending the inquiry as to whether the lands are Khas lands or a part of the Ramharirchar jote”.

এই বিষয় তদন্ত হইয়াছে। আর অন্য যেগুলি কথা প্রস্তাবক মহোদয় বলিয়াছেন আমরা সেগুলি তদন্ত করিয়া দেখিব। অবশ্য ম্যানেজারের বিরুদ্ধে অনেক অভিযোগ ইদানিং পাওয়া গিয়াছে। সে সম্বন্ধে আমরা তদন্ত করিব।

**Maulavi MATIUR RAHMAN MIA:** মাননীয় মন্ত্রী মহোদয়ের প্রতিশ্রুতি পাইয়া আমি সভার অনুমতি নিয়া আমার প্রস্তাব withdraw করিতে চাই।

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



**The Hon'ble the SPEAKER :** The next motion stands in the name of Srijut Sankar Chandra Barua. Will the hon. member move it ?

**Srijut SANKAR CHANDRA BARUA :** Sir, I beg to move that the provision of Rs.10,000 under Grant No.2, Major head—7.— Land Revenue, Minor head—C.—Management of Government Estates—(b) Colonisation Schemes, Sub-head—4.—Contingencies (non-contract), Detailed head—Improvement of communications in colonisation areas, at page 35 of the Budget be reduced by Rs.100, i.e., the amount of the whole grant of Rs.15,21,200 do stand reduced by Rs.100.

সভাপতি ডাঙৰীয়া, গোলাঘাট চৰ ডিভিজনৰ বৰপথাৰ development area ৰ বিন্দাশ্ৰাম বিজ্ঞান আৰু তিনি বছৰৰ আগেয়ে খোলা হৈছিল। এই বিজ্ঞানত প্ৰায় ৪০ হেক্টৰ মানুহে দৰ্খাস্ত দি মাটি লৈছিল। Development officerএ সেই বিজ্ঞানত মাটি লোৱা মানুহবিলাকৰ সুবিধাৰ কাৰণে তেখেতে জামুগুৰিৰ নোগোৰা আলিৰ সুবৰপৰা বোকা আলিটোক এটা ৰাস্তা খুলিবৰ নিমিত্তে scheme দিছিল আৰু যিসকলে পাম লৈ তাত বহিব সেইসকলৰ সুবিধাৰ বাবে কুৱা বা পুখুৰী খান্দি পানীৰ সুবিধা দিবৰ কাৰণে গৱৰ্ণ-মেণ্টলৈ বহুত দিনৰেপৰা পত্ৰ-লেখি কৰিছিল; কিন্তু আজিলৈকে সেই কাম হাতত লোৱা নহল। ৰাস্তা আৰু পানীৰ বাবে গৱৰ্ণ-মেণ্টক বহুতবাৰ আবেদন নিবেদন কৰা স্বত্বেও তাৰ সুবিধা নকৰাৰ বাবে যিসকল লোকে তাত হাবি ভাঙি বহিছিল গৈ সেই সকলৰ খেতি পথাৰ কৰাত একেবাৰেই ব্যাঘাত কৰা হৈছে। আটাইবিলাক মানুহে তালৈ যাব পৰা নাই— যিসকল তালৈ গৈছে সেই সকলে যি অলপ খেতি পথাৰ কৰিছিল সিও বনৰীয়া হাতী, বাঘ, ভালুকৰ অত্যাচাৰত লোকচান হৈছে আৰু এৰি থৈ শুচি আহিব লগীয়াও হৈছে। বহুতে তাত কাম কৰি পানীৰ সুবিধা নোপোৱাত আৰু ৰাস্তা ঘাটৰ সুবিধা নোপোৱাত বেমাৰত আক্ৰান্ত হৈ বহুত বিপদত পৰিছে।

সেই বিজ্ঞানত খুলি দিয়াৰ এটা নিয়ম কৰি দিছিল যে যিসকলে দৰ্খাস্ত দি মাটি লব সেইবিলাকক দুবছৰৰ খাজানা free দিয়া হ'ব আৰু তৃতীয় বছৰৰ পৰা খাজানা আদায় কৰিব হ'ব। এতিয়া এই বছৰৰ পৰা খাজানা আদায় কৰা হৈছে। যিসকলে দৰ্খাস্ত কৰি মাটি লৈছিল সিবিলাকৰ বহুতে মাটিৰ ওচৰলৈকে ৰাস্তাৰ অভাবত যাব পৰা নাই আৰু বিশেষকৈ সেই বিজ্ঞানত বনৰীয়া হাতী থকাৰ বাবে সেই মাটিলৈ যোৱা একেবাৰেই অসম্ভৱ কথা। তালৈ গৈ মাটি দখল লব নোৱাৰা স্বত্বেও তেওঁবিলাকে এই বছৰৰ পৰা খাজানা দিবলগীয়া হোৱাটো অত্যন্ত দুখৰ বিষয় হৈছে আৰু তেওঁবিলাকে মাটিৰ ওচৰলৈ যাব নোৱাৰাটোৰে খাজানা দিবলগীয়া হোৱাত বহুত আপত্তিও কৰিছে। তেওঁবিলাকৰ আপত্তিৰ বিষয় এই যে Development Officer এ তেওঁবিলাক কৈছিল যে ৰাস্তাৰ নিমিত্তে তেখেতে চেষ্টা কৰিছে ও সোনকালেই মাটি ভঙ্গাৰ সুবিধা হ'ব কিন্তু ৰাস্তাৰ অভাৱত আজিলৈকে তেওঁবিলাকে মাটিৰ ওচৰলৈ যাব পৰা নাই। এই কাৰণেই তেওঁবিলাকে খাজানা দিয়াত আপত্তি কৰিছে। এইখিনিতে মই কওঁ যে আমাৰ বৰ্ত্তমান গৱৰ্ণ-মেণ্টৰ মন্ত্ৰী মণ্ডলীয়ে তেখেত সকলৰ নিজৰ সুবিধাৰ বাবে দৰমহা বঢ়োৱা আৰু পালিয়েমেণ্টেৰী চেক্ৰেটেৰী আৰু প্ৰাই-ভেট চেক্ৰেটেৰী আদি বঢ়ায় খৰছ বঢ়োৱা ইত্যাদি কথালৈ বিশেষকৈ মনত আছে, কিন্তু যি



সকল জখীয়া প্রজাই নাটিকাবী নোহোর বাবে অটঃ অবপাইল আহি মাটি ভাঙ্গি জীবিলা উপাঙ্গনি কৰিবলৈ অঃিছ সেইসকলক সুবিধা নিদিয়—ই বৰ পৰিতাপৰ বিষয়। তাত কৈও বেচি জখৰ কথা হৈছে মাটি অবাধ কৰিবলৈ নোপোৱাকৈয়ে বাজানা নিবলগীয়া হোৱাটো। সেই কাৰণে মই বাশবকৈ মজা মন্তনীৰ ওচৰত দাবী কৰোঁ যে অতি শীঘ্ৰে নোপোৱা আৰ্হিৰ পৰা বেঙ্গমা আৰ্হিকৈ একো বাস্তা কৰিব লাগে আৰু সেইবিলাক ঠাইত পানীৰ সুবিধা কৰি দিব লাগে। সেইটো কৰিলে গৱৰ্ণমেণ্টৰ লোকচান নহয়, বৰ লাভহে হব। সেই বাস্তাটো কৰিলে দৈয়াং নৈৰ ওপৰত এটা বাট হব আৰু সেই বাটৰ পৰাও গৱৰ্ণমেণ্টৰ লাভ হব আৰু লগে লগে মাটি আবাদ হলে বাজানাও বেচি পাব। সেই কাৰণে মই এই প্ৰস্তাৱ দাঙ্গি ধৰিগোঁ।

**The Hon'ble the SPEAKER :** Cut motion [moved :

“That the provision of Rs.10,000 under Grant No.2, Major head—7.—Land Revenue, Minor head—C.—Management of Government Estates—(b)—Colonisation Schemes, Sub-head—4.—Contingencies (non-contract), Detailed head—Improvement of communications in colonisation areas, at page 35 of the Budget be reduced by Rs.100, i.e., the amount of the whole grant of Rs.15,21,200, do stand reduced by Rs.100.”

*Adjournment*

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

*After lunch*

The Assembly re-assembled after lunch with the Deputy Speaker in the Chair.

**The Deputy SPEAKER :** Hon'ble members, I find that motions Nos. 9§, 10† and 11‡ are, though not identical, almost similar in nature to the motion which is now before the House. Therefore, I would like to ask the hon. members-in-charge of the respective motions to participate in the debate in connection with this motion. Motion No. 9 stands in the name of Maulvi Badaruddin Ahmed. He may participate in the discussion on motion No. 8 accordingly.

**Mr. FAKHRUDDIN ALI AHMED :** May I speak on my motion No. 11?

**The Deputy SPEAKER :** Yes.

§9. Maulavi Badaruddin Ahmed to move :—

That the provision of Rs.11,050 under grant No. 2, Major head—7.—Land Revenue, Minor head—C.—management of Government Estates—(b) Colonisation Schemes, Sub-head—4.—Contingencies (Non contract) (total), at page 35 of the Budget be reduced by Re.1, i.e., the amount of the whole grant of Rs.15,21,200 do stand reduced by Re.1.

(To draw the attention of Government as to the necessity of improving the communication in the colonisation area at Mangaldai).

†10. Srijut Sanker Chandra Barua to move :—

That the provision of Rs.43,052 under Grant No. 2, Major head—7.—Land Revenue, Minor head—C—Management of Government Estates (total), at page 35 of the Budget, be reduced by Re.1, i.e., the amount of the whole grant of Rs.15,21,200 do stand reduced by Re.1.

(To criticise Government for non-provision for Barpathar area).

‡11. Mr. Fakhruddin Ali Ahmed to move :—

That the provision of Rs.43,052 under Grant No. 2, Major head—7.—Land Revenue, Minor head—C—Management of Government Estates (total), at page 35 of the Budget, be reduced by Re.1, i.e., the amount of the whole grant of Rs.15,21,200 do stand reduced by Re.1.

(To criticise Government for not providing funds for ring-wells and roads in the Barpathar area).



**Mr. FAKHRUDDIN ALI AHMED:** I am obliged to you Sir, for giving me an opportunity of speaking on this motion, as an identical motion stands in my name.

As the Hon'ble Revenue Minister knows, at the time of discussion of the Budget I had drawn his attention as well as the attention of the Hon'ble Prime Minister to the fact that no provision has been made by the Government for communication and water-supply for the Barpathar Development area. I am sorry, Sir, that the Hon'ble Prime Minister forgot to take note of that fact, and to tell us in his reply as to what the Government intended to do in this matter.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I have taken a note, Sir.

**Mr. FAKHRUDDIN ALI AHMED:** For this reason, Sir, I have been compelled to table this motion with a view to lay before the House certain facts and to show that, if no amount is spent on this particular area, the money which has already been spent by the Government in opening it out will go as a colossal waste. My hon. friend Mr. Sankar Chandra Barua has stressed before the House the inconveniences and difficulties felt by those people who have taken settlement in this particular area. I do not therefore propose to tackle the question from that aspect of the matter. I wish to inform the House and also the Hon'ble Minister that, out of the reserve which was disforested for the purpose of providing settlement of land to landless indigenous persons of the province, as much as 60 per cent. of it was brought under cultivation till the year 1939, and this 60 per cent. of the disforested reserve, which has been brought under cultivation, has so far given a revenue of over Rs.87,000 a year. The Hon'ble Minister will bear me out that only last year when about 35,000 *bighas* were newly settled, the revenue from this source was increased to over Rs.17,000. Sir, if after getting an income from this particular area to the extent of Rs.17 or 18 thousands only in the year 1939-40, the Government was not in a position to provide for the facilities and conveniences which would have not only brought more people for settlement in this area but also more revenue to the province then I cannot understand what other factors are necessary to persuade this Government to take up measures for the purpose of improving the revenue and also the condition of the people.

Sir, as I have already said, when I was Revenue Minister, a proposal was submitted to me by the officer in charge of this area, and according to which, provision for at least five ring-wells and a portion of the road were urgently required in the coming year. It would have cost the Government only an amount of Rs. 17,000. Though I know that even that amount would not have gone to remove the inconveniences and difficulties which are felt by the settlers there, yet I think, Sir, that this small amount, if provided in the Budget, would have gone a great way towards lessening the difficulties which are now felt by them.

I am sorry, Sir, that this Government did not think it proper to make a small provision for this purpose, which did not require much effort on their part as this area has only last year given an increased revenue of about Rs.17,000. I hope, Sir, the Hon'ble Revenue Minister will give his serious consideration to this matter and will see that at least some amount, if not the whole of the Rs.17,000, is now allotted for the purpose of providing ring-wells in this particular area, without which the progress of the settlement of land within disforested reserve will suffer and this province will lose the expected increase in the revenue.



**Maulavi BADARUDDIN AHMED:** My object is to draw the attention of the Government to the necessity of improving the communication in the colonisation area in Mangaldai. Sir, the area extends to about 20 miles in length and about 9 miles in breadth where immigrants have settled. There is no communication there to go from one village to another. People cannot go to the Bazar for the purpose of selling and buying articles. Government realised about Rs.50,000 from this colonisation area. The Local Board also realises a large amount of money by way of cart-tax and tolls from the Bazar. But they do not get any return for that from the Government in the matter of improvement of communication. The Local Board also is not favourably disposed towards the immigrants in that area. Government, of course provided, some money for communication in that area, but the sum was inadequate. It is not quite sufficient for the upkeep of the existing road, not to speak of improvement or construction of new roads. So, I draw the attention of the Government to increase the grant for that area for the improvement of roads and for communication.

**The DEPUTY SPEAKER:** As regards motion No. 10\*, I want to know if the hon. members want to raise any discussion on this. If not, I would have no other option but to call on the Hon'ble Minister to reply.

**Srijut DEVESWAR SARMAH:** I will add a few observations as regards this motion. This matter is more important than allotting certain amount of money for that particular colonisation area, because it involves a principle on which the State realises revenue from the subjects. The subjects individually subscribe to the State fund, and the State is the collective body of subjects inasmuch as the State looks after not only individual needs but to social welfare and growth.

Now, Sir, here is a place — Barpathar Colonisation Area — from which the State is deriving a revenue of Rs.80,000, in round figure. The place was covered over with deep jungles and there were wild animals there. It was thrown open for settlement and people from different parts of the country went and settled there after clearing jungles at their own expense. There are no roads, hardly is there any arrangement for water; there is no provision for imparting education to the children of the settlers. If people fall ill, they die for want of medicine. In these circumstances Government is to consider seriously whether it is justified in taking revenue from the inhabitants of this area year after year without making provision for some amenities for them. Sir, is it an indication of a plan for the future development of the country? If the country is to be developed, the State is to invest money, to start with, by way of opening out means of communication by making arrangement for drinking water, hospital and schools. In the history of the development of other countries in the world, we find that the State or a big corporation, in certain cases invest huge amounts for preparing places for the settlement of the people. We have heard from hon. Mr. Fakhruddin Ali Ahmed that last year about 35,000 *bighas* of land were thrown open and Rs.17 thousand have been received by the State by way of land revenue. Are not the raiyats entitled to be looked after in regard to education and sanitation? I submit that this is a matter which involves a high principle. It should be an eye opener to the people of the province as to the policy adopted towards the development of the province.

\* See footnote of page 544.



**Srijut SANKAR CHANDRA BARUA :** সভাপতি ডাঙৰীয়া, মই ৮ নম্বৰ motion টো move কৰাৰ সময়ত খেলাশাস্ত্ৰ বিষয়াৰ কথা কৈছিলোঁ। গোটেই বৰপথাৰৰ বিষয়ে কেইটামান দৰ্কাৰী কথা আছিল, তাক মই এতিয়া কব খোজোঁ।

যি সকল ভদ্রলোকে বৰপথাৰলৈ গৈ farm খুলিছে, সেই ভদ্রলোক সকলৰ farm ৰ পৰা কিমান খৰিন উপকাৰ হৈছে তাক এটা কথাৰ পৰাই বুজিব পাৰি। সেইটো হৈছে যোৱা বছৰৰ আগৰ বছৰৰ Budget session ত আমাৰ বৰ্তমান প্রধান মন্ত্রী ডাঙৰীয়াই ছটা মাটিকঁঠাল আনি হয়াত দেখুৱাইছিল আৰু তেখেতে সেই মাটিকঁঠালৰ সোৱাদ নিশ্চয় পাইছে।

*Voices :* সেইবোৰ তেজপুৰৰ হে।

**Srijut SANKAR CHANDRA BARUA :** যদিও সেই ছটা বৰপথাৰৰ মাটিকঁঠাল নাছিল, তথাপি বৰপথাৰৰ মাটিকঁঠালে গোটেই ভাৰতবৰ্ষৰ ভিতৰত প্ৰথম স্থান অধিকাৰ কৰিছে। বোধ হয় সেইটো মন্ত্ৰী মহোদয়ে জানে। আৰু যি জন ভদ্রলোকৰ যত্নত বৰপথাৰৰ মাটিকঁঠালে All-India Exhibition ত প্ৰথম স্থান অধিকাৰ কৰি বটা পাইছে, সেইজন ভদ্রলোকৰ নাম এজাহাৰ হুছেইন হাজৰীকা। তেখেতে যত্ন কৰি বৰপথাৰৰ farmত মাটিকঁঠাল উন্নতি কৰিছে। তথাপিও কৃষি বিভাগৰ পৰা তেখেতক বিশেষ সহায় দিয়া নাহি। তেখেতে লক্ষ্মী, বৰদা আদি ঠাইলৈ যাবলৈ কৃষি বিভাগৰ পৰা সহায় বিচাৰিছিল। কিন্তু কৃষি বিভাগে সহায় দিয়া দূৰৈত থাকে, তালৈ গলে বিশেষ লাভ নহব বুলি তেখেতক discourage হে কৰা গৈছিল। আৰু যি সকল ভদ্রলোক তালৈ farm খুলিবলৈ গৈছে তেখেত সকলেও যে বহুত অসুবিধা ভোগ কৰিব লগীয়া হৈছে সেইটো মন্ত্ৰী সকলে অৱশ্যে নজনা নহয়। যি সকল ভদ্রলোক বৰপথাৰলৈ গৈছে সিবিলাকৰ বহুতে কৃষি শুল্কৰ বাবে আবেদন নিবেদন কৰিও আজিলৈকে কোনো সহায় পোৱা নাই! কোনোবা এজন নে দুজনক মাত্ৰ ২০০ টকা কৈহে দিয়া হৈছে সেই টকাৰে তেনেকুৱা farm কৰি উন্নতি কৰা অসম্ভৱ। ২০০ টকাৰ ঠাইত অন্ততঃ ৭০০ টকা নহলে এনে এখন ঠাইত farm আৰম্ভ কৰা সম্ভৱ নহয়। সেই কাৰণে মই কওঁ যে এইটো বিশেষ দৰকাৰ বুলি বিবেচনা কৰি যেন এই কথাটো গৱৰ্ণমেণ্টে কান দিয়ে।

Farm খুলিবলৈ যোৱা লোক সকলৰ আৰু এটা বিপদ হৈছে এইযে এজন মানুহক মাত্ৰ ৩০ বিঘা মাটি দিয়া হয়। এজন মানুহে ৩০ বিঘা মাটি লৈ farm কৰি বিশেষ লাভ কৰা অসম্ভৱ। যি সকল ভদ্রলোকে farm খুলিবলৈ তালৈ গৈছে সিবিলাকৰ নিমিত্তে অন্ততঃ ৭৫ বা ১০০ বিঘাটক মাটি নিদিলে তাত farm কৰা অসম্ভৱ। সেই কাৰণে বিশেষকৈ gentlemen farmer সকলৰ কাৰণে ৭৫ বা ১০০ বিঘা মাটি দিয়াৰ বন্দৱস্ত কৰিব লাগে।



বৰপথাৰত অটব্য অৰণ্য ভাঙ্গিবলৈ ঘিসকল মানুহ গৈছে সেই সকলে প্ৰথমতে গৈ হাতী বাঘ আৰু ভলুকৰ লগত যুদ্ধ কৰিব লগীয়া হয়। হাতী, বাঘ, ভলুকৰ লগত যুদ্ধ কৰিবলৈ হলে যে বন্দুক নহলে নহয়, সেই কথা গৱৰ্ণমেণ্টে জনা স্বত্বেও বন্দুকৰ নিমিত্তে আবেদন নিবেদন কৰিলে যে কি কাৰণে refuse কৰা হয় তাক বুজা কঠিন। সেই কাৰণে বৰপথাৰত বন্দুকৰ নিমিত্তে আবেদন নিবেদন কৰা সকলক বন্দুক দিয়াৰ ব্যৱস্থা কৰিব লাগে। নহলে, অটব্য অৰণ্য ভাঙ্গি নিজৰ লাভ হোৱা আৰু গৱৰ্ণমেণ্টক লাভবান কৰা অসম্ভৱ কথা। বন্দুক নহোৱাৰ কাৰণে যে বহুতৰ লৰা ছোৱালী আৰু নিজৰো জীৱনৰ টনাটনি হৈছে, এইটো কথা বহুতে জানে আৰু জনিছেও। এই বিলাক জনা স্বত্বেও যে গৱৰ্ণমেণ্টে তাৰ নিমিত্তে একো বন্দবস্ত কৰা নাই, তাৰ নিমিত্তে গৱৰ্ণমেণ্টক গাৰ্হণা নিদি নোৱাৰে।

তাৰ পিচত আজি কেইবা বছৰৰে পৰা খেতিয়ক সকলক উদগনি দিবৰ কাৰণে হাত এখন Experimental Farm খুলিবলৈ বহুত যত্ন কৰা স্বত্বেও আজিলৈকে কৃষি বিভাগে বা গৱৰ্ণমেণ্টে কোন উম্বাম কৰা নাই। যোৱা বছৰ বহুত চেষ্টা কৰাৰ ফলত এজন Marketing Officer দিয়া হৈছিল বৰপথাৰত যিবিলাক মাটিকঠাল উৎপন্ন হৈছে সেই বিলাক কলিকতাত বিক্ৰি কৰিবৰ কাৰণে। Marketing Officer ৰ গাৰ্ফিলৰ নিমিত্তেই হওক বা অন্য কাৰণেই হওক, farmer সকলৰ পৰা আমি জানিবলৈ পাইছো যে Marketing Officer এ সুবিধা কৰি দিয়া ঠাইত মাটিকঠালৰ দাম নিচেই কমকৈ পাইছিল আৰু সিবিলাকে নিজে যত্ন কৰি বেচা ঠাইত বেচি দাম পাইছিল। ইয়াৰ পৰাই বুজা যায় যে Marketing Officer ৰ যত্ন বেয়া হৈছে। সেই কাৰণে গৱৰ্ণমেণ্টে কেৱল কলিকতাতেই নহয়, অন্য ঠাইতো যাতে মাটিকঠাল ভাল দামত বিক্ৰি কৰি লাভ কৰিব পাৰি তাৰ নিমিত্তে বিশেষ চকু বখা উচিত।

Model village গঠন কৰা scheme সম্বন্ধে গৱৰ্ণমেণ্টে এতিয়া কি কৰিছে আমি জানিব পৰা নাই। মই বিশেষকৈ বৰপথাৰ আৰু সৰপথাৰ মৌজাত এখন আৰু আমাৰ মাননীয় শ্ৰীযুত খৰসিং তেৰাও ডাঙৰীয়াৰ বৰজান মৌজাৰ ৰাজিজন নামে ঠাইত এখন model village স্থাপন কৰি মিকিৰ সকলক ভাল কৰিবলৈ মন্ত্ৰীমণ্ডলীৰ দৃষ্টি আকৰ্ষণ কৰিলো।

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** Mr. Deputy Speaker, Sir, if these motions are characterised as censure motions, as has been done by the last speaker, I must oppose them, but if these motions have been tabled with a view to draw the attention of the Government to the prevailing grievances, then I am entirely at one with the hon. movers. I am obliged to them for bringing forward this matter. The Government is fully alive to the dire necessity of providing for better communication and better sanitation in the colonisation areas including the Development Area at Barpathar.



Sir, I myself was a member of the Line Enquiry Committee, and it was one of our recommendations that communication and sanitation of these colonisation areas must be improved, and a portion of the amount that is received by Government as land revenue from these areas should be spent on them. I think it is in pursuance of that recommendation that Government had been providing money for improvement of communication in the colonisation areas. This year in the Budget Rs.10,000 has been allotted for Nowgong and Rs.3,000 for Darrang. During the current year, the allotment for Darrang was Rs.2,000, but for next year it has been increased by Rs.1 000. So, it is the policy of Government to provide money accordingly as the funds permit for the improvement of communication in these areas. With the improvement of finance, I hope, it will be possible for Government to provide more money for Darrang.

Now, Sir, as regards this Barpathar area, a proposal was submitted for the Budget of 1940-41, but owing to the paucity of funds, the proposal was turned down by the Finance. I am obliged to the hon. movers for this reason that the discussion in this House will strengthen my hands, and will enable me to extort this amount from the Finance. I hope it will be possible for me to provide this much-needed money in the Budget for the year 1941-42.

**Mr. FAKHRUDDIN ALI AHMED :** May I know one thing, Sir ? Is it the intention of the Government to come forward with a supplementary demand for this amount ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** The matter will be considered, Sir.

**Mr. FAKHRUDDIN ALI AHMED :** I understood the Hon'ble Minister to say that money will be provided in 1940-41, and that is why I asked this question ; but now he says that the matter will be considered.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** I cannot assure the hon. member that I will bring forward a supplementary demand for this, but I will try.

**Srijut SANKAR CHANDRA BARUA :** মাননীয় মন্ত্রী মহাশয়ে supplementary demand ৰ দ্বাৰা টকা দিবলৈ চেষ্টা কৰিব বুলিষে কৈছে, সেই কাৰণে মই সভাৰ অঙ্গুমতি লৈ ম'ৰ চ নম্বৰ cut motion টো উঠাই ললো।

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

**Srijut GAURI KANTA TALUKDAR :** Mr. Deputy Speaker, Sir, I beg to move that the provision of Rs.4,20,000 under Grant No.2, Major Head—7.—Land Revenue, Minor Head—D.—Charges on account of Land Revenue Collections, Sub-head—3.—Contingencies, Detailed head—Commission on land revenue collections, at page 36 of the Budget, be reduced by Rs.101, i.e., the amount of the whole grant of Rs.15,21,200 do stand reduced by Rs.101

Sir, the object of my tabling this motion is to draw the particular attention of the Government to the necessity of granting some remission of land revenue in various parts of the district of Kamrup owing to failure of crops. Sir, an early and heavy flood has greatly damaged the *Ahu* or autumn crop and badly destroyed the *Bao* cultivation in various parts of the district of Kamrup, and especially in almost all the eight Mauzas of my constituency. Due to this failure of the *Ahu* crop, Sir, there arose an acute scarcity of food in those localities.



The Hon'ble Revenue Minister of the Congress Coalition Ministry accompanied by the Deputy Commissioner of Kamrup, visited the very badly affected areas, and saw the damage with his own eyes. Sir, this Government have also practically admitted these facts. And over and above these, Sir, as if to add to their miseries, there occurred an unusual drought in the district and the cultivators failed to grow their *Sali* paddy fully—partly owing to drought and partly for want of *Khathia* or seedlings, which were destroyed by the flood, with the result that large areas of land remained fallow, and the areas which were transplanted also did not yield good outturn as the transplanting happened to be done very late.

Sir, the Government in their final forecast of the autumn rice crop of Assam, 1939-40, had to admit that there was a considerable decrease in area under cultivation and that the outturn also was low in the district of Kamrup. Sir, the District Officer's report reads like this :—

“The decrease in area is due to drought at sowing time of the crop. The low outturn is due partly to unfavourable weather conditions and partly to the damage done to the crop by flood.”

The poor peasants approached the Government pitifully for relief, but no response has yet been made from the side of the Government.....

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI:** On a point of information, Sir, when was the application made?

**Srijut GAURI KANTA TALUKDAR:** It was made first in the month of June or July, and subsequent applications were also made.

I, therefore, earnestly urge upon the Government that they should view the matter sympathetically and give the aggrieved peasants due relief by way of remission of land revenue, and also by giving cattle loans and agricultural loans wherever found necessary in the flood and drought affected areas of the district of Kamrup.

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

**The DEPUTY SPEAKER:** Cut motion moved:

“That the provision of Rs.4,20,000 under Grant No.2, Major head—7.—Land Revenue, Minor head—D.—Charges on account of Land Revenue Collections, Sub-head—3.—Contingencies, Detailed head—Commission of Land Revenue Collections, at page 36 of the Budget, be reduced by Rs.101, i.e., the amount of the whole grant of Rs.15,21,200 do stand reduced by Rs.101.”

**Srijut KARKA DALAY MIRI:** মাননীয় সভাপতি মহোদয়, মইএ ই cut motion টো সমর্থন কৰি কেই আৰাৰ মান কৰ খোজোঁ। বোধকৰো গৱৰ্ণমেণ্টৰ অবিদিত নহয় যে যোৱা বান পানীত অসমীয়া ৰাষ্ট্ৰত বিশেষকৈ ব্ৰহ্মপুত্ৰ আৰু সোৱণ শিৰীৰ পাৰত থকা ৰায়ত সকলে সকলো প্ৰকাৰে কিমান কষ্ট পাইছিল আৰু তেওঁবিলাকৰ দুখ মোচনৰ কাৰণে কেই লাখমান টকাও খৰচ কৰা হৈছিল। কিন্তু তেওঁবিলাক সেই বান পানীৰ পাঁড়নৰ পৰা নো মোচন হওঁতেই এইবাৰ বতৰ খৰাং হোৱাত আছ আৰু শালী খেতি স্তুবিধা বকমে ৰাইছে কৰিব নোৱাৰিলে। অকল এয়ে নহয়, মাহ আৰু সাঁৰম্বহ খেতি ও ৰায়তে স্তুবিধা বকমে কৰিব নোৱাৰিলে। যি এডাল ছুডাল সৰিয়হ হৈছিল তাকো মোৱা পোকে থাই তেনেই নষ্ট কৰিল।

**The DEPUTY SPEAKER:** Order, order. আপোনাৰ নামত ১৮ নম্বৰ cut motion আছে আৰু তাতো মিৰি ৰাইজক remission দিয়াৰ কথা থকা দেখা যায়। গতিকে এই cut motion ৰ লগত যিখিনি মিলে তাক কলেই ভাল হ'ব।



**Srijut KARKA DALAY MIRI:** ইয়াত সেই সত্বে বিশেষ একো নাই। ...

**The DEPUTY SPEAKER:** যি ধিনি remission দিয়াৰ কথা আছে সেই ধিনি কলেই ভাল হয়।

**Srijut KARKA DALAY MIRI:** সকলোৰে বোধ হয় জানে যে ধান আৰু সব্ৰিয়তৰ ওপৰতেই অসমীয়া বায়তৰ জীৱিকা নিভৰি কৰে। মই নিজেই মাজুলী ঘোৰহাট, উত্তৰ লক্ষীমপুৰ, তেজপুৰ, ডিব্ৰুগড় আদি ঠাইত গাবুঁ ভুয়ে কুৰিছোঁ। এইবাৰ বায়তৰ খেতি একেবাৰে শোচনীয়। সব্ৰিয়ত বিক্ৰি কৰি মহাজনৰ ধাৰ গৰা দুৰৰ কথা, কঠিগাৰ কাৰণেও কোনো কোনো ঠাইত নাই। একালে সব্ৰিয়ত নাই আৰু আনফালে ধান চাউলৰ অভাৱ। ইয়াৰ উপৰিও যোৱা বানপানীত দিয়া কৃষিক্ষেত্ৰ চৰকাৰ বাহাৰে এইবাৰ তুলিবলৈ চেষ্টা কৰিছে। বৰ্তমান বাইচৰ অৱস্থালৈ চাই, মই আশা কৰো, চৰকাৰ বাহাৰে সুবিচাৰ কৰি যিবোৰ ঠাইত অৱস্থা শোচনীয় সেইবোৰ ঠাইৰ বায়তক খাজানা মাফ দিব আৰু কৃষিক্ষেত্ৰ এইবালৈ বায়তৰ পৰা আদায় নকৰিব। এই কেই আষাৰ কথাকৈ মই এই প্ৰস্তাৱটো সমৰ্থন কৰিলোঁ।

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Mr. Deputy Speaker, Sir, the policy of the Government has always been to grant remission of revenue in case of failure of crops or other calamities. Government have framed rules with that purpose. I may refer hon. members to rules 101 to 114 at pages 180 to 185 of the Assam Land Revenue Manual authorising the local officers to take immediate action in such cases. The Commissioner of Division has been authorised to grant remission upto Rs.10,000 in case of any one calamity in any one district and beyond that amount, it requires the sanction of the Local Government. In every year we have been receiving proposals after proposals for remission of land revenue on account of failure of crop or drought; and in all cases the remissions proposed by local officers have been sanctioned by Government. In case of Kamrup, Government had to remit about Rs.1,49,000 of land revenue and Rs.13,000 local rate for 1345 B.S., that is last year, on account of damage of crops by floods. Now this year the hon. member Srijut Gauri Kanta Talukdar has already, in the course of certain interpellations, brought to the notice of Government the hardships caused to certain raiyats on account of drought and flood. These are being inquired into by the local officers, and, as I replied yesterday, the Commissioner is still expecting another report from the Sub-Deputy Collector regarding the relief that is necessary before the next harvest. So the hon. member may rest assured that all possible steps will be taken if it is found that these remissions are really justified by the circumstances of the case.

As regards the complaint of Srijut Karka Dalay Miri, I have to-day received some petitions forwarded by him about the hardships and sufferings of those people. I may assure him that these petitions will be sent to the local officers for enquiry and necessary action.

I think this is all I have got to say on this motion.

**Srijut GAURI KANTA TALUKDAR:** In view of the assurance given by the Hon'ble Revenue Minister, I beg leave of the House to withdraw the motion.



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

**The DEPUTY SPEAKER:** Now, we come to motion No.14 which stands in the name of Srijut Gauri Kanta Talukdar. I find that this motion is identical with No.16\* standing in the name of Srijut Krishna Nath Sarma. I would ask the hon. member to participate in this motion.

**Srijut GAURI KANTA TALUKDAR:** Sir, I beg to move that the provision of Rs.20,000 under Grant No.2, Major head—7.—Land Revenue, Minor head—D.—Charges on account of Land Revenue Collections, Sub-head—3.—Contingencies, Detailed head—Commission on grazing dues, at page 36 of the Budget, be reduced by Rs.101, *i.e.*, the amount of the whole grant of Rs.15,21,200 do stand reduced by Rs.101.

The object of my moving this motion is to criticise the policy of the Government for not maintaining a uniform rate of grazing tax throughout the province. Sir, in the Assam Valley districts the rate of grazing tax on each buffalo is Rs.3 and in the Garo Hills it is Rs.6. But in the districts of Sylhet and Cachar it is Re.1. The reason for such unequal rates for different localities in the same province is unknown and inscrutable.

We see no justification for the Government in imposing such heavy tax on buffaloes in the Garo Hills and the Assam Valley districts. This heavy taxation, Sir, is causing great hardships to the keepers of buffaloes in the first place in these districts and to the public in general in the long run on whom the burden ultimately falls in the shape of exorbitant price of milk and *ghee*. Sir, the injustice becomes more painful when we take into consideration the other fact that the buffalo-keepers have to pay double the amount of tax when they fail to pay it in time.

In this connection we should also bear in mind that the number of reserves provided for the buffalo-keepers for grazing their buffaloes are quite insufficient and mostly unsuitable and useless, and that for want of proper nourishment the buffaloes are deteriorating and are giving scanty milk. For these reasons, Sir, I urge upon the Government to reduce the rate of the tax to Re.1 in the Assam Valley districts and the Garo Hills and to make the tax uniform throughout the province. With these words, I commend my motion for the acceptance of the House.

**The DEPUTY SPEAKER:** Cut motion moved:

“That the provision of Rs.20,000 under Grant No.2, Major head—7.—Land Revenue, Minor head—D.—Charges on account of Land Revenue Collections, Sub-head—3.—Contingencies, Detailed head—Commission on grazing dues, at page 36 of the Budget, be reduced by Rs.101, *i.e.*, the amount of the whole grant of Rs.15,21,200 do stand reduced by Rs.101.”

**Srijut KRISHNA NATH SARMA:** This grazing tax is an obnoxious tax imposed on the cattle population. There is scanty grazing ground and even those that exist are without grass. The Government has not taken up the question of supply of fodder. The high mortality of cattle in recent years is well-known. The indebtedness of the raiyats is due to the mortality of cattle every year. As a result of this tax the price of milk has gone up and there is adulteration throughout and it has become impossible to get pure milk and

\* 16. That the provision of Rs.20,000 under Grant No.2, Major head—7.—Land Revenue, Minor head—D.—Charges on account of Land Revenue Collections, Sub-head—3.—Contingencies, Detailed head—Commission on grazing dues, at page 36 of the Budget, be reduced by Rs.2, *i.e.*, the amount of the whole grant of Rs.15,21,200 do stand reduced by Rs.2.

(To criticise the policy of Government for not bringing the rate of grazing tax to the uniform level throughout the Province.)



*ghee*. So I submit that this difference in rate between Surma Valley and the Assam Valley must be equalised. I bring to the notice of the House that the rate of tax in Assam Valley should be brought to the same level, namely, to one rupee.

**Mr. JOBANG D. MARAK:** I just want to ask one information. I want to know from the Hon'ble Minister whether he will reduce the tax in the Garo Hills at least by 50 per cent. Because, the former Hon'ble Revenue Minister promised to reduce it from Rs.6 to Rs.4. But up to now it is continuing in the same level.

**Mr. BENJAMIN CH. MOMIN:** Mr. Deputy Speaker, Sir, I rise to oppose this motion, because the condition of the different districts are not similar. I beg to point out to the mover of this motion that the graziers of the Garo Hills are all Nepalis and foreigners. The rate of grazing tax imposed in Garo Hills is only to protect the Garo cultivators who have no other means of living. Therefore the grazing tax in the Garo Hills should not be reduced but increased. With these few words I oppose the motion.

**Mr. JOBANG D. MARAK:** Both the Nepalis and Garos should be treated equally by the Government according to the Revenue Rules and Regulations of the country and not according to incompatible ideas and thoughts of particular individuals; I meant to say, Sir, justice and equity must be shown to all raiyats on equal basis. Nepalis are also raiyats as well as the Garos are. And I and my Garos want to take up professional grazing in the Garo Hills. Many Garos who possessed buffaloes suffered great loss due to this enhanced rate of grazing tax.

**Maulavi SYED ABDUR ROUF:** Sir, I beg to oppose this motion on a principle. It has been argued that the grazing tax should be reduced, but in my opinion, so far as Assam Valley is concerned, the grazing tax should not be reduced at all. You perhaps know that in the subdivision of Barpeta one lakh nine thousand *bighas* of land have been kept reserved for the graziers and from the graziers we get only about Rs. 35,000. Therefore we see that from the grazing reserves we get only about 5 annas per *bigha*. But if a portion of this reserve is settled with the agriculturists most probably it would bring an income of about Rs.50,000. In addition, the lands which could be cultivated by jute would bring another Re. 1-4-0 per *bigha* as jute duty. This would give us an income of Rs. 75,000 in one subdivision. Therefore it is only desirable that in Assam Valley the grazing tax should be doubled. Another fact should not be lost sight of. Somebody has said that the price of milk and *ghee* has gone up, but it is not a fact. Some 10 years ago milk was selling at 3 to 4 annas per seer but to-day even in towns we get milk at 2 annas per seer. So far as pure *ghee* is concerned, in Gauhati and Barpeta we get *ghee* at Re.1-12-0 per seer. By comparing this market with the market of 10 years ago we will see that the price of *ghee* and milk has not increased at all. Therefore, so far as the rate of grazing tax is concerned in our Valley it should not only be increased but it should be doubled.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Mr. Deputy Speaker, Sir. There are different rates for different places on account of the lack of grazing facilities. For instance, in Sylhet there is lack of grazing facilities because during six months of the year fields remain under water. It is for this reason that a low rate has been fixed for Sylhet. Similarly, in the Garo Hills as a protection against the local people the professional graziers are taxed at a higher rate.



**Mr. JOBANG D. MARAK :** If I am allowed I could explain the situation very clearly.

**The DEPUTY SPEAKER :** It is too late.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** Now I want to satisfy my hon. friend Mr. Marak. He raised the question that he got an assurance from Hon'ble Mr. Rohini Kumar Chaudhuri that the grazing tax would be reduced. Now, in pursuance of that assurance, Government made an enquiry and as a result of that enquiry it was discovered that there are conflicting views between the two Members of the Legislative Assembly representing the Garo Hills. The Government was informed that as a result of a conflict of views between the two Members of the Legislative Assembly it was not thought desirable to change the present rate. Now if my hon. friends say that there is no such conflict then the matter will be enquired into again.

Now as regards the rate of grazing tax. The House will remember that as far back as in 1927 a committee was held to enquire into these rates and after a good deal of discussion Government issued a notification in 1932. Then again on the observations and recommendations of the Live-Stock and Dairy Expert there was another notification issued in 1933 fixing these rates and calling for criticism from the public. No criticism was received and in consequence of that, the rules were notified in the Gazette. We are now making assessment under those rules which are now in force. Last time probably in the Retrenchment Committee a question was raised about the reduction of grazing tax and my hon. predecessor in office, Mr. Fakhruddin Ali Ahmed said that the rates should be uniform. I have already said that the recommendations of the Retrenchment Committee are before the Government for consideration and I think this matter will come up for consideration before the Government. So with these remarks I request the hon. member to withdraw the motion.

**Srijut GAURI KANTA TALUKDAR :** Sir, in view of the assurance given by the Hon'ble Minister, I beg leave of the House to withdraw my motion.

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

**The DEPUTY SPEAKER :** The time allotted for the discussion of the cut motions in connection with land revenue by the Hon'ble Speaker was up to 3 p. m., but as I find that there are lots of cut motions still lying, I allow an extension of 15 minutes more for the discussion of these cut motions but I would request the hon. members to be as brief as possible. Otherwise it will be very difficult for me to finish up.

Next motion No. 15 stands in the name of Mr. Naba Kumar Dutta. Will he move it ?

**Mr. NABA KUMAR DUTTA :** Mr. Deputy Speaker, Sir. I beg to move that the provision of Rs. 4,71,200 under Grant No. 2, Major head—7.—Land Revenue, Minor head—D.—Charges on account of Land Revenue Collections (total), at page 36 of the Budget, be reduced by Rs. 101, i.e., the amount of the whole grant of Rs. 15,21,200 do stand reduced by Rs. 101.

Sir, I have tabled this cut motion to criticise Government for not granting land revenue concession to uneconomic tea gardens.

Sir, we have heard on several occasions many words of sympathy from the Treasury Benches towards the tea industry ; but this sympathy does not seem to be consistent with the attitude adopted by this Government towards this industry. Sir, the sympathy which is not exercised with scrutiny and which always mistrusts reality is a hollow sympathy in which we cannot place any reliance at all. Now, Sir, it is a reality that some small concerns owned by Indian Tea Planters are uneconomic concerns. The existence of



such concerns was at once recognised by the authorities when they treated them as such at the time of granting them export quotas. These uneconomic concerns bear hardly any profit to their owners. Though, Sir, the war has brought a slight rise in the commodity prices, the cost of production has gone up by leaps and bounds, and if there has been any time when these small concerns should derive special considerations, it should be, Sir, at the present moment. It is the duty of the Government to see that not only the tea industry prospers in this province but also that the children of the soil get their legitimate share of wealth through this industry. Sir, the Government, by not trying to raise the burden from the shoulders of the Indian Tea Planters are simply helping the big Joint Stock Companies with huge capital at their back to crush these small concerns. Under the circumstances, Government cannot reconcile their concern for the tea industry with their failure to give reduction in land revenue to these uneconomic concerns and I have no hesitation to say that this failure has been very conspicuous which should be rectified without delay. With these few words, Sir, I move my motion for the acceptance of the House.

**The DEPUTY SPEAKER:** Cut motion moved:—  
 “That the provision of Rs. 4,71,200 under Grant No. 2, Major head—7.—Land Revenue, Minor head—D.—Charges on account of Land Revenue Collections (total), at page 36 of the Budget, be reduced by Rs. 101, *i. e.*, the amount of the whole grant of Rs. 15,21,200 do stand reduced by Rs. 101”.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:**  
 Mr. Deputy Speaker, Sir. I sympathise with the hon. mover of this cut motion, but I am sorry I cannot but oppose it. When the Agricultural Income-Tax Bill came up before the House for discussion, a representative of the uneconomic tea gardens in the person of Mr. Naba Kumar Dutta supported that motion. I do not actually remember what his words were, but so far as I remember he was kind enough to help the Government by paying the income-tax on behalf of the tea concerns. To-day, I think, there is no reason for him why he should not be kind to help the Government by paying the full quota of revenue. I think, Sir, by moving this cut motion before the House, he stands self-chastised. With these few words, I oppose the motion.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:**  
 Mr. Deputy Speaker, Sir. This concession of land revenue is being given since 1932-33. Now in the first two years this concession was allowed to tea lands, but in 1934 the economic units were left out. The uneconomic gardens, however, continued to enjoy that concession till 1937-38, and it was withdrawn in 1938-39 by the Congress-Coalition Government. In their order it is said—“we are further more of opinion that the concession of land revenue assessment is very much more necessary in case of the rural population than that of the town dwellers and that this concession should not be allowed in the case of lands settled with tea gardens whether they are classed as Economic Units by the Tea Garden Licensing Committee.” Now in the current year, these uneconomic tea gardens have been left out, but now the hon. member has moved this motion and it is surprising to me that he did not raise his little finger of protest against the decision of the Government particularly when he was a member of that Congress-Coalition Party. In view of the decision of the last Government, I do not think that any fresh case has now been made out for reopening this matter and in view of that I have observed before that this motion does not come with a good grace from the hon. mover.

**The DEPUTY SPEAKER:** Does the hon. member want to press his motion to division?



**Mr. NABA KUMAR DUTTA:** I am sorry, I am not at all satisfied with the reply given by the Hon'ble Revenue Minister. So I want to press it to division.

**The DEPUTY SPEAKER:** The question is :  
 "That the provision of Rs.4,71,200 under Grant No. 2, Major head—7.—Land Revenue, Minor head—D.—Charges on account of Land Revenue Collections (total), at page 36 of the Budget, be reduced by Rs.101, i.e., the amount of the whole grant of Rs.15,21,200 do stand reduced by Rs.101. (At this stage the Hon'ble the Speaker occupied the Chair and the Deputy Speaker vacated it).

The Assembly divided.

Ayes 31.

Noes 50.

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|---|---|
| 1. Mr. Arun Kumar Chanda.                 | 1. The Hon'ble Maulavi Saiyid Sir Muhammad Saadulla.          |
| 2. Mr. Baidyanath Mookerjee.              | 2. The Hon'ble Srijut Rohini Kumar Chaudhuri.                 |
| 3. Babu Balaram Sircar.                   | 3. The Hon'ble Maulavi Munawwar Ali.                          |
| 4. Babu Bipin Behari Das.                 | 4. The Hon'ble Srijut Hirendra Chandra Chakravarty.           |
| 5. Srijut Bishnu Ram Medhi.               | 5. The Hon'ble Khan Sahib Maulavi Mudabbir Hussain Chaudhuri. |
| 6. Babu Dakshininaranjan Gupta Chaudhuri. | 6. The Hon'ble Dr. Mahendra Nath Saikia.                      |
| 7. Srijut Debeswar Sarmah.                | 7. The Hon'ble Maulavi Abdul Matin Chaudhuri.                 |
| 8. Srijut Ghanashyam Das.                 | 8. The Hon'ble Khan Bahadur Maulavi Sayidur Rahman.           |
| 9. Srijut Gauri Kanta Talukdar.           | 9. The Hon'ble Miss Mavis Dunn.                               |
| 10. Babu Harendra Narayan Chaudhuri.      | 10. The Hon'ble Srijut Rupnath Brahma.                        |
| 11. Srijut Jadav Prasad Chaliha.          | 11. Srijut Jogendra Narayan Mandal.                           |
| 12. Srijut Jogeschandra Gohain.           | 12. Babu Kalachand Roy.                                       |
| 13. Babu Kamini Kumar Sen.                | 13. Maulavi Abdul Aziz.                                       |
| 14. Babu Karuna Sindhu Roy.               | 14. Maulavi Abdul Bari Chaudhuri.                             |
| 15. Srijut Krishna Nath Sarma.            | 15. Maulana Abdul Hamid Khan.                                 |
| 16. Srijut Lakshesvar Borooah.            | 16. Khan Bahadur Hazi Abdul Majid Chaudhury.                  |
| 17. Babu Lalit Mohan Kar.                 | 17. Maulavi Abdur Rahman.                                     |
| 18. Srijut Mahadev Sarma.                 | 18. Maulavi Syed Abdur Rouf.                                  |
| 19. Mr. Naba Kumar Dutta.                 | 19. Maulavi Md. Abdus Salam.                                  |
| 20. Srijut Omeo Kumar Das.                | 20. Maulavi Dewan Muhammad Ahbab Chaudhury.                   |
| 21. Srijut Paramananda Das.               | 21. Maulavi Muhammad Amiruddin.                               |
|   | 22. Maulavi Muhammad Amjad Ali.                               |
|   | 23. Maulavi Ashrafuddin Md. Chaudhury.                        |
|   | 24. Maulavi Badaruddin Ahmed.                                 |
|   | 25. Khan Bahadur Dewan Eklimur Roza Chaudhury.                |
|   | 26. Maulavi Ghyasuddin Ahmed.                                 |
|   | 27. Maulavi Jahanuddin Ahmed.                                 |



Ayes 31—concl'd.

Noes 50—concl'd.

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|----------------------------------|--|
| 22. Babu Nirendra Nath Dev.      | 28. Khan Bahadur Maulavi Keramat Ali.          |
| 23. Babu Rabindra Nath Aditya.   | 29. Maulavi Muhammad Maqbul Hussain Chaudhury. |
| 24. Srijut Rajani Kanta Barooah. | 30. Maulavi Matior Rahman Mia.                 |
| 25. Srijut Rajendra Nath Barua.  | 31. Khan Bahadur Maulavi Mufizur Rahman        |
| 26. Srijut Ramnath Das.          | 32. Maulavi Namwar Ali Barbhuiya.              |
| 27. Srijut Sankar Chandra Barua. | 33. Maulavi Sheikh Osman Ali Sadagar.          |
| 28. Srijut Sarveswar Barua.      | 34. Mr. A. H. Ball.                            |
| 29. Mr. Fakhruddin Ali Ahmed.    | 35. Mr. A. F. Bendall.                         |
| 30. Srijut Bedeshi Pan Tanti.    | 36. Mr. F. W. Blennerhassett.                  |
| 31. Srijut Karka Dalay Miri.     | 37. Mr. N. Dawson.                             |
|                                  | 38. Mr. W. R. Faull.                           |
|                                  | 39. Mr. D. B. H. Moore.                        |
|                                  | 40. Mr. C. W. Morley.                          |
|                                  | 41. Mr. R. A. Palmer.                          |
|                                  | 42. Mr. A. Whittaker.                          |
|                                  | 43. Mr. Benjamin Ch. Momin.                    |
|                                  | 44. Srijut Bhairab Chandra Das.                |
|                                  | 45. Srijut Binode Kumar J. Sarwan.             |
|                                  | 46. Rev. L. Gatphoh.                           |
|                                  | 47. Mr. C. Goldsmith.                          |
|                                  | 48. Mr. Jobang D. Marak.                       |
|                                  | 49. Srijut Khorsing Terang.                    |
|                                  | 50. Srijut Rabi Chandra Kachari.               |

The motion was negatived.

**The Hon'ble the SPEAKER:** We have reached the time limit. I shall put the main grant now.

The question is:

"That a sum not exceeding Rs.15,21,200 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1941, for the administration of the head "7.—Land Revenue".

The motion was adopted.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Sir, before you pass on to the next item, I would like to draw your special attention to the fact that you fixed a time for discussion of the previous grant, which has just been passed. But our learned Deputy Speaker increased the time by another fifteen minutes. A point of constitutional importance arises whether the order of the Speaker can be set at naught by his *locum tenens*, the Deputy Speaker. I would like to have your ruling, Sir.

**The Hon'ble the SPEAKER:** I am afraid the Hon'ble the Deputy Speaker forgot to tell the House that he extended the time under my instructions. Having realised that there were too many cut motions under this grant and in view of the fact that we shall get another half an hour for 'Administration of Justice' on the 8th, I thought that fifteen minutes more could be allowed. Therefore, I instructed him to this effect. He omitted to mention this fact. This gave a wrong impression to the House that he did something against my orders.



## GRANT No. 12

(27.—Administration of Justice)

**The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI:** Mr. Speaker, Sir, on the recommendation of His Excellency the Governor of Assam, I beg to move that a sum not exceeding Rs. 7,17,400 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1941 for the administration of the head—"27.—Administration of Justice."

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

That a sum not exceeding Rs. 7,17,400 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1941 for the administration of the head--27.—Administration of Justice."

There are 9 cut motions. May I know which are going to be moved? I find that there is one cut motion standing in the name of Srijut Sarveswar Barua. It is No. 5. No.6 stands in the name of Srijut Bishnu Ram Medhi. Of all the motions I find these are the two most important motions. I do not know whether the party has decided anything as to other motions.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Sir, as regards these motions they cannot come under 'Administration of Justice', because the Judicial Department has no right to separate the Executive. It is the Executive Government which moves in such matters.

**The Hon'ble the SPEAKER:** I will consider this question when the cut motions are moved.

**Babu DAKSHINARANJAN GUPTA CHAUDHURI:** I am not going to move motion No. 1 \*standing in my name.

**Maulavi ABDUR RAHMAN:** I am also not going to move motion No. 2†.

**Babu DAKSHINARANJAN GUPTA CHAUDHURI:** I beg, Sir, to move that the provision of Rs. 13,950 under Grant No. 12, Major head 27.—Administration of Justice, Minor-head—I—Criminal Courts, Sub-head 2.—Allowances and Honoraria, Detailed head—Remuneration to copyists, at 89 of the Budget, be reduced by Re. 1, *i.e.*, the amount of the whole grant page of Rs. 7,17,400 do stand reduced by Re. 1.

The whole object of this motion, Sir, is to discuss the fate of the copyists. We find that the lot of copyists is very pitiable. They act like Government officers, but they are not paid the requisite remuneration for it. We find copyists working from 10 A. M. to 6-30 P. M. They get only a petty remuneration. They are not regular Government servants. But in spite of their heavy work, they do not get what other Government servants get because of the fact that they do not form a permanent cadre of the service. Other ministerial officers in their old age get a pension and I hope this benefit will be extended to these copyists. I have nothing further to add.

\*1. That the provision of Rs. 21,500 under Grant No. 12, Major head—27.—Administration of Justice, Minor head—E.—District and Sessions Judges, Sub-head—5.—Contingencies, Detailed head—Allowances to Jurors and Assessors, at page 87 of the Budget, be reduced by Re. 1, *i.e.*, the amount of the whole grant of Rs.7,17,400 do stand reduced by Re.1.

(To criticise Government's policy of indiscriminate appointment of Jurors and Assessors.)

†2. That the provision of Rs. 73,000 under Grant No. 12, Major head—27.—Administration of Justice, Minor head—I—Criminal Courts, Sub-head—3.—Contingencies, Detailed head—Diet and road money to witnesses, at page 89 of the Budget, be reduced by Rs. 10, *i.e.*, the amount of the whole grant of Rs. 7,17,400 do stand reduced by Rs. 10.

(To discuss about the inadequacy of the diet and road money to witnesses.)



**The Hon'ble the SPEAKER :** Cut motion moved :

That the provision of Rs. 13,950 under Grant No. 12, Major head 27.—Administration of Justice, Minor head—I—Criminal Courts, Sub-head—2.—Allowances and Honoraria, Detailed head—Remuneration to copyists, at page 89 of the Budget, be reduced by Re. 1, *i. e.*, the amount of the whole grant of Rs. 7,17,400 do stand reduced by Re. 1.

**Maulavi JAHANUDDIN AHMED :** Mr. Speaker, Sir, I rise to oppose the motion tabled by my friend Mr. Dakshinaranjan Gupta Chaudhuri.

Sir, those members of this House who practise in Law Courts know very well the difficulty of getting any sort of information, or any copies of the documents from the office. It is in the interest of the public that the copyists are kept like this because the copyists receive remuneration according to the proportion of their labour. If they can do more work they can get more remuneration, and by this method the public and the lawyers are expected to get copies of the documents, they want, earlier, than if we make the copyists members of the permanent establishment. Otherwise they will not care to do such duties according to the requirements of the public and the lawyers. At present their remuneration varies directly with the proportion of their labour ; for extra labour they get more remuneration. So, under these circumstances and in view of the facts which I have brought forward before the House, I oppose this motion.

**Mr. BAIDYANATH MOOKERJEE :** Mr. Speaker, Sir, I rise to support the motion. It has been rightly said by the hon. mover that though the services of these copyists are enjoyed by the Government, these poor people get only a bare remuneration on the contract basis. Sir, the contract system is quite good if some kind of service is on a temporary basis, but this system is continuing for a very long time. These people represented their case to the Government several times, and some of the hon. members of this House also by means of interpellations brought their grievances to the notice of Government. Sir, in consideration of the poverty and helplessness of a certain class of people, if Government do not sympathetically deal with such a deserving case, it must be very regrettable indeed.

Sir, my hon. lawyer friend has said that it is well known that it is very difficult to get some information from the copyists. I do not understand what he means by this. What have the copyists got to do with giving information ? It is not the copyists who are to supply information to my lawyer friend, and this fact of not complying with my hon. friend's request must be taken as showing that the copyists are not subject to any malpractices, and this is also a point in their favour. (*A voice:* You have no idea of Government office.) Sir, if that be the idea that because some people do not supply some information to some lawyers their case should not be considered properly, then it is better for me to remain ignorant of such idea, and let my hon. pleader friend have them. (*Hear, hear.*) Sir, I appeal to the Hon'ble Premier to consider the case of these unfortunate people. Sir, I hope the Hon'ble Premier remembers that about 2 years ago I brought this matter to his notice, but in the meantime he was not in the place from where he could consider the matter properly. But now as he has got the chance again I appeal to him on behalf of this unfortunate class of people to make some such arrangement so that they may be absorbed in the permanent establishment and dealt with accordingly in all respects.

With these few words, Sir, I support the motion,



**Maulavi ABDUR RAHMAN:** Mr. Speaker, Sir, I could not follow as to what the hon. mover meant by taking the services of the copyists in the permanent cadre of Government. If he means that they should be made permanent and regular Government servants, I cannot have any sympathy with him. But if the intention of the motion is that the remuneration paid to them should be a little increased, then I may tell him that only yesterday I received a letter from the copyists at Habiganj saying that on a representation made by them, the Government has very recently issued a circular letter giving them hope that their case will be considered from the year 1941-42. That circular letter has been issued under the signature of Mr. D. C. Das, the Under-Secretary to the Government. Unfortunately, I have not got that letter with me now. Government have committed that they would take the case of these copyists into consideration from the next financial year. In that circular letter it is mentioned that an increase of two annas in the rupee, if I remember aright, will be made in their remuneration that is paid to them. In view of this, Sir, I do not see any point in moving this motion. I may request the Hon'ble Minister to see if he can vindicate the grievances of the sufferers this year.

**The Hon'ble Khan Sahib Maulavi MUDABBIH HUSSAIN CHAUDHURI:** Mr. Speaker, Sir, in this connection, I think, it is better that I should lay before the House a brief summary of the whole position of the typists, copyists and the mapists.

Sir, in 1937 the copyists and the typists represented their grievances before the Government, praying that they should be brought under a regular establishment with a time scale of pay, but at that time their prayer was rejected. Again, Sir, in the year 1939 they represented their grievances before the Government for granting them time scale of pay and pension. At that time too (I think, it was during the time of the previous Government) the previous Government adhered to the orders of their predecessors, but at the same time what they did, they collected some statistics and from these they found that the income from the receipts from this head justified their remuneration being increased and as the matter stood with regard to the statistics, they decided to consider a scheme for raising their remuneration from 2 to 2½ annas per folio and to pay them 2 annas for 150 words for any unremunerative work now done by them. That is the position, and the present Government is also considering whether the scheme that has been laid down by the previous Government can be accepted, and they have sent for figures for the amount that would be required in order to meet the increased demand under the scheme.

**Babu DAKSHINARANJAN GUPTA CHAUDHURI:** In view of what I have heard from the Hon'ble Minister I do not like to press my motion.

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

**Srijut BISHNU RAM MEDHI:** Mr. Speaker, Sir, I beg to move that the total provision of Rs. 7,17,400 under grant No. 12, Major head—27.—Administration of Justice, at page 84 of the Budget, be reduced by Rs. 100, i.e., the amount of the whole grant of Rs. 7,17,400 do stand reduced by Rs. 100.

Sir, I have moved this motion to criticise the Government for not taking steps for separation of judicial and executive functions of Magistrates and for not having a separate Judicial Service for trial of civil case in the Assam Valley and to raise a discussion regarding the desirability of taking immediate steps for separation of judicial and executive functions of a Magistrate even as a provisional measure for the purpose of experiment. It is hardly



necessary to impress on the hon. members the imperative necessity of having an independent and impartial class of judicial officers capable of dealing out even-handed justice to all classes of people irrespective of class, creed or party affiliation without interference.

Sir, the fundamental objection to the present system of our criminal administration of the province is that the District Magistrate in one capacity as head of the Police initiates and directs all prosecutions and in another capacity he and his subordinate Magistrates act as Judges between the Crown and the accused and try the very cases started by him. Thus the District Magistrate combines in himself the dual function of a prosecutor and the Judge. Under these circumstances it is very difficult for any subordinate Magistrate, who acts under the direct supervision of the District Magistrate and who has to depend for his promotion, transfer and posting, on the good opinion of the District Magistrate, to exercise independent judgment especially in a case in which the District Magistrate forms an opinion on the one-sided version of the Police or of the complainant, who on account of his status and position can easily approach a District Magistrate.

Sir, the second objection is that under the present system, the Magistrate is liable to be influenced by the attitude and opinion of the District Magistrate in regard to cases sent to him. It is needless to state that future promotion and posting and transfer depends on the good opinion of the District Magistrate and under the circumstances the subordinate Magistrate is in a state of perpetual subjection not only to the District Magistrate but also to the Superintendent of Police through the District Magistrate, in pending cases and as such he is not in a position to decide cases on the evidence on record without fear and favour of the District Magistrate.

So, the hon. members will see that on the above two main grounds it is not possible for Magistrates under the present system to exercise judicial functions without outside interference and to deal with cases impartially and independently.

Sir, these objections can very easily be removed at once even as a temporary measure by the Government by setting apart some Magistrates in each district for trial of criminal cases; such Magistrates should not be subordinate to the District Magistrate. They should have nothing to do with police or initiation of criminal prosecution. If these Magistrates are made subordinate to the Sessions Judge, they will be freed from the influence of the District Magistrate and the police. As soon as a case is ready, it should go to such Magistrate in charge of the criminal file and the District Magistrate should have nothing to do with it. These Magistrates should not be subordinate to the District Magistrate but the Sessions Judge, who will hear appeals from their orders and decisions should be the only competent authority to report upon their conduct. The Government will not have to incur much additional expenses if the above proposal is accepted as an experimental measure.

It is well known to Hon'ble Premier and hon. members of this House that we have no separate judicial officers for exercising the powers of a Munsif and Sub-Judge and that Assam Valley is very backward in the matter of trial of civil cases. Under the present system, an Extra Assistant Commissioner acting as magistrate and having no previous experience in civil matters is empowered to exercise the function of a Munsif in civil cases and is placed in charge of Civil Court in a place like Gauhati, pecuniary jurisdiction of which is Rs.2,000.

Some Magistrates try civil cases for two or three days in the week and do the criminal work on the other days. How can the Extra Assistant Commissioner having such dual function and being subordinate to



the District Magistrate can come to an independent and impartial finding in a case where either Government or Secretary of State or any high official is a party or directly or indirectly interested in the matter? It is high time that steps should immediately be taken to have a separate judicial service in Assam to remove all these difficulties and anomalies as soon as possible. The Magistrate who will be set apart in each district for trial of criminal cases may also be recruited for the proposed judicial service and the civil work may be entrusted to law graduates with experience.

The present state of affairs in Assam Valley is absolutely deplorable. Is it possible for a Magistrate doing executive work and having no previous experience of trying civil cases to do justice to case involving intricate question of civil law?

Under the circumstances, I impress on the hon. members of this House and also the members of the Cabinet that immediate steps be taken to separate executive and judicial functions.

**The Hon'ble the SPEAKER:** Cut motion moved:

"That the total provision of Rs.7,17,400 under Grant No. 12. Major head —27.—Administration of Justice, at page 84 of the Budget, be reduced by Rs.100, *i.e.*, the amount of the whole grant of Rs.7,17,400 do stand reduced by Rs.100."

The Hon'ble the Premier has raised the question.....

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I waive that point on account of the maiden speech of my hon. friend.

**The Hon'ble the SPEAKER:** When that point is raised, I think I should say that it is in order. So far as the administration of justice is concerned, I think the Hon'ble Minister-in-charge is to deal with a question like this. Moreover, I find in the Budget Estimates that such expenditure in connection with criminal courts have been shown both under General Administration and also under this head. Therefore, I think this cut motion is quite in order.

**Mr. A. WHITTAKER:** Mr. Speaker, Sir, I doubt whether this very large question can appropriately be dealt with in a cut motion. But I would like to put one or two questions.

Before coming into this Assembly, I was a member of that oppressed class called District Magistrates and I heard with a considerable surprise that District Magistrates interfere so largely with the work of Subordinate Magistrates. I do not know how they find the time to do so in Assam. The only opportunity of interfering that I ever had was to urge Subordinate Magistrates to take less time over their cases. But there are several other important points. This separation between the Judicial and the Executive is good in theory and looks very well. The combination of the Judicial and the Executive has however one great merit—it does actually work in practice. Surely it is significant that three provinces, Bombay, the United Provinces and Bihar, all put officers on special duty to devise a scheme for the separation of the Judicial and the Executive. In Bombay the scheme was before the Congress Ministry before it resigned and that Ministry came before the Assembly asking for leave to withdraw the scheme on two grounds. The first ground being that it was far too expensive and the second ground being that administratively it would not work. In the United Provinces exactly the same fate overtook a similar motion.

Going into this problem of the separation of Judicial and Executive functions does reveal, I can assure the hon. mover, an enormous number of snags. In Bihar the proposal was put to the High Court. The High Court welcomed it provided they could have three Additional Sessions Judges and a large



number of extra Subordinate Judges. There is the practical question, if you are going to take away from the District Magistrates all the judicial powers they are at present exercising how are they going to earn their pay? I suggest that the province of Assam is not so well favoured that it can afford to take away the powers and work from existing officers in order to give them to new officers because it is quite certain that the High Court will insist on increasing the strength of the Judiciary in Assam.

The second point is if we separate the Judiciary and the Executive and place the Judicial Officers under the Sessions Judges, as the hon. mover suggests, the Judicial Officers will come under the High Court. Now, the High Court, I am told, is a long way off in Calcutta and I should very much doubt whether this Assembly would approve of placing the whole of its Judicial Services under the Calcutta High Court.

These are the facts. I am afraid my time is already over. But there is one other question I should like to ask my hon friend. Even to make a provisional separation of the Executive and Judicial Services will require major amendments in the Criminal Procedure Code. This Criminal Procedure Code is a Central Act and any amendment will require the sanction of the Government of India. I very much doubt whether the Government of India on a motion or a proposal from the Assembly in Assam are likely to take up such a major measure. It will probably have to be dealt with as an all-India question and I am afraid that nothing we can say in this House on a cut motion will carry this question very much further. I hope, later on if it is raised in the form of a resolution we may have a better and fuller discussion on what is a very difficult question (*Applause*).

**Srijut BISHNU RAM MEDHI:** Sir, on a personal explanation, I may say a word. The hon. member, Mr. Whittaker, wanted to know from me if there is a necessity of amendment of the present Criminal Procedure Code even if the provisional measure is accepted by Government. My submission is that no amendment of the Code is necessary now. There will be a special Magistrate who will exercise the criminal functions of a Magistrate. As soon as a case is ready it will be transferred to his file and the District Magistrate will not have anything to do with it except where appeal lies to him under the provision of the Criminal Procedure Code in cases tried by third class and second class Magistrates. In such cases the District Magistrate may hear the appeals. The District Magistrate, however, should not have anything to do regarding transfer, punishment or posting of Magistrates exercising judicial function. My submission is that at the present moment separation of Judicial and Executive functions is not necessarily an all-India question. Government can, therefore, easily accept my suggestion for the provisional arrangement at least without any amendment of the Criminal Procedure Code.

#### Adjournment

The Assembly was then adjourned till 2 p. m. on Friday, the 8th March 1940.

Dated Shillong, the 16th April, 1940

A. K. BARUA,  
Secretary, Legislative Assembly, Assam.