

Proceedings of the Fourth Session of the Second Assam Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

The Assembly met in the Assembly Chamber, Shillong, at 10 A. M., on Saturday, the 13th March 1948.

PRESENT

The Hon'ble Mr. Lakshesvar Borooah, Speaker, in the Chair, six Hon'ble Ministers and forty-four Members.

Oath of Allegiance

The following Members were sworn in:—

Raja Ajit Narayan Dev of Sidli.

Srijut Dhirsingh Deuri.

Srijut Karka Dalay Miri.

QUESTIONS AND ANSWERS

UNSTARRED QUESTIONS

Change of the weekly holiday from Sunday to Friday

Dr. EMRAN HUSAIN CHAUDHURY asked :

58. (a) As a token of best regards to the memory of late Mahatma Gandhi, do Government propose to make Friday a weekly holiday in place of the usual Sunday ?

(b) Since Assam is part of the Indian Dominion, do Government propose to recommend to the Dominion Government to take early steps to make Friday a weekly holiday instead of Sunday ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

58. (a)—In the opinion of Government the memory of the Mahatma can be best perpetuated by work for his ideals and by his methods and not by a change of the weekly rest day from Sunday to the Jumma Day. But if the rest of India accept the position we may follow suit.

(b)—No.

Dr. EMRAN HUSAIN CHAUDHURY : Sir, the reply given to Question No.58(a) appears to be half negative and half affirmative. The reply *inter alia* is "if the rest of India accept the position we may follow suit". That is to say, if the rest of India accept the position of making Friday the weekly holiday as a token of our best regards to the memory of late Mahatma Gandhi, Government are prepared to follow suit. But why do Government refuse to take steps to recommend this to the rest of India ?

***The Hon'ble Srijut BISHNURAM MEDHI:** Because Government think it will dislocate the entire business world. But if the people on their own initiative decide to have this change, this Government will not have any option but to fall in line with the rest of India.

Dr. EMRAN HUSAIN CHAUDHURY: Will it not dislocate the business world then ?

The Hon'ble Srijut BISHNURAM MEDHI: That is a hypothetical question. It may be that the whole business world might adopt Friday, instead of Sunday, as the weekly holiday. That is quite a different matter. We cannot act on any hypothesis.

Srijut BHADRA KANTA GOGOI: প্রশ্নটোত জুমা দিনৰ কথা নাছিল। উত্তৰত জুমাদিন কিয় অনুৰাই দিয়া হৈছে ?

Dr. EMRAN HUSAIN CHAUDHURY: Government should have said "Friday" and not "Jumma Day".

The Hon'ble Srijut BISHNURAM MEDHI: "Jumma Day" is not irrelevant as Friday is also the Jumma Day.

Maulavi MAKABBIR ALI MAZUMDAR: Is Sunday a holiday throughout the world ?

The Hon'ble Srijut BISHNURAM MEDHI: Yes, as far as we are connected.

Co-operative Societies in Dibrugarh Subdivision

Srijut BHADRA KANTA GOGOI asked :

59. Will Government be pleased to state—

(a) The number of Co-operative Societies both registered and unregistered at present in the Dibrugarh Subdivision, with their locality ?

(b) How many of these societies are functioning regularly ?

Srijut BIMALAPROSAD CHALIHA (Parliamentary Secretary) replied :

59. (a)—The total number is 148 of which 105 are registered and 43 unregistered. They are distributed in the localities of Dibrugarh, Tinsukia, Moran, Jeypore, Chabua, Dhemaji, Bordubi, Digboi and Doom Dooma.

(b)—119.

Mr. P. M. SARWAN: Are Government properly controlling these co-operative societies ?

*In the absence of the Hon'ble Srijut Gopinath Bardoloi, the Hon'ble Srijut Bishnuram Medhi replied the Supplementaries.

*Srijut PURNANANDA CHETIA (Parliamentary Secretary): Surely, Sir.

Mr. P. M. SARWAN: We find that 14 are not functioning regularly; if so, what happens to the shares of the share holders? "Not functioning regularly" means that share money is not properly used; that means a loss to the share-holders. I am asking Government whether they cannot protect the interests of the share-holders.

Srijut PURNANANDA CHETIA (Parliamentary Secretary): Generally audit is being done in these cases also. If Government find something wrong undoubtedly Government will take necessary steps according to the provisions of law.

Babu S. C. Bhadra, a Veterinary Field Assistant attached to Palashbari Circle

Maulavi MAHAMMAD ROUFIQUE asked:

60. (a) Will Government be pleased to enquire and state if it is a fact that one S. C. Bhadra, a Veterinary Field Assistant attached to Palashbari Circle has also been working in a Local Bank for the last four or five years and drawing salary from both Government and the Bank?

(b) Is it a fact that an enquiry was instituted into the matter by the Department on the complaint of the public?

(c) If so, what was the result of the said enquiry and what actions have been taken against the Field Assistant concerned?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied:

60. (a)—No.

(b)—Yes.

(c)—The allegation could not be substantiated.

Srijut J. P. Das, retired re-employed Veterinary Assistant Surgeon

Maulavi MAHAMMAD ROUFIQUE asked:

61. Is it a fact that Srijut J. P. Das, retired re-employed Veterinary Assistant Surgeon, in-charge of Government Veterinary Hospital, Gauhati, is going to be re-employed again in the same post from the expiry of his term of re-employment from August, 1948?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied:

61.—Government have as yet received no proposal like that but they are aware that the Department is very much short of Doctors. Government will, however, consider any suggestion made by the hon. Questioner.

Maulavi ABDUL HAI: Sir, the question was: "Is it a fact that Srijut J. P. Das, retired re-employed Veterinary Assistant Surgeon, in charge of Government Veterinary Hospital, Gauhati, is going to be re-employed again?" The reply is: "Government have as yet received no proposal like that but they are aware that the Department is very much short of Doctors. Government will, however,

*In the absence of Srijut Bimala Prasad Chaliha, Srijut Purnananda Chetia, Parliamentary Secretary, replied the Supplementaries.

consider any suggestion made by the hon. Questioner". But that is not the point. The point is whether Government are going to re-employ him again after the expiry of his re-employment in August 1948.

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: The answer is that there is no such proposal as yet. But if any suggestion is made or if there is any objection from the hon. Questioner this will be considered.

Maulavi ABDUL HAI: Are we to understand that Government are not contemplating to re-employ him ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: As yet there is no such contemplation, as I have already said.

Lady Students deputed to Lady Irwin College for studying Domestic Science

Srijut BHADRA KANTA GOGOI asked :

62. Will Government be pleased to state—

- (a) How many girls have been sent from this Province up till now to the Lady Irwin College for studying Domestic Science?
- (b) When they have been sent?
- (c) Who selected them?
- (d) How many of them are still continuing their studies there?
- (e) Who are they?
- (f) Whether these students are getting their scholarships from Government regularly?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

62. (a)—12 (twelve), in all.

(b)—4 every year since 1945-46.

(c)—Director of Public Instruction, Assam.

(d)—6 (six).

(e)—Nalini Prava Das Gupta, Assistant Mistress, Government Girls' High School, Sylhet (Now released by Pakistan for opting to serve rest of India,) Dipali Chowdhury, Assistant Mistress, Government Girls' High School, Dibrugarh, Basanti Dutta, Mistress, Qazi Jalaluddin High Madrasa, Sylhet, Sailabala Singh Engty, Mistress, Government Aided Girls' High School, Tezpur, Melina Achowe and Bina Barua.

(f)—Yes.

Srijut BHADRA KANTA GOGOI: ১৯৪৬ চনত চাৰি গৰাকী ছাত্ৰী পঠিওৱা হৈছিল। এতিয়াও সেই চাৰি গৰাকী আছে নে ?

Srijut MAHENDRA MOHAN CHAUDHURY (Parliamentary Secretary): দু গৰাকী ফিৰি আহিছে।

Srijut BHADRA KANTA GOGOI: তেওঁলোক কিয় ফিৰি আহিছে ?

Srijut MAHENDRA MOHAN CHAUDHURY (Parliamentary Secretary): কিয় কিৰি আহিছে তাৰ কাৰণ দেখুৱা নাই।

Srijut BHADRA KANTA GOGOI: তেওঁবিলাকে যেতিয়া গবৰ্ণমেন্টৰ খৰচতে গৈছিল, কিয় কিৰি আহিছে তাৰ কাৰণ গবৰ্ণমেন্ট নিশ্চয় জানে।

Srijut MAHENDRA MOHAN CHAUDHURY (Parliamentary Secretary): তেওঁবিলাকে কোনো টকা draw কৰা নাই।

Srijut BHADRA KANTA GOGOI: তেওঁবিলাকলৈ timely টকা পঠিওৱা হৈছিল নে ?

Srijut MAHENDRA MOHAN CHAUDHURY (Parliamentary Secretary): দুজন বৃত্তিধাৰীৰ পৰা যোৱা জানুৱাৰী মাহত বিপোর্ট পোৱা গৈছিল যে তেওঁলোকে নিয়ম মতে টকা পোৱা নাছিল।

Srijut BHADRA KANTA GOGOI: তেওঁবিলাকে যোৱা জানুৱাৰী মাহতহে টকা পাইছে, হয় নে ?

Srijut MAHENDRA MOHAN CHAUDHURY (Parliamentary Secretary): প্ৰথমতে division of India ৰ কাৰণে অলপ গোলমাল হৈছিল; এতিয়া নিয়ম মতে টকা পাইছে।

Srijut HALADHAR BHUYAN: গবৰ্ণমেন্ট জানেনে যে বহুত scholarship holder এ নিয়ম মতে টকা পোৱা নাই ?

Srijut MAHENDRA MOHAN CHAUDHURY (Parliamentary Secretary): এতিয়া পাইছে বুলি মই জানো।

Srijut HALADHAR BHUYAN: কেৱল এইটোৱেই নহয়; Veterinary Department ৰ Scholarship যোৱা বাৰ দিয়া হৈছে কিন্তু তেওঁলোকে সাত মাহৰ মুৰতো টকা পোৱা নাই।

Srijut MAHENDRA MOHAN CHAUDHURY (Parliamentary Secretary): এইটো এটা নতুন প্ৰশ্ন। ইয়াৰ নিমিত্তে আগধৰি জাননী দিব লাগিছিল।

Srijut HALADHAR BHUYAN: মই বৃত্তিৰ সম্বন্ধে কৈছো। এই বৃত্তিবিলাক Education Department এ দিয়েনে অইন Department এ দিয়ে? কিয় ঠিক মতে টকা নাপায় ?

Srijut MAHENDRA MOHAN CHAUDHURY (Parliamentary Secretary): গবৰ্ণমেন্টৰ দৃষ্টি গোচৰ কৰিলে প্ৰতিকাৰ কৰা হব।

Srijut HALADHAR BHUYAN: ছয় মাহলৈ বৃত্তি বন্ধ কৰি থোৱা হৈছে; সেইটোও গবৰ্ণমেণ্টৰ notice লৈ অন্যৰ কথা নে?

Srijut MAHENDRA MOHAN CHAUDHURY (Parliamentary Secretary): নই আগেয়ে কৈছো যে গবৰ্ণমেণ্টৰ দৃষ্টিৰ গোচৰ কৰিলে তাৰ ব্যৱস্থা কৰা হ'ব।

Srijut BHADRA KANTA GOGOI: কোন অফিচাৰৰ অৱস্থাত এইবিলাক হ'ব লাগিছে?

Srijut MAHENDRA MOHAN CHAUDHURY (Parliamentary Secretary): গবৰ্ণমেণ্টৰ notice লৈ তেনে এটা ঘটনা নমালৈকে কৰাত চৰকাৰী চাকৰিহালৰ অৱস্থা হৈছেনে নাই বুজিব নোৱাৰি।

Srijut BELIRAM DAS: Benares University ৰ লৰাবিলাকে নিয়ম মতে বৃত্তি পাই আছে নে?

Srijut MAHENDRA MOHAN CHAUDHURY (Parliamentary Secretary): তেওঁবিলাকে নিয়ম মতে পাই আছে।

Srijut GAURI KANTA TALUKDAR: Benares University ৰ Engineering College ত পঢ়িবলৈ দুজন লৰাক বৃত্তি দিয়া হৈছিল। নই জানো যে প্ৰায় এবছৰ তেওঁবিলাকে বৃত্তিৰ টকা পোৱা নাই। কিয় সেই লৰা দুজনে বৃত্তিৰ টকা পোৱা নাই?

Srijut MAHENDRA MOHAN CHAUDHURY (Parliamentary Secretary): ক'ব ল'বা?

Srijut GAURI KANTA TALUKDAR: Benares University ৰ Engineering College ৰ ল'বা।

The Hon'ble the SPEAKER: তেখেতে উত্তৰ দিছেই নহয় যে যদি কোনো ল'ৰাই বহুত দিন Scholarship ৰ টকা পোৱা নাই তেন্তে তেখেতৰ notice লৈ আনিলেই তেখেতে তাৰ action ল'ব। তাৰপিচত আৰু এইবিলাক প্ৰশ্ন কেনেকৈ হ'ব পাৰে? Order, order.

Maulavi SAIYID MUHAMMAD SAADULLA: Sir, may I be permitted to revert to Question No.61? I am sorry, I was a little late.

The Hon'ble the SPEAKER: Supplementary questions were put I think.

Maulavi SAIYID MUHAMMAD SAADULLA: I just want to put one question, if you will permit. Is not this gentleman Srijut J. P. Das the same as Jagadish Prasad Das the subject matter of a Question yesterday? We discussed yesterday in Question No.47 about one Jagadish Prasad Das of Gauhati.

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: I think, so.

Maulavi SAIYID MUHAMMAD SAADULLA: Now in that case why this contradiction in the reply? In the reply to-day it is said "Government have as yet no proposal like that....."—that is about the re-employment of Srijut J. P. Das. But yesterday the reply to Question No.47(b) (it is a fact that this Veterinary Assistant Surgeon has been re-employed at Gauhati after his retirement) was in the affirmative. We got one reply yesterday and to-day we get another reply that there is no such contemplation.

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: There is apparent contradiction but there is actually no discrepancy. The Question No.47 was a question of last year and this is a new question.

Maulavi SAIYID MUHAMMAD SAADULLA: Sir, has he not been re-employed?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: The question, Sir, that has been put to-day, I think, is about another extension or re-employment.

The Assam Adhiars Protection and Regulation, Bill 1948

The Hon'ble the SPEAKER: Yesterday we were discussing the Assam Adhiars Protection and Regulation Bill and Dr. Emran Husain Chaudhury wanted to speak. He may do so now.

Dr. EMRAN HUSAIN CHAUDHURY: Mr. Speaker, Sir, I hold no brief for the landlords, the Zeminders or for the matter of that the capitalists, I myself possess no land and therefore I must not be misunderstood and misrepresented. Sir, in order to give relief to the under-dog the Hon'ble the Finance Minister has brought forward this Bill. The introduction of such a Bill is long overdue. Some such relief is sought to be given to the tenants of the Zemindary area under a Government measure to come before us soon. I wanted to move a Resolution and will propose the abolition of Zemindary system in Assam. Any way the measure that has been brought up by the Hon'ble Finance Minister is welcome to the extent he is showing excessive sorrow for the tenants and the raiyats and for this he may be congratulated. But in giving relief to the tenants he appears to have ignored the interests of those who possess small plots of land and who cannot be called Zeminders in the accepted sense of the term. There are thousands of people who own only 4 or 5 *puras* of land each. It is not unknown, Sir, that for a family of 5 or 6 persons the yield of 4 or 5 *puras* of land is not enough. Under the present Bill (Section 6) if the landlord or Zemindar supplies plough cattle, he may be given one-third and where he does not supply plough cattle, he will be given one-fourth of the produce of the land. If this be the case, quite a large section of the people will be adversely affected. Now, in such condition they will be compelled to seek relief under section 5(1) of the Bill whereby a landlord will be empowered to cultivate the land himself with the help of the members of his family or with hired labour.

This will undoubtedly lead to litigation. That will increase litigation between the interested parties, give them lots of trouble and that will swell the pockets of the lawyers. This will create complication for the persons owning 4 or 5 *puras* of land and also for the people. If Government would say that the Bill would apply in the case of those who possess say, 20 or more *puras* of land, the question would be easier.

There is some discrimination with regard to Cachar where it is proposed to allow half the produce to those who would supply plough cattle and one-third of the yield if no plough cattle be supplied. Therefore, Sir, I would like that the Bill be circulated for eliciting public opinion.

Lastly, I should like to make a reference to the speech made yesterday by my Friend Srijut Nilmoni Phukan. If I understood him correctly he said that only 4 per cent. of the people in Assam have land and the rest are landless. I do not know where he got that figure from. Sir, I hope, the Hon'ble Finance Minister will be good enough to corroborate or substantiate the figure given by Mr. Phukan. We are all for the under-dog, all for those who have been oppressed hitherto. That is why I wanted to move though unsuccessfully a Resolution for the abolition of the Zemindary system in Assam in 1946. Srijut Nilmoni Phukan wanted to give relief to all people but we cannot ignore the interest of those who own small plots of land.

If at all Government want to give relief to the people in general, in that case I want to urge Government to bring forward some more Bills or Resolutions to abolish ownership of the Digboi Oil field by a few persons and to nationalise it and also to nationalise the Tea Industry. In that case very much more relief could be given to the people in Assam than is intended to be given through this Bill that has been brought up by the Hon'ble Revenue Minister.

So, Sir, I would like to see the Bill sent for circulation to elicit public opinion. Besides this I have no objection to what has been stated here.

The Hon'ble the SPEAKER: Does the hon. Member want to move it as a formal Motion?

Dr. EMRAN HUSAIN CHAUDHURY: Yes, Sir.

The Hon'ble the SPEAKER: Returnable by what date?

Dr. EMRAN HUSAIN CHAUDHURY: By the 31st of March, 1948.

Srijut NILMONI PHUKAN: In a way of explanation, Sir, I want to clear a point. What I meant was not that 96 per cent. are landless. The word 'landless' is an unhappy expression which has been mislaid by my Friend. What I meant was that 4 per cent. are landlords and others are not landlords and in the case of 96 per cent. also there are cultivators holding small lands and are not tenants. That is what I meant.

The Hon'ble the SPEAKER: Motion moved:

"That the Assam Adhiars Protection and Regulation Bill, 1948, be circulated for eliciting public opinion thereon by the 31st of March, 1948."

Mr. P. M. SARWAN: Mr. Speaker, Sir, I want to speak a few words on this Motion.

I was on the look-out, Sir, for some Bill to give relief to the poor people of Assam. The Assam Adhiars Protection and Regulation Bill, 1948, which is being introduced by the Hon'ble Revenue Minister is very welcome. I have been travelling all over Assam and finding the helpless conditions of the *Adhiars*. I am quite surprised to find that even introduction of such a Bill is being objected to. What has already been said on the introduction of the Bill means to refer to a Select Committee that is going to be appointed soon.

The Hon'ble the SPEAKER: Where is the reference to a Select Committee? The Bill is only being considered now.

Mr. P. M. SARWAN: I have great pleasure in taking part in consideration of the Bill and I give my hearty support to it. It is designed to give relief to the *Adhiars* who have admittedly been suffering great hardship. They do not get adequate return for their labour and investment in cultivation of land. Their livelihood is very precarious which is known to all. And so we surely want an introduction of such a Bill and we do not want that this Bill should be kept pending for many months when the whole country is going without some of the essential articles of foodstuffs and such other things. I suggest that as this Bill is very urgent it should be passed during this Session.

Now what has struck me is with regard to the provision about ejection of *Adhiars*. Before this Bill is passed into law, I want to see that *Adhiars* do not get deprived of the good provisions of this Bill and that they are not replaced by other tenants whom the landlords might call as labourers or dependents.

I, therefore, would strongly request the majority party here, I mean the Congress Party, to see that the good provisions of this Bill are not nullified. There is a provision here:

"A Revenue Officer may on application from a landlord, order an *Adhiar* to cease to cultivate an *adhi* land after due notice as may be prescribed, and evict such *adhiar* in manner prescribed, on one or more of the following grounds; namely:—

- (i) that the land is *bonafide* required by the landlord for cultivation either by himself or with the members of his family or by hired labourers or dependents."

Here is something which enables the landlords to evict an *Adhiar* when necessity arises and thus this provision might nullify the good intention of the Bill. But at any rate we hope this Bill will give the intended relief to the poor cultivators and the advantages enjoyed by them so long are not taken away from them.

Mr. Binode Kumar J. SARWAN: Mr. Speaker, Sir, I cannot but approve of the spirit that has inspired the Minister in charge of Revenue to introduce this Bill. The present plight of *Adhiars* is indeed deplorable as the *Adhidars* are continuously encroaching more and more on the rights to subsistent conditions of the *Adhiars* whose families are suffering untold miseries. Indeed we have arrived at a critical moment when, if the Government did not do something, matters will go very badly against all of us including the *Adhidars*, who, we are told, have recently been way-laying Deputy Commissioners and others to suppress *Adhiars*. Forgetful of the miseries of poor people,

if this House does not proceed with this necessary Bill and pass it very quickly and implement the same generously at top speed, the poor people deprived of the means of living might decide that necessity knows no law. This will force the Government to take the help of military police to subdue hungry and naked people in order to give protection to the people who are fattening on the blood of their fellowmen.

I strongly support this Bill and hope that after removing the loopholes whereby the *Adhidars* might seek to evade the provision of this Bill, the House will pass the Bill enabling the Government to speedily bring relief to the unfortunate *Adhiars*.

With these words, Sir, I close my speech.

Srijut DANDESWAR HAZARIKA: মাননীয় সভাপতি ডাঃবীয়া, ডাঃ ইম্ৰান হুছেইন চৌধুৰী ডাঃবীয়াই এই বিলখন public opinion ৰ কাৰণে circulate কৰিব লাগে বুলি যিটো পুস্তক দাখি ধৰিছে মই কেৱল মাত্ৰ সেই সন্দেহ হে কেই আঘাৰ মান কৰিলে ওলাইছে। আজি যি বিলাক মাটি নাইকিয়া আৰু দুখীয়া কৃষক আছে সেই বিলাকৰ অৱস্থা যে আজি কি হৈছে তেখেতে খুব ভালকৈ অনুভৱ কৰিব পাৰিছে। এই বিলখন যদি circulation ৰ কাৰণে পঠিওৱা হয় তেনেহলে এই বিলখন pass কৰাত বহুত পলম হব। আৰু যদিহে এই session তে এই বিলখন pass কৰিব পৰা নহয়, তেনেহলে আপোনালোকে দেখিব যে এতিয়া যি অৱস্থা হৈ আহিছে, সি লাহে লাহে বাঢ়ি নোহয় আনাব ইয়াতো এটা revolution ৰ নিচিনা হৈ উঠিব। লেখেতে ভয় কৰিছে যে যি বিলাক middle class মানুহৰ ৫৬ পুৰাকৈ মাটি আছে সেই বিলাকৰ hardship হব। মই কিন্তু তেনে hardship হোৱাৰ কোনো কাৰণ দেখা নাই। যি সকল মানুহৰ ৪৫ পুৰাকৈ মাটি আছে তেখেত সকলে নিজেই খেতি কৰে। কিন্তু যি বিলাকে কেৱানী বা কোনো অফিচত কাম কৰে, তেওঁবিলাকে নিজে খেতি নকৰিলেও এই বিলখনত provision আছে যে তেওঁলোকে hired servant ৰ দ্বাৰা খেতি কৰাব পাৰে। অৱশ্যে মই নিজে এই provision তো ভাল পোৱা নাই। কাৰণ সেইটো সুবিধা লৈ জমিদাৰ সকলেও ক'ব যে আমাৰ ১০০ পুৰা মাটি আছে আমি hired servant লৈ খেতি কৰিম, আদিলৈ নিদিও। সেই কাৰণে এইটো বিবেচনা কৰিব লাগিব যে যাব মানুহ মুৰি economic holding আছে, family ত যিমান মেদাৰ আছে সেই পৰিমাণেহে মাটি তেওঁবিলাকৰ খাবৰ জোখাৰে hired servant ৰাখি খেতি কৰিব পাৰিব আৰু বাকী খিনি মাটি আধিদাৰক দিব লাগিব। এই দৰে সংশোধন কৰিবলৈ বুলি আশা কৰিলো। তেতিয়া হলে hardship ৰ কোনো কথা নাহিব।

ইয়াৰ বাহিৰেও আপোনালোকে জানে যে কৃষক সকলৰ ধানেই হৈছে সকলো। সেই ধান বেচিয়েই তেওঁলোকে কাপোৰ কানি আদি যাবতীয় যি খিনি বস্তু লাগে সেই সকলো কিনি লব লাগে। উজনি আসামৰ কথা মই জানো যে তাত যি সকলৰ মাটি আছে তেওঁলোকে এপুৰা মাটি ৪০।৫০ পুৰাকৈ ধানলৈ লগাইছে। তেনেহলে চাওক কিমান বেচিকৈ তেওঁলোকে ধান লয়। আজিকালিৰ বজাৰ ভাৱত মোণে ৮ টকাকৈ হলেও চাওক কিমান টকা এজন কৃষকে land lord ক এপুৰা মাটিৰ কাৰণে দিব লাগে। এই বিলাক land lord এ চৰকাৰক খাজানা দিয়ে এপুৰাত ৮।১০ টকাকৈহে মাথোন। যি সকলৰ মাটি

আছে তেখেত সকলে আধিলগাই বছেৰেকত এপুৰা মাটিত ইমান টকা লাভ কৰিছে। মই কও যে সময় অতীত হৈ গৈছে; সেই কাৰণে মই আশাকৰো যে আপোনাসকলে কেনেকৈ এই বিলখন এই session তে pass হয় তাৰ কাৰণে যত্ন কৰিব।

Maulavi ABDUL HAI : Mr. Speaker, Sir, we all endorse the Hon'ble Revenue Minister's intention to give relief to the poor people. Sir, we are all really thinking how we can improve the lot of the toiling mass and any measure that will give relief to the poor, I think, there is no party in this House which will oppose it. At the same time, Sir, we should not forget that any measure which we will bring should be in accordance with law, so that by going to give relief to certain aggrieved persons, we should not also make or create another class of people who will be aggrieved or oppressed in turn. In this Bill, Sir, provision has been made to give relief to the "Adhiars", without changing the name of "Adiars"; if we are to consider the meaning of the word "Adhiar", as it has been explained yesterday by the Leader of our Party that it means 'half and half', then it is found that such is not the intention of this Bill so as to give half of the yields of the land to the landlords. I do not call them landlords—they are the *pattadars* or peasant proprietors. Sir, in every law it is known to all hon. Members, particularly the lawyer Members, that there is provision given for an aggrieved person to go to a court of law for redress. There is also provision to check him from giving or lodging false complaints. That clearly shows, Sir, that the law should be administered equally without any distinction or without giving privilege to a certain party or group. Here *Adhiars* are concerned with petty land-owners as my hon. Friend Mr. Hazarika also admitted that there are some persons whose holdings are not more than some *bighas* of land; they cannot be called landlords or Zamindars in its true sense and these people also will be affected. A provision has been made that if any land-owner wants to evict 'Adhiars' without giving reasonable cause he will be penalised with a fine up to the extent of Rs.200. But if the 'Adhiar' does not pay his dues to the proprietor then what will be the result? The Government may perhaps contend that in that case he shall have to seek redress at the court of law. Sir, if the people would have to go again to the court of law, then what is the necessity of bringing in this Bill by those who want to give immediate relief to the people of all groups?

If that provision has not been made in this Bill, then we will suggest Amendment, as my hon. Friend over there, Mr. Hazarika has suggested. But he has forgotten one thing. We cannot go in the matter of bringing Amendment beyond the scope of this Bill. What are the main aims and objects of the Bill, stated in the Statement of Objects and Reasons? "A large number of applications and resolutions has been received by Government from or on behalf of 'Adhiars' and *raiyats*' organisations from different parts of the province complaining that the shares or quantities of crop payable by them to the persons under whom they hold the land are onerous, that what remains for them is not adequate for the labour and capital which they put in and that their livelihood is precarious because they have at present no protection against the landlord depriving them of the land at any time. It is felt that relief should be given to *adhiars* in these matters". So if any Amendment is brought to that effect which will bring relief to the *pattadars* for whom there is no provision in this Bill, it will go beyond the object of the Bill. That is why my hon. Friend, Dr. Husain has suggested that the Bill be sent for eliciting public opinion. It has been said that if we do not pass this Bill in this Session there will be hardship on the *adhiars*. Sir, instead of saying that, why don't they say like this—that we have

brought this Bill, whether it is reasonable or not, you accept it because we are in majority. Can anybody think that if the Bill is not passed in this Session the *rai-yots* and *adhiars* will die or will be wiped out from this world for want of this sort of measure? It is simply what I call a hoax.

Sir, I appeal to you all that anything coming from this side should not be viewed with suspicion. Yesterday my Friend, Dr. Emran Husain congratulated some of the Members of the Congress party who criticised the Government for certain action but I can never congratulate them. Is it not their duty to show moral courage? They are bound to show moral courage. If these measures are not wholesome to the people in general, it is upto them to decide whether it should be criticised to amend such measure or not. It is not our intention to oppose the Government. They say that their outlook has changed since 15th of August and that they are in a different plane. Yes, we agree. But if they think that their Ministry has done some wrong, it is upto them to rectify it. There is no fear that thereby their Ministry will be censured or dislodged. We will whole heartedly support the Ministry so long they will be doing good work for the public but no sooner they will do something harmful, then we are morally bound to bring to their notice and make suggestions to Government by way of criticism for rectifying such wrong.

The Hon'ble Srijut BISHNURAM MEDHI: Is this question relevant to the issue, Sir?

Maulavi ABDUL HAI: Yes, Sir, it is relevant. These suggestions from our point of view are quite relevant suggestions.

Sir, I therefore, assert that they should change their view. Let them not view us with suspicion. We do not want to dislodge the Ministry. All that we want is that they should not be hasty in bringing in force any legislation which instead of doing any good to the people, will be more harmful for all concerned.

Again, I assure the Ministry that in the matter of giving relief to the poor, we are always at one with them and will lend our support. We will do whatever is possible for us for giving relief to the people, but, at the same time, we want that they should make such legislation which would not discriminately behave or that there should not be any provision that one Group should predominate over the other. Petty landlords, they should not be called landlords but rather landowners because there are some widows who own only a few bighas of land, it is found, own the land for their protection. They are not making provision for them and even the *adhiars* are also not satisfied with this Bill because in the newspapers they have given out that the *pattadars* have been given the right to move the Revenue Officer to evict them on requisition of the landowners. It should also be seen whether such power should be given or not. In order to make provision for all these, it is necessary to send the Bill for circulation for eliciting public opinion. Then, I think, we will be in possession of reasonable facts and thereby we may come to such a decision as regards the law by which we want to give relief to the poor masses which will be helpful to all concerned as far as it is practicable. With these words, Sir, I support my hon. Friend, Dr. Emran Husain, in his amending Motion for circulation.

Babu KAMINI KUMAR SEN. Mr. Speaker, Sir, I had no intention to take part in this debate but Mr. Abdul Hai has tempted me to speak a few words. Sir, I do not understand the reason why he is so much dissatisfied with

the Ministry in bringing forward this Bill. He was pleading for the small land lords and peasant proprietors. My hon. Friend, Mr. Hazarika, is also for the protection of small landholders and his suggestion is that small landholders or petty peasant proprietors who own land, say, to the extent of 30 or 40 bighas which may be called an economic holding, should only be protected and given the privilege of resumption of *adhi* lands as contemplated in Section 5, if they so desire, and with regard to big landlords, no such protection should be given. That is what my hon. Friend, Mr. Hazarika, has suggested and I hope that should satisfy my hon. Friend, Mr. Hai, who was also for protection of small land-holders and not for big landlords. Then, Sir, I do not see how the suggestion of Mr. Hazarika can go beyond the scope of the present Bill; according to the present provision of the Bill every landlord, big or small, will be entitled to take possession of *adhi* land on the ground that he will cultivate it himself, or by members of his family, or by hired labour. But by putting a check to the big landlords to take advantage of that position, the right of *adhiar* is not at all curtailed—rather it is extended. So I do not see why my hon. Friend, Mr. Hai, has found so much fault with regard to the Bill.

Maulavi ABDUL HAI : I have no quarrel with the Ministry.

Babu KAMINI KUMAR SEN : So, Sir, I submit that the proposed Amendment of Mr. Hazarika will not go against the provision of the Bill and that is exactly what hon. Hai is pleading for. Therefore, I am at a loss to understand what is the justification for circulating the Bill for public opinion. Both Dr. Husain and Mr. Hai practically supported the provisions of the Bill except that they were supporting the cause of the peasant proprietors and if the suggestion of Mr. Hazarika, which is also meant for the same purpose is accepted by the House, I think, their object will be well served without sending the Bill for eliciting public opinion. If it is circulated, I do not think, the Bill will be passed before the September Session next because there will be no Session of the Assembly before that time.

Srijut DHARANIDHAR BASUMATARI : মাননীয় সভাপতি ডাঙৰীয়া, মোৰ কবলৈ ইচ্ছা নাছিল, কিন্তু তেখেত ডাঙৰীয়া দুজনে কোৱাত ময়ো নকৈ থাকিব নোৱাৰিলো। আমি সকলোৱেই দুখীয়া মানুহৰ প্ৰতিনিধি আৰু আমি সকলোৱেই ভাবিছো দুখীয়াবিলাকৰ কিবা উপকাৰ কৰিব পাবো বুলি। তেখেতসকল কিমান ধনী মানুহৰ প্ৰতিনিধি কব নোৱাৰো। আজি তেখেতসকলে নিশ্চয় দেখিছে যে শতকৰা ৮০ জন মানুহৰ মাটি নাই, অথচ তেখেতসকলে কিছুমান ধনী আৰু মাটিগিৰি মানুহৰ কাৰণে কিয় যে ইমান হাবাখুৰি খাইছে কব নোৱাৰো। তেখেতসকলে কৈছে যে যিবিলাকৰ অলপ অচৰপ মাটি আছে অৰ্থাৎ যাব ৬।৭ পুৰা মাটি আছে, তেওঁবিলাকৰ বৰ *hardship* হ'ব। কিন্তু তেখেতসকলে জানে নে যে প্ৰায় শতকৰা ৮০ জন মানুহেই মাটি নাই? (*A voice*—ক'ব পৰা পালে?) সঠিক *figure* নাপালেও আমি যিবিলাকে জানো, ক'ব পাবো যে সিমান মানুহৰ মাটি নাই। হয়তো কোনো কোনোৱে ব্ৰহ্মোত্তৰ, দেবোত্তৰ বা নিপ্পিখেৰাজ মাটি খাই আছে, কিন্তু সেই মাটি তেওঁলোকৰ নহয়। তেখেতসকলে *public opinion* ৰ কাৰণে বিলখন *circulate* কৰিবলৈ কৈছে। মই ভাবো যে *circulate* কৰাৰ কোনো দৰকাৰ নাই। আমি ইয়ালৈ অহাৰ আগতে চাৰিওফালৰ পৰা *deputation* পাইছিলো। তেওঁলোকে কৈছে যে, আধিয়াৰবিলাকক যাতে ধনীবিলাকে নিৰ্যাতন কৰিব নোৱাৰে তাৰ বাবে চাব লাগে। এই বিলত মাটিগিৰিসকলৰ বাবেহে

provision কৰা বুলি তেওঁলোকে কয়। তেওঁবিলাকে কৈছে যে ৩ ভাগেই হওক বা ১ ভাগেই হওক, তেওঁবিলাকে দিবলৈ বাজী নহয়। কিছুমান মাটিত খেতি কম হয় তাত ১ পৰ্য্যন্ত দিব নোৱাৰি। তেওঁবিলাকে অনুৰোধ কৰিছে যে আধিব ধান নলৈ বিয়া প্ৰতি ২ টকা বা কিবা এটা নিৰ্দ্ধাৰণ কৰি টকা দিয়াৰ ব্যৱস্থা কৰা হৈ ভাল আৰু তাকে কৰিলে তেওঁলোকে ধন্যবাদ দিলে হেতেন। এইবিলাক কথা আমাৰ নিজৰ নহয়, এইবিলাক deputation ৰ কথা। আৰু মই নিজেও তাকেই যুক্তিযুক্ত বুলি বিবেচনা কৰো। এনেকুৱা deputation পায়ো মান অলপ অলপ মাটি আছে তেওঁবিলাকৰ নিৰিতে হাই চাহেব আৰু ডা: ইমান হচেইন চাহেবে কিয় ইমান হাবাপুৰি পাইছে ক'ব নোৱাৰো।

হাই চাহেবে বিধবাবিলাকৰ কথা কৈছে। বিধবা নো কিমান আছে? বিশেষকৈ তেখেতসকলৰ ভিতৰত বিধবা নাপাকেই, প্ৰায়েই পুনৰ বিয়া কৰে (laughter).

Maulavi ABDUL HAI: May I know, Sir, on what basis he says that there are no widows among the Muslims?

Srijut DHARANIDHAR BASUMATARI: There may be a small number of widows among them. যি হওক তেখেতসকলে দুখীয়াৰ কাৰণে মাকান্দি ধনীৰ কাৰণেহে কন্দাত আচৰিত হৈছে। তেখেতসকলে বোধ হয় নিজেও আদি দিয়ে। ময়ো অলপ অচৰপ মাটি থকা মানুহ, ময়ো বুজো যে আদি দিলে hardship কিমান হয়। মই নিজে চৰকাৰক মাটিৰ খাজানা বিয়াত ১০০ অনাকৈ দিও—ক'ববাত ৫০ অনা আৰু ক'ববাতহে ১ টকা হয়। এইদৰে কম নিৰিখে খাজানা দি আধা ধান লবলৈ আমাৰ কি স্বত্ব আছে? এবিধ মাটিত অস্থতঃ ৬/ মোগ ধান হয়। মাটিগিৰিৰ ভাগত তাৰে ৩/ মোগ লবলৈ মাটিগিৰিৰ কি স্বত্ব আছে? ১০০ অনা খাজানা দি, তাৰ ঠাইত আধা ধান লোৱা কিমান অন্যায় তাক নকলেও হব। একালে আমি দুখীয়াক সুবিধা দিম বুলি চিঞৰি চিঞৰি কৈছো আৰু আনফালে landlord বিলাকৰ কাৰণে কান্দিছো!

Dr. EMRAN HUSAIN CHAUDHURY: On a point of explanation, Sir, Mr. Basumatari has completely misunderstood me.

Srijut DHARANIDHAR BASUMATARI: গৱৰ্ণমেণ্টে এই বিষয়ে ভালকৈ বিবেচনা কৰা উচিত। এই বিলখন circulate কৰাৰ কোনো প্ৰয়োজন নাই আৰু প্ৰয়োজন বুলি ভবাটোও মই অন্যায় বুলিহে ভাবোঁ।

Srijut HARINARAYAN BARUA: মাননীয় সভাপতি ডাঙৰীয়া, আদি আৰু খন্দুৱা মাটি নিয়ন্ত্ৰণ কৰিবৰ কাৰণে গৱৰ্ণমেণ্টে এই পৰিষদৰ আগত যিখন 'বিল' ডাঙি ধৰিছে, এই বিলখনৰ আমাৰ বিৰোধী দলৰ নেতা মাননীয় মৌলবী ছাদুল্লা চাহাব আৰু বিৰোধী দলৰ মাননীয় সভ্যসকলে কিয় বিৰোধিতা কৰিছে আমি তাৰ কাৰণ বুজিব পৰা নাই। (A voice—বিৰোধিতা কৰা নাই।) বিৰোধিতা কৰিছে, কাৰণ জনমত গ্ৰহণ কৰিবৰ কাৰণে এই বিলখন প্ৰচাৰ কৰিবলৈ কৈছে। কাজেই বিৰোধিতা কৰিছে বুলি আমি ধৰি লব পাৰো। আজি আসাম দেশত এই আদি আন্দোলন যিমান প্ৰবল ভাবে চলিছে আৰু এই

আন্দোলনৰ ফলত মাটিগিৰী—যাক landlord বুলি কোৱা হয়—আৰু খেতিয়কসকলৰ মাজত যি এটা অপ্রীতিকৰ ভাব জাগি উঠিছে, সেই ভাব যদি দূৰ কৰিব পৰা নহয় আৰু যদি দূৰ কৰিবৰ কাৰণে গবৰ্ণমেণ্টে তেনে ব্যৱস্থা হাতত নলয়, তেনেহলে সমাজত আজি যিটো শৃঙ্খলা আছে, শান্তি আছে, সেই শৃঙ্খলা আৰু শান্তি ভঙ্গ হব।

আমাৰ মাননীয় বহু ডক্টৰ ইমবান হুছেইন চৌধুৰী চাহাবে আমি আৰু খন্দুৱা সম্পৰ্কে শিৱসাগৰ district ত যি এটা প্ৰবল আন্দোলন আজি কিছুদিন আগৰে পৰা চলি আহিছে সেই আন্দোলনৰ তু নোপোৱা নহয়। সেই আন্দোলন আজি ইমান প্ৰবল হৈ উঠিছে যে কোনো কোনো ঠাইত মাটিগিৰীসকলে ধান লবৰ কাৰণে নিজৰ মান আৰু সম্মান হেৰায় বুলি যাব পৰা নাই। তাৰ উদাহৰণ স্বৰূপে মই কব পাৰো যে তেখেতে সদায় গৈ থকা বৰহোলা আৰু তিতাবৰ অঞ্চলত আমি খোৱা মানুহৰ সংখ্যাই বেচি, তাত মাটি নাইকিয়া মানুহৰ সংখ্যা অতি বেচি। সেই কাৰণে আজি কিছুদিনৰ পৰা সেই অঞ্চলত ইমান প্ৰবল আন্দোলন চলিছে যে সেই আন্দোলন দমন কৰিবৰ কাৰণে বা খেতিয়ক আৰু মাটিগিৰীসকলৰ মাজত এটা আপোচ মীমাংসা কৰিবৰ কাৰণে আমি বহু পুৰুষাৰ্থ কৰিবলগীয়া হৈছে। আৰু আমাৰ যত্নৰ ফলতেই যোৱা দুই-এবছৰত মাটিগিৰী আৰু খেতিয়কসকলৰ মাজত এটা মীমাংসা হয় আৰু সেই মীমাংসা মতে মাটিগিৰীসকলে খেতিয়কসকলৰ পৰা আগৰ নিৰিখতকৈ কম নিৰিখে ধান লৈছে। কিন্তু যদিও খেতিয়কসকলৰ পৰা মাটিগিৰীসকলে কম নিৰিখে ধান লৈছে তথাপি খেতিয়কসকল সন্তুষ্ট হব পৰা নাই। তেওঁবিলাকে বিচাৰিছে এখন আইন, যি আইনৰ দ্বাৰা এই আমি পুখা নিয়ন্ত্ৰণ কৰিব পৰা হয়। লগে লগে মাটিগিৰীসকলেও বিচাৰিছে এখন আইন, যি আইনৰ দ্বাৰা খেতিয়ক আৰু মাটিগিৰীসকলৰ মাজত এটা সম্ভাব বন্ধা হয়। কাৰণ, মাটিগিৰীসকলে দেখিছে যে যদি এই বিষয়ে এখন আইন নহয় আৰু ইয়াক যদি আইনৰ দ্বাৰা নিয়ন্ত্ৰিত কৰা নহয় তেনেহলে তেওঁলোকে নিজৰ মাটি বন্ধা কৰি জীৱন বচাই ৰখা টান হব—তেওঁলোকে আজি সেইটো মৰ্শে মৰ্শে উপলব্ধি কৰিছে। কালি এই পৰিষদৰ বিৰোধী দলৰ মাননীয় দলপতি চাহাবে কৈছিল যে গৌহাটীত বহুত মাটিৰ মালিকে তেখেতক লগ ধৰি এই বিষয়ে আলোচনা কৰিছিল আৰু তেখেতসকলে ইয়াৰ নিমিত্তে গবৰ্ণমেণ্টক নিন্দা কৰিছে। মই নাজানো তেখেতে সেইসকলক কি উপদেশ দিছে। কিন্তু যদি প্ৰকৃততে সমাজৰ শান্তি আৰু শৃঙ্খলা বন্ধা কৰিবলৈ আমি বিচাৰো তেনেহলে আজিৰ দিনত এই আইনখন অতি প্ৰয়োজনীয় হৈ পৰিছে। এই আইনখন যদি অতি শীঘ্ৰে কৰি নিয়ন্ত্ৰণৰ এটা ব্যৱস্থা কৰি নিদিয় তেনেহলে অচিৰে আমাৰ সমাজৰ শান্তি ভঙ্গ হব আৰু সেই সময়ত শান্তি বন্ধা কৰিবৰ কাৰণে আমি সকলোৱে লৰা-ধপৰা কৰিব লাগিব। সেই কাৰণে বৰ্তমান সময়ত মাটিগিৰী আৰু খেতিয়কসকলৰ ভিতৰত আইনৰ দ্বাৰা এটা সম্ভাব স্থাপন কৰা নিতান্ত প্ৰয়োজনীয় হৈ পৰিছে।

আমি জনমত সংগ্ৰহ নকৰাকৈ থকা নাই। আমাৰ কংগ্ৰেছ পালিয়মেণ্টৰী পাৰ্টিৰ পৰা চেক্ৰেটেৰী মহোদয়ে প্ৰত্যেক District Congress Committee, Bar Library আদিলৈকে এই নীতি সম্পৰ্কে মতামত বিচাৰি একোখন চিঠি দিছিল। সেই চিঠি অনুযায়ী আমাৰ যোৰহাট জিলা কংগ্ৰেছ কমিটিয়ে এখন তদন্ত কমিটি গঠন কৰি দিয়ে। সেই তদন্ত কমিটিয়ে যোৰহাট মহকুমাক পাঁচোটা কেন্দ্ৰ কৰি খেতিয়ক আৰু মাটিগিৰীসকলৰ মতামত সংগ্ৰহ কৰে। সকলোৱে এক বাক্যে স্বীকাৰ কৰিছে যে এই ধৰণৰ এখন আইন হোৱা

প্রয়োজন। ইয়াৰ বাহিৰেও নিম্নকল মাটিগিৰীৰ ৫০০, ৪০০, ৩০০ পুৰাতক মাটি আছে সেই সকলোও এনে এখন আইন যাতে অতি শীঘ্ৰে হয় তাৰ কাৰণে কমিটিৰ আগত সাক্ষী দিছে আৰু গৱৰ্ণমেণ্টে যি ন্যায় নীতি আৰু নিবিধ বান্ধি দিয়ে সেই নিবিধ তেওঁলোকে সমৰ্থন কৰিবলৈ বাৰ্তী হৈছে। সেই Enquiry Committee ৰ report আমি গৱৰ্ণমেণ্টৰ ওচৰত দাখিল কৰিছো।

আন হাতে এই আইনখন pass কৰাৰ আগতে ৰাইজৰ মতামত নোলোৱা কথাটো কোনো বকমে এই ক্ষেত্ৰত উঠিব নোৱাৰে। আজি যদি আমি এই আইনখন পৰিষদত pass কৰি নিদিও, তেন্তে দেশৰ দুখীয়া খেতিয়কবিলাকৰ মাজত ইমান অসন্তোষৰ ভাব সৃষ্টি হব যে অহা বছৰত হয়তো ধান কটাৰ সময়ত মাটিগিৰীসকলৰ কোনো কোনোৰ প্ৰাণহানিও হব পাৰে। এনে অৱস্থাত আমি সকলোৱে ভাবি চিন্তি চাই একমত হৈ ইয়াৰ এটা সুব্যৱস্থা কৰা মই উচিত বুলি ভাবো।

অৱশ্যে নিবিধ সম্বন্ধে এটা কথা আছে। মাননীয় বন্ধু উষ্টৰ ইন্‌ৰাণ হুছেইন চৌধুৰী চাহাবে কাছাৰৰ নিবিধ সম্পৰ্কে এটা কথা তুলিছে। মাটিৰ ধানৰ নিবিধ গোটেই আসামৰ জিলাবিলাকত একে নহয়। প্ৰত্যেক জিলাতে বেলেগ বেলেগ নিবিধ আছে। মাটিগিৰী-সকলে বহুত প্ৰকাৰে মাটি ৰায়তক দিয়ে, যেনে—সমান আৰু, গুটি আৰু, বন্দুৱা, জেং আৰু, বোকা আৰু আদি নানা প্ৰকাৰৰ আৰু আছে। ইয়াৰ ভিতৰত গোৱালপাৰাত খেতিয়কসকলে মাটিগিৰীক যি নিবিধত ধান দিয়ে, কানকপত হয়তো তাতকৈ বেচি দিয়ে। গোৱালপাৰা আৰু কানকপত যি নিবিধে ধান দিয়ে, কাছাৰত হয়তো তাতকৈ কম দিয়ে। গোৱালপাৰা, কানকপ আৰু কাছাৰত যি নিবিধে ধান দিয়ে Upper Assam ত হয়তো তাতকৈ বেচি নিবিধে দিয়ে। কাৰণ, উজনি আসামৰ কোনো কোনো অঞ্চলত যিমান নিবিধে ধান পোৱা হয়, হয়তো আনবিলাক জিলাত সেই নিবিধে পোৱা নহয়; তাত উৎপন্ন কম হয়। সেই কাৰণে প্ৰত্যেক জিলাত নিবিধ সমান নহয়। আৰু গোটেই প্ৰদেশত প্ৰচলিত নিবিধ এক গোট কৰি এখন আইন কৰাটো কম কথা নহয়। বিৰোধী দলৰ নেতা মাননীয় মৌলবী ছাদুল্লা চাহাবৰ তিতাবৰত কিছুমান মাটি আৰু ৰাগিছা আছে। তাত বোধকৰো তেখেতৰ বহুত মাটি খেতিয়ক সকলে খায়। (অৱশ্যে সেই বিষয়ে মই নাজানো)। সেই অঞ্চলত খেতিয়কে মাটিগিৰীক এপুৰা মাটিত ৬০ পুৰাতক ধান দিয়ে। যদিহে খন্দুৱা আৰিলৈ দিবলগা হয় তেতিয়া খেতিয়কে মাটিগিৰীক খন্দুৱাৰ বাবে টকা দিয়ে প্ৰায় পুৰাত ৯০, ৯৫ টকাকৈ। এই নিবিধে যে খেতিয়ক সকলে মাটিগিৰীক ইমান সমৰ্থন দিয়াটো আমাৰ নিতান্ত উচিত হব। এই বিলৰ উদ্দেশ্য এয়ে নহয় যে আমাৰ দেশত যি সকল ধনী আছে সেই সকলৰ ওপৰত এটা ট্ৰেণ্ডাৰ ভাব লৈ এই আইন প্ৰণয়ন কৰিবলৈ বা সমৰ্থন কৰিবলৈ আগবাঢ়িছে। আমাৰ সেইটো উদ্দেশ্য নহয়। বিৰোধী দলৰ মাননীয় দলপতিয়ে গৱৰ্ণমেণ্টে মাটিগিৰী সকলৰ প্ৰতি এটা ঘোৰ অবিচাৰ কৰিছে বুলি অভিযোগ আনিছে। এই অভিযোগ সত্য নহয়। গৱৰ্ণমেণ্টে মাটিগিৰীক বা ধনী সকলৰ ওপৰত একো অবিচাৰ কৰা নাই, বৰঞ্চ গৱৰ্ণমেণ্টে মাটিগিৰী সকলক বা ধনী সকলক সহায় কৰিবলৈহে গৈছে। কাৰণ এই আইনখন যদি এতিয়া প্ৰণয়ন কৰা নহয় তেনেহলে

যি সকল ধনী মাটিগিৰী তেখেত সকলেই সকলোতকৈ হয়তো সময়ত এটা ভয়ঙ্কৰ অশান্তিৰ মাজত পৰিব পাৰে। আজি দিন থাকোতেই তেখেতসকলক অশান্তিৰ পৰা বক্ষা কৰিবলৈ গৱৰ্ণমেন্টে যি চেষ্টা কৰিছে তাৰ বাবে ধন্যবাদ হৈ দিয়া উচিত। আজি হয়তো কোনো লোকে এই আইনখন কঠোৰ হৈছে বুলি ভাবিছে, কিন্তু কিছু দিনৰ পিচত এই আইনখনেই তেখেত সকলৰ প্ৰতি অতিকোমল হৈছে বুলি তেখেত সকলে নিজে অনুভৱ কৰিব।

আৰু এটা প্ৰশ্ন তুলিছে; সেই প্ৰশ্নটো হৈছে যে যি সকল মানুহে খেতি কৰিব নোৱাৰে, নিজে হাল বাৰ নোৱাৰে, অকামিলা, কোছা, কুজা বা কনা তেনেকুৱা মানুহৰ হয়তো নিজৰ দুই এপুৰা মাটি আছে, কিন্তু তাত নিজে খেতি কৰিব নোৱাৰাৰ কাৰণে গুটি বা গছ আৰি নৈ খেতিয়কক দিয়ে; সেই মানুহ বিলাক যাতে এই আইনৰ ভিতৰত নপৰে তাৰ এটা ব্যৱস্থা বৰা নিতান্ত উচিত বুলি ভাবো। গৱৰ্ণমেন্টে আৰু এই পৰিঘদে নিশ্চয় এই বিলখন pass কৰাৰ আগতে সেই বিষয়ে চিন্তা কৰি চাব। আৰু সকলোৱে একমত হৈ এই বিলখন যাতে pass হয় তাত সমৰ্থন দিব।

Maulaji ABUL KASHEM: Mr. Speaker, Sir—আধিয়াৰ বিলটি গৰীব প্ৰজা সাধাৰণেৰ জন্য অতি প্ৰয়োজনীয় হইয়া উঠিয়াছে—ৰাজস্ব মন্ত্ৰী মহোদয় একাজে অগ্ৰণী হওয়ায় ধন্যবাদ পাওৱাৰ উপযুক্ত—বিলটি সম্পূৰ্ণ কাৰ্য্যকৰী কৰিয়া প্ৰণয়ন কৰিতে কয়েকটি বিষয় বিশেষ লক্ষ্য ৰাখিতে হইবে।

(১) কাছাড় ও গোয়ালপাড়া জেলা এই ভাবে ফসলেৰ অংশ যেন পায় তাহাৰ ব্যৱস্থা কৰিতে হইবে।

(২) সমস্ত আসামে একই আইন প্ৰবৰ্ত্তিত হওয়া উচিত।

(৩) চাঘীপ্ৰজা যদি অবহেলা কৰিয়া শস্য উৎপাদনে ক্ষতি কৰে তৰে যেন যে প্ৰজা প্ৰাৰিপাৰ্শিক আমলচাঘীদেৰ জমিতে উৎপন্ন ফসলেৰ তুলনায় জমিৰ মালিককে শস্য পাওৱাৰ একমাসেৰ মধ্যে শস্য দেয়—অন্য আয় আধিদাৰকে জমি চাঘ কৰিতে বাধা কৰা চলিবে না।

(৪) বিলে জমিৰ মালিককে আধিয়াৰকে উচ্ছেদ কৰাৰ যে অধিকাৰ দেওয়া হইয়াছে তাহা আধিদাৰদেৰ জন্য ভয়ঙ্কৰ ক্ষতিৰ কাৰণ হইবে—কোন জমিৰ মালিক যেন আইন প্ৰবৰ্ত্তিত হওৱাৰ পৰ সৰ্ব্বমোট পচিশবিঘা জমিৰ চেয়ে বেশী জমি হইতে প্ৰজা উচ্ছেদ কৰিতে না পাৰে তাহাৰ ব্যৱস্থা কৰিতে হইবে।

(৫) আমাৰ বন্ধু ধৰণীধৰ বসুমাতাৰী যে বলিয়াছিলেন যে জমিৰ মালিককে সোজা সুজি খাজনা দেওয়াৰ ব্যৱস্থা কৰিয়া আধিয়াৰকে ৰক্ষা কৰা হউক তাহা আমি সমৰ্থন কৰিতে পাৰি না কাৰণ একজনেৰ উপকাৰ কৰিতে অন্যজনেৰ প্ৰতি যেন অতিরিক্ত অবিচাৰ না হয় তাহাও দেখিতে হইবে। জমিৰ মালিক বহু অৰ্থব্যয়ে জমি কিনিয়াছে তাহা অন্যকে দেওয়াৰ অধিকাৰ আমাদেৰ নাই—

(৬) আধিয়াৰে জমিৰ মালিককে যদি অতি অল্প অংশ দিতে যায় তৰে জমিৰ মালিক ছলে, বলে বা কৌশলে জমি আধিয়াৰেৰ হাত হইতে লইবে এবং ফলে আধিয়াৰেৰা বেকাৰ হইয়া পৰিবে—আমাদেৰ বিল পাশ কৰাৰ সময় তৎপ্ৰতি দৃষ্টি ৰাখিতে হইবে—

(৭) আধিয়ারকে যে এত অত্যধিক মূল্যের গোমহিব দেওয়া হইবে তাহা যদি তাহার অবহেলায় নষ্ট হয় তৎক্ষণাৎ কতিপূৰ্বেৰ বাবস্থা থাকা দৰকাৰ নচেৎ জমিৰ মালিক গৰু দিতে বাজী হইবে না এবং তৎক্ষণাৎ জমি চাৰু কৰা হৱত চলিবে না।

Srijut SARAT CHANDRA SINGHA: সভাপতি মহোদয়, মই এই বিল সম্পৰ্কে একো নকণ্ড বুলিয়েই ভাবিছিলো। কিন্তু মৌলভী আবুল কাছেম চাহাবৰ যুক্তিচীন এটি মন্তব্যৰ প্ৰতিবাদ কৰিবলৈ এমাবি কণ্ড বুলি থিয় দিছোঁ। তেওঁ মন্তব্য কৰিছে যে গুৱালপাৰা বঙ্গদেশৰ এটা অংশ আছিল। আধিয়ার বিল আলোচনা প্ৰসঙ্গত যে এই মন্তব্য খাপ নেখায় এই কথা নকলেও হব।

মৌলভী চাহাবক মই অসম আৰু কোচবুৰঞ্জী এবাৰ পঢ়ি চাবলৈ অনুৰোধ কৰো। গুৱালপাৰাতো কোনো দিনেই বঙ্গদেশৰ অন্তৰ্ভুক্ত নাছিল—বৰং বঙ্গদেশৰ ৰংপুৰ, জলপাই-গুৰি আৰু কোচবিহাৰ বিশাল কানকপৰ তথা অসমৰ অন্তৰ্ভুক্ত আছিল।

আধিয়ার বিল সম্পৰ্কে যথেষ্ট আলোচনা হৈছে। বহুতে এই বিল সম্বন্ধে আপত্তি উত্থাপন কৰিছে। কিন্তু মই আপত্তিৰ একো কাৰণ নেদেখো। বিলৰ মুখ্য উদ্দেশ্য শোমিত খেতিয়ক শ্ৰেণীক বিশেষ সুবিধা দিয়া। মাটিগিৰী সকলে বিলৰ উদ্দেশ্য সম্বন্ধে উপলব্ধি কৰিব নোৱাৰি ভীত আৰু সন্দেহ হৈ উঠিছে।

কংগ্ৰেছে ইমান দিন শোমণ বন্ধ কৰিবলৈ যুক্তি আহিছে; কংগ্ৰেছে আজি চৰকাৰ গঠন কৰিছে। সেই কাৰণে চৰকাৰে খেতিয়কৰ ওপৰত চলি থকা শোমণ বন্ধ কৰিবলৈ এই ব্যৱস্থা অবলম্বন কৰিছে। ৰাষ্ট্ৰৰ উন্নতিৰ মূলভেটি খেতিয়কসকল। এই খেতিয়ক সকলৰ ওপৰত শোমণ চলি থাকিলে, ৰাষ্ট্ৰৰ উন্নতি নহয়।

যি সকল মাটিগিৰীয়ে মাটি আধি দিয়ে আৰু নিজেও খেতি কৰে, তেওঁলোক খেতিয়ক শ্ৰেণীভুক্ত মাটিগিৰী—এই বিলে তেওঁলোকৰ স্বাৰ্থৰ একো বিশেষ ক্ষতি কৰিব নোৱাৰে। সমাজতাত্ত্বিক ৰাষ্ট্ৰত এই ব্যৱস্থা নতুনো নহয়, ক্ষতিকৰো নহয়।

যি সকল মাটিগিৰীয়ে নিজে খেতি নকৰে—কেৱল আধি হে দিয়ে তেওঁলোক জমিদাৰ শ্ৰেণীভুক্ত মাটিগিৰী। এই বিলে তেওঁলোকৰ স্বাৰ্থত কিছু পৰিমাণে আঘাত কৰিব সচাঁ—কিন্তু শোমণ বন্ধ কৰিবলৈ তাৰ বাহিৰে অন্য উপায় নাই।

কিছুমানে এই কথা কৈছে যে জমিদাৰী প্ৰথা উচ্ছেদ, চাহ বাগিছা আৰু অন্যান্য শিল্প প্ৰতিষ্ঠানবোৰ জাতীয় কৰণ ব্যৱস্থা হে আগেয়ে কৰিব লাগিছিল—কিন্তু মই ভাবো ৰাষ্ট্ৰৰ মূলভেটি আৰু মূলস্তম্ভ খেতিয়ক সকলক শোমণ মুক্ত কৰা দায়িত্ব আৰু কৰ্তব্য চৰকাৰে পিছুৱাই থব নোৱাৰে।

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, at the outset I congratulate the Sarwan brothers that they have the courage to support a Bill sponsored by this side and I also congratulate to some extent our Friend Maulavi Abul Kasem Saheb because he did not support the Motion for circulation moved by Dr. Chaudhury.

As regards the Motion for circulation, I have the painful duty of opposing it. This is only a means to put off this Bill for the advantage of rent receivers, for the benefit of the richer people, for the benefit of the persons who need no

protection and who are themselves capable of looking to their own interest. We must admit that we are already late in bringing this Bill. We should have done so earlier. But before bringing forward this Bill we had to make elaborate enquiries both through officials as well as through non-official sources and after necessary enquiry Government was satisfied that this Bill was urgently and essentially necessary and that is why I request the hon. Members of this House to dispassionately consider every clause of the Bill and lend us their support in passing it into law before the next agricultural year begins; otherwise, the Bill will be delayed by a full one year. In view of this I would request the Mover of the Motion to withdraw it. The purpose of his Motion is to elicit public opinion. But public opinion, as a matter of fact, has already been elicited by local enquiries—both official and non-official. Secondly, the Mover of the Motion has said why this Bill has been just sponsored before the Tea Industry or the Oil Industry was nationalised. The question of nationalisation has no bearing with this Bill.

Dr. EMRAN HUSAIN CHAUDHURY: What I urged was that these two Industries should be nationalised first as an earnest of good will.

The Hon'ble Srijut BISHNURAM MEDHI: I say this is irrelevant so far as this Bill is concerned. This Bill is meant to give relief to the real agriculturists. This is a particular Bill with some particular purpose in view. So I consider it irrelevant for our present purpose and that there is no reason for postponing the present Bill.

Now, Sir, I have been accused by the Hon'ble Leader of the Opposition as having Communistic leaning. Sir, this harmless Bill has been introduced to remove the root cause leading to the discord and differences between the landlords and *adhiars* and thereby to bring about peace in the country. He further said that this Bill, if passed, will perpetuate the discord and will be a source of constant trouble in different places between the landlords and tenants. It appears that he has looked into this matter from the point of view of a landlord and his inference seems to me to be one-sided. As a matter of fact from the statement he made it seems that he is anxious to protect the rights and interests of the landlords more than the interests of the *adhiars* or the persons who pay rent in kind. We want to give help where needed to the persons who are unable to protect their own interests. As it appears, generally the *adhiars* are illiterate and are unable to take measures to protect their own interests and so they are continuously being exploited. Now what is the reason for this discontentment and what is the reason for the discord between the landlord and the tenant? The reason, if the hon. Member tries to find out, is for the exploitation of the tenant by the landlord. We want to put a stop to that kind of exploitation and we do not like to allow any section of people to exploit another section. In this Bill we have not only looked to the interests of the actual tenants but also to the interests of the rent receivers as well. The rent receivers have also been given protection. Thus, we, the Congress Party, stand for adjustment to bring amicable settlement between all parties and groups so that one section or group does not suffer due to exploitation of the other. It is for the exploitation by the landlord that the Communists are finding ground to create troubles everywhere. If we consider what is the actual production of paddy per bigha we find that the production will be between 6 to 10 maunds. If the minimum amounts of production, that is, 6 maunds, is taken per bigha then half of that amounts to 3 maunds, worth Rs.24 at the present market value. In exchange for this a rent receiver or land holder pays a revenue of annas 7 or Re.1 only. What justification is there for the landlord

to extract so much when he is to pay a revenue of such a small amount? There is no justification for a landlord to earn such a huge profit at the cost of the tenant. After taking half the produce by the rent-receivers, quite insufficient quantity is left with the cultivator who ploughs the land with the help of his own cattle and uses seeds that he is to purchase at the time of ploughing. The landlord, without undertaking any other trouble, comes to the tenant at the time of harvest and takes away half of the produce leaving practically nothing for the cultivator. Under these circumstances is it not the duty of the Government to come to the rescue of the poor cultivators to see that they get adequate return for their labour, and especially in view of the fact that they are to purchase all other necessities of life at a very high price in these days? If all these factors are taken into consideration it will appear that the Bill is an attempt to bring about adjustment between the landlord or rent-receivers and the tenants or the cultivators or *adhiars* so that the landlords or the rent-receivers do not take advantage of the situation and that adequate protection is given to the cultivators or *adhiars*. In view of the troubles created by the Communists it is the duty of the representatives of the people in this House to bring about such adjustment so that there may be peace and tranquility prevailing in the country and to give an impetus to the cultivator to produce more and more food? On the other hand we are giving some security to the landlords or the rent-receivers as well. The Hon'ble Leader of the Opposition knows well that almost everywhere at Gauhati the landlords demand half of the produce from the *adhiars* without doing anything in connection with cultivation of land. At the same time we are also giving protection to the landlords. If there is any withholding of payment on the part of the tenants the landlords will have the right to evict such tenants and then get the lands cultivated through their own labourers and plough cattle. Clause 5, sub-clause (iii) says: "that an *adhiar* has failed to deliver to a landlord such share or quantity of the produced as he is bound, subject to the provisions of this Act, by any express or implied agreement with the landlord to deliver". So, if there is any failure or refusal on the part of the *adhiars* to deliver the landlord his due then the landlord can come to the officer and demand eviction of the defaulting *adhiars*. There is of course one question mentioned by the Hon'ble Leader of the Opposition that it may be difficult to ascertain what will be the gross produce of the area in question. He may, however, remember that we have got Land Record staff who maintain classification of lands and from such records it is not difficult to find out what quantity of crop is produced by a particular class of land. Moreover, we have been trying to make arrangements to ascertain the yields at different localities or areas by random survey. The Revenue Officer before whom an application is made will make an enquiry and ascertain the approximate gross quantity of crop of the particular land in question and what amount the landlord is entitled to.

Another suggestion has been made that administration of this Bill should be left to the Panchayats. The Panchayats have not yet been set up and it will take some time before they are set up. We cannot postpone the measure till such Panchayats are established. We have, therefore made this provision in the Bill delegating powers on the Revenue Officer. There is also a provision that Government will be able to authorise any other person if found suitable. In the circumstances, there will be no difficulty in authorising any competent Panchayat to administer the provisions of the Bill. As regards other details that have been pointed out in this connection; amendment may be brought

and such amendments will be considered on their merit. In view of this I would request my Friend, the hon. Mover of the Motion for circulation of the Bill to elicit public opinion, to withdraw his Motion and accept my Motion for consideration of the Bill.

* **Dr. EMRAN HUSAIN CHAUDHURY:** I would like to make a few observations as some of my points have not been answered especially in connection with Cachar, but in view of the assurance given by the Hon'ble Revenue Minister, I beg leave of the House to withdraw my Motion for circulation of the Bill to elicit public opinion.

The Hon'ble the SPEAKER: Has the hon. Member leave of the House to withdraw his Motion?

(Voices—Yes, Yes)

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

The Hon'ble the SPEAKER: The question is:

“That the Assam *Athiars* Protection and Regulation Bill, 1948, be taken into consideration”.

The question was adopted.

The Assam Local Rates (Amendment) Bill, 1948

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, I beg to introduce the Assam Local Rates (Amendment) Bill, 1948, and to move that the Bill be taken into consideration.

In making this Motion I may mention that during the last session when the Bill was introduced to raise the local rate to double the rate for ordinary land, it was passed to raise local rate for fee simple lands. On the last occasion there were some views from some hon. Members of this House as to why the local rate should not be enhanced and a higher rate levied specially on land enjoyed as revenue free for a long time. At that time I gave some sort of assurance that I will consider this matter and for that, if found necessary, a Bill would be introduced as early as possible, to enhance the local rate at least for such land as is enjoyed as revenue free. With this object in view this Bill is introduced now. In the case of land held for ordinary cultivation, the land revenue of which has been wholly or in part released, compounded for, redeemed or assigned, the “annual value” for the purpose of calculation of local rates is higher than the “annual value” of similar land paying revenue at full rates. It is therefore proper that for land under tea cultivation held free of revenue, local rates should be levied on a higher rate than on revenue-paying land under tea cultivation. This Bill seeks to serve this purpose.

Section 3A which is proposed to be amended runs as follows:—“In the case of land under tea cultivation an additional sum shall be levied at a rate which, when added to the rate levied under section 3, shall bring the total of the local rate on such land to eight annas an acre”. The full-stop is to be deleted and this would be added—“in the case of revenue-paying land, and rupee one per acre in the case of revenue-free land”.

In view of all this and as a matter of fact the Tea Industry is earning a lot of profit while the Local Boards have been suffering for want of funds for the improvement of communications and in connection with other social services that the Local Boards render, it is desirable that this rate should be levied

particularly in case of land which is enjoyed revenue free. I hope the whole House will consider the matter and accept my Motion.

The Hon'ble the SPEAKER : Motion moved :

“That the Assam Local Rates (Amendment) Bill, 1948, be taken into consideration”.

(After a pause)

The Hon'ble the SPEAKER : The question is :

“That the Assam Local Rates (Amendment) Bill, 1948, be taken into consideration.”

The question was adopted.

Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Bill, 1948

The Hon'ble Srijut BISHNURAM MEDHI : Mr. Speaker, Sir, I beg to introduce the Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Bill, 1948, and to move that the Bill be taken into consideration.

In moving this Motion I may mention that during the last occasion, while we reduced the duty imposed on diesel oil we gave an assurance for refund of tax realised under the previous Act in respect of diesel oil used in stationary engines by different Industries, but there was some technical difficulty in giving effect to our assurance. The Comptroller and the Legal Adviser said that without some authority from the Legislature, Government have no right to refund. In view of this fact and to obviate the technical difficulty I have introduced this Bill so that I can give effect to the assurance that I have already given on the last occasion. In view of this I hope the hon. Members will accept my Motion for consideration of this Bill.

The Hon'ble the SPEAKER : Motion moved :

“That the Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Bill, 1948, be taken into consideration.

(After a pause)

The Hon'ble the SPEAKER : The question is :

“That the Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Bill, 1948, be taken into consideration”.

The question was adopted.

The Assam Cattle Diseases Bill, 1948

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : Mr. Speaker, Sir, I beg to introduce the Assam Cattle Diseases Bill, 1948 and to move that the Bill be taken into consideration.

There is apparently a mistake in the Statement of Objects and Reasons. There it is stated, ‘animal infected by any of these diseases’, but it should be replaced by ‘healthy animals of the areas infected by these diseases’. The real purpose of the Bill will be inoculation of healthy animals in areas declared by

the officer-in-charge for the purpose as infected area. It has often been discussed on the floor of this House that cattle diseases mentioned in the Schedule of the Bill have been doing havoc to the cultivators. Last year, Sir, in Goalpara, hundreds of cattle died in the midst of cultivation season and most of the cultivators affected by that terrible visitation could not satisfactorily complete their cultivation. It is not the solitary instance of Goalpara. Throughout the whole of the province in every district now-a-days the incidence of diseases is almost a monthly occurrence. Throughout the year cattle die here and there. In order to prevent the spread of these diseases this measure has been brought on the line of such measures in other provinces. We have been all trying here to uplift the masses. For the good of the cultivators this is an initial step and if it is not successfully tackled, the question of improving the condition of the cultivators will not be sufficiently solved. When we think of a cultivator, say an Adhiar, which we have been discussing, the first thing for him is to get possession of a plot of land and then how to cultivate it. So long the system of cultivating the land continues in Assam as it is, it will not be possible to improve it by any mechanised method of tilling. So the cultivators of this province, I think, for some time to come, must depend and completely depend on cattle and other necessary foodstuffs, milk and other things. For these we have to depend on our cattle population. So this Bill is a very important measure, and the earlier it is enacted and brought into operation, the better. I hope, this Bill will get the support of the hon. Members of the House, who are the representatives of the poor people and who have always in their mind the good of the masses.

With these words, Sir, I beg to move the measure.

The Hon'ble the SPEAKER: May I ask the Hon'ble Minister whether he has got a corrected copy of the Statement of Objects and Reasons.

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: In the fourth line of the Statement after the words 'inoculation of' the words 'healthy animals of the areas' should be inserted before the words, 'infected by' and the words 'any of' before the words 'these diseases' should be deleted. This was corrected when the file was submitted to me but some how or other the mistake crept in printing.

The Hon'ble the SPEAKER: Motion moved:

"That the Assam Cattle Diseases Bill, 1948, be taken into consideration".

Srijut GAURI KANTA TALUKDAR: Mr. Speaker, Sir, I wholeheartedly welcome this Bill. An Act for the protection of our precious cattle population from havoc caused by contagious diseases is a dire necessity. This Bill principally aims at introducing and making legal compulsory inoculation of healthy animals in areas declared to be infected and secondly for establishing quarantine stations for observation of cattle imported from outside and for controlling and checking their free movement. These two objects are certainly very laudable and attempt should be made to fulfil these objects. But I find that the Bill makes some very important omissions. It does not make any provision for mass inoculation nor does it provide any provision for proper disposal of carcasses, excreta, urine, blood, etc., of the cattle dying of contagious diseases. Of course, the Bill makes provisions under clause 12(1), sub-clause (a), that 'no person shall remove any animal, alive or dead or any product of any animal (including its excreta) or any part of any animal or any fodder, bedding, harness or other things used in connection with an animal, from any place within an infected area to any place outside such area'. But in the Bill, we do not find

any provision for proper disposal of carcasses. Sir, it is admitted on all hands that indifferent and reckless disposal of carcasses, excreta, urine, blood, etc., of cattle dying from contagious diseases is mainly responsible for spread of infectious diseases.

The Hon'ble the SPEAKER: May I know how long the hon. Member will take to finish his speech?

Srijut GAURI KANTA TALUKDAR: About half an hour.

The Hon'ble the SPEAKER: Then let us rise for lunch till 1 P.M.

Adjournment

The Assembly was then adjourned for lunch till 1 P.M.

(After Lunch)

Srijut GAURI KANTA TALUKDAR: Sir, there can be no doubt that reckless throwing away of carcasses by their owners and the handling of carcasses by *Muchies* are mainly responsible for rapid spread of contagious diseases. So I think it is one of the most important duties on the part of the Government that they take step to prevent reckless throwing away of carcasses anywhere and everywhere and provision should be made whereby disposal of such carcasses can be controlled. Sir, in the last Session of the Assembly I moved a Resolution requesting the Government to enact a suitable legislation for controlling and regulating the disposal of carcasses, etc., of cattle dying of infectious diseases, and Government were pleased to accept my Resolution. But to my utter surprise I now find that no provision has been made in the Bill in that direction. I believe some such provisions shall have to be incorporated in the present Bill.

Again, Sir, there are some serious provisions in the Bill which, I am afraid, unless properly modified, may cause great hardship to our cultivators. For instance, in clause 14(1) the Veterinary Officer is given power to inoculate every healthy animal in a certain area that may be declared by him to be an infected area. There cannot be any objection to that provision. But the next sub-clause (2) says "For the purpose of inoculating any such animal the Veterinary Officer may, by notice in writing, call upon the owner of the animal to produce it for inoculation at the time and place specified in such notice". So to what I want to draw particular attention of the House is that the Veterinary Officer is authorised to select a certain place and a certain time where all the cattle from the locality which may be declared as an infected area are to be brought together for inoculation. Now, Sir, the locality may be a big one and hundreds of cattle may be required to be brought together to a certain place at a certain time. Then the serious question will arise how to give shelter to all these cattle. During the rains it will be very hard on the part of the owners of cattle to bring their animals to a locality where there is no protection either for the cattle or for the owners who may have to come in charge of their animals. That is a serious aspect of the matter to be considered. Again, Sir, out of the cattle assembled there may be a few cattle that may be already infected. Now, if the infected cattle also are brought to the specified place the intelligent owners will certainly object to bringing their healthy cattle to that place and the ignorant people who may bring their cattle are likely to infect them by bringing them in contact with the infected cattle. So the difficulty is two-fold—one is the question of accommodation, supply of fodder and water and the other is the likelihood of infecting

healthy animals. So we shall have to seriously consider whether these clauses should be retained as they are or they should be amended or deleted.

Sub-clause (3) says, "On receipt of notice referred to in sub-section (2) the owner of the animal shall detain such animal within the area selected by the Veterinary Officer, and give that Officer every facility and assistance in carrying out the inoculation." As I have said it will not be easy for the Veterinary Officer to find out a suitable place where these cattle can be directed to be conveniently detained.

Then again sub-clause (4) says, "During the period of detention, which shall not be more than six days, the Veterinary Officer may allow the animal to be taken out of the area selected as aforesaid, for grazing and watering, but the owner of the animal shall be responsible for its return to such area and for its production before the Veterinary Officer as and when required by the Veterinary Officer." The animal can be taken out only for grazing and watering to other places during this period of detention that will cover six days.

Thus the owners of healthy bullocks may be prevented from using their bullocks for cultivation for a pretty long time.

The Hon'ble the SPEAKER: At this stage, I think, we need not go into details.

Srijut GAURI KANTA TALUKDAR: I am simply trying to show the serious defects in certain clauses which will enable the House to come to a decision as to whether the Bill should be referred to a Select Committee or not.

The Hon'ble the SPEAKER: Does the hon. Member want to move that the Bill should be referred to a Select Committee?

Srijut GAURI KANTA TALUKDAR: Yes, Sir. So these matters, whether it should be six days or a lesser period, are of serious consequence, and shall have to be seriously considered by the House. It is plain from the provisions that this detention for six days is for the purpose of inoculation. For inoculation, it will be a very long period but if it be for the purpose of observation, the period, in certain cases, will prove to be very short.

Then, Sir, another clause—clause 15 says:

"..... if the Veterinary Officer, after due examination of any animal, is of opinion that such animal is affected with any contagious disease, he may destroy the animal or deal with it in such other manner as may be prescribed."

This provision giving a Veterinary Officer unrestricted power to destroy cattle on suspicion is a serious and dangerous one. We shall have to think over the matter whether such power of destroying animals on suspicion should be allowed or not.

Now we are to decide whether these questions of incorporating certain new clauses and of modifying or deleting certain existing provisions of the Bill—should be left to be discussed by the entire House or they should be left to a small Select Committee. The best way, in my opinion, will be to refer the Bill to a Select Committee which may examine the provisions, thrash out the clauses of the Bill and make necessary amendments and additions if they think it necessary.

Sir, I therefore, beg to move as an amendment that the Assam Cattle Diseases Bill, 1948, be referred to a Select Committee consisting of the following Members:—

- (1) The Hon'ble Minister in charge of Veterinary Department as Chairman.
- (2) Mr. J. S. Hardman.
- (3) Dr. Emran Husain Chaudhury.
- (4) Srijut Haladhar Bhuyan.
- (5) Babu Kamini Kumar Sen.
- (6) Srijut Dandeswar Hazarika.
- (7) Srijut Motiram Bora.
- (8) Srijut Beliram Das, and
- (9) The Mover.

Four Members to form a quorum.

The Select Committee to submit its Report on or before the 30th March 1948.

Srijut KARKA DALAY MIRI: সভাপতি মহোদয়, এই চিলেক কমিটিত আনাৰ ট্ৰাইবেল Group ৰ পৰা এজন লোৱাটো উচিত হ'ব। আৰু শ্ৰীযুত ধৰণীধৰ বসুমতাৰী বা ধীৰসিং দেউৰীৰ নাম নহি থুপ্তাব কৰোঁ।

The Hon'ble the SPEAKER: Amendment moved:

"That the Assam Cattle Diseases Bill, 1948, be referred to a Select Committee consisting of the following Members:—

- (1) The Hon'ble Minister in charge of Veterinary Department as Chairman.
- (2) Mr. J. S. Hardman.
- (3) Dr. Emran Husain Chaudhury.
- (4) Srijut Haladhar Bhuyan.
- (5) Babu Kamini Kumar Sen.
- (6) Srijut Dandeswar Hazarika.
- (7) Srijut Motiram Bora.
- (8) Srijut Beliram Das, and
- (9) The Mover.

Four members to form a quorum. The Select Committee to submit its Report on or before the 30th March 1948."

The Hon'ble Srijut RUPNATH BRAHMA: There was a suggestion from Srijut Karka Dalay Miri to take one from the Tribals.

Babu KAMINI KUMAR SEN: I would suggest that in my place Srijut Karka Dalay Miri may be taken in.

Srijut MOTIRAM BORA: In my place Srijut Dhirsing Deuri may be taken in.

The Hon'ble the SPEAKER : Mr. Sen objected that he was not prepared to sit on the Committee.

Babu KAMINI KUMAR SEN : Srijut Karka Dalay Miri will be much more helpful to the Committee. I would suggest his name.

Srijut GAURI KANTA TALUKDAR : Mr. Sen has made a sacrifice. His name may be retained and Mr. Karka Dalay's name may be added.

Shri SATINDRA MOHAN DEV : Unwilling Members should not be taken in.

Mr. C. W. MORLEY : I would like to suggest that the question of time is rather short in this Session. We have to consider whether the hon. Mover would be prepared to extend that time by a month or two months. I do not see any urgency at the moment.

Srijut GAURI KANTA TALUKDAR : I have no objection to lengthen the time.

The Hon'ble the SPEAKER : Does the hon. Member agree to extend the time up to 31st of May ?

Srijut GAURI KANTA TALUKDAR : Yes, Sir, I have no objection.

The Hon'ble the SPEAKER : I will read the amendment again.

Amendment moved :

"That the Assam Cattle Diseases Bill, 1948, be referred to a Select Committee consisting of the following Members :—

- (1) The Hon'ble Minister in charge of Veterinary Department as Chairman.
- (2) Mr. J. S. Hardman.
- (3) Dr. Emran Husain Chaudhury.
- (4) Srijut Haladhar Bhuyan.
- (5) Babu Kamini Kumar Sen.
- (6) Srijut Karka Dalay Miri.
- (7) Srijut Dandeswar Hazarika.
- (8) Srijut Motiram Bora.
- (9) Srijut Beliram Das, and
- (10) The Mover.

Four Members to form a quorum. The Select Committee to submit its report on or before the 31st of May 1948."

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : Mr. Speaker, Sir, personally I am of opinion that this Bill is quite sufficient to start with and I think with proper amendments this will adequately meet the requirements of the Province.

Of course there is no provision in this Bill about mass inoculation, but I think with the establishment of the Vaccine Depot and the proposed College that question can be taken up without waiting for occurrence of particular diseases in

particular areas. If we plan mass inoculation throughout the Province and give immunity to all the existing cattle for, say, two or three years, as the experts suggest, that will be better. Prevention is better in all cases. The present Bill provides that where there is an incidence of epidemic certain area will be notified as infected and all the healthy animals taken out and inoculated. But there is no provision for the affected animals' treatment; we should aim at not losing any animal at all. Sir, in the last Session my hon. Friend, Mr. Talukdar, wanted to move a Resolution about the disposal of carcasses and other things. Of course such a provision can be added by a suitable amendment. By way of solving the difficulties which have been visualized by my Friend, Mr. Talukdar, I will read clause 14(2) which says, "For the purpose of inoculating any such animal the Veterinary Officer may, by notice in writing, call upon the owner of the animal to produce it for inoculation at the time and place specified in such notice". This does not mean taking the animal to a very great distance. The point is that the animal must be found at the time and place appointed, which may be the owner's cattle-shed itself. The thing is that the animal should not be let loose or taken away so that it is not available to the Doctor. The whole idea is that the animal should be available to the Doctor. Then, Sir, sub-clause (3) provides that the animal should be detained within the area selected by the Veterinary Officer. That area may be the cattle-shed of the owner or some place in his compound. We should not think that the Veterinary Officer will appoint a place where it will be difficult to take the animal. If he does so, that will frustrate the very object of the measure. So, I say there will be no difficulty about that.

Then, Sir, sub-clause (3) of clause 14 provides, "On receipt of notice referred to in sub-section (2) the owner of the animal shall detain such animal within the area selected by the Veterinary Officer, and give that officer every facility and assistance in carrying out the inoculation". This only means that the animal should be kept in custody so that it can be found at the time of inoculation.

The Hon'ble the SPEAKER: Am I to understand that the Hon'ble Minister is opposing the Amendment?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: I am just explaining certain provisions. Then, Sir, the period of detention is six days which has been provided for observation after inoculation. The animal should be observed so that inoculation may take proper effect. Personally, I am of opinion, Sir, that we can dispose of this Bill by proper amendments, but if the House is of opinion that the Bill requires further scrutiny, I shall have no objection.

The Hon'ble the SPEAKER: The question is:

• "That the Assam Cattle Diseases Bill, 1948, be referred to a Select Committee consisting of the following Members:—

- (1) The Hon'ble Minister in charge of Veterinary Department as Chairman.
- (2) Mr. J. S. Hardman.
- (3) Dr. Emran Husain Chaudhury.
- (4) Srijut Haladhar Bhuyan.
- (5) Babu Kamini Kumar Sen.
- (6) Srijut Karka Dalay Miri.
- (7) Srijut Dandeswar Hazarika.

- (8) Srijut Motiram Bora.
(9) Srijut Beliram Das, and
(10) The Mover.

Four Members to form a quorum, and the Select Committee to submit its report on or before the 31st May 1948."

The question was adopted.

The Assam Municipal (Amendment) Bill, 1948

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: Mr. Speaker, Sir, I beg to introduce the Assam Municipal (Amendment) Bill, 1948, and to move that the Bill be taken into consideration.

From the Statement of Objects and Reasons, it is clear that in certain cases the Municipalities have acted in such a way that Government has been put in a very awkward position. The present position is that if a Municipality gives permission to establish a rice mill or any other factory within the town area no appeal lies to Government, but Government may under section 291 stop the execution of the permission. But, Sir, some cases have occurred where before Government could deal with the matter the licensees had started the construction work and almost finished the same. In order, therefore, to guard against such possibilities in future we have brought forward this Bill. All the towns have become congested and there is not any further scope for establishment of rice mills or other factories within the town area, without jeopardising the health of the public. I hope the House will accept my Motion.

The Hon'ble the SPEAKER: Motion moved:

"That the Assam Municipal (Amendment) Bill, 1948, be taken into consideration."

(After a pause)

The Hon'ble the SPEAKER: The question is:

"That the Assam Municipal (Amendment) Bill, 1948, be taken into consideration."

The question was adopted.

Resolution to extend the scope of the Public Debt Act, 1944

The Hon'ble the SPEAKER: Item No.29.

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, I beg to move that: "Whereas the Indian Legislature has passed the Public Debt (Central Government) Act, 1944 [Central Act (XVIII) of 1944], consolidating and amending the law relating to Government securities issued by the Central Government and to the management by the Reserve Bank of India of the Public Debt of the Central Government.

And whereas, in order to avoid inconvenience to the public, it appears to be desirable that the laws and regulations relating to Government securities should be uniform as far as possible throughout India.

Now, therefore, this Assembly hereby resolves, under section 103 of the Government of India Act, 1935, that the matters dealt with in the Act aforesaid shall be regulated, in this Province, by Act of the Indian Legislature, in so far as Government securities issued by the Provincial Government and the management of the Public Debt of the Provincial Government are concerned, being matters falling within the scope of entry 5 of the Provincial Legislative List, *viz.*, 'Public Debt of the Province'."

Sir, the main purpose in bringing forward this Resolution is that any legislative power that is vested in the Province can only be exercised by the Central Government if a Resolution is moved and adopted under section 103 of the Government of India Act. In this particular case, the Government of India has amended the Public Debt Act that is in force in our Province. The 1920 Act was formerly in force in all the Provinces as well as in the Centre but subsequently on account of some difficulties an Amendment was made to remove the defects after having the experience of administering the Act during the last two decades. Now in view of that an amending Act was introduced in the Central Legislature (Act XVIII of 1944). Now this Act is applicable only to securities of the Central Government. The 1920 Act is in force as far as our Province is concerned. Other Provinces like Bombay, Madras, Orissa, the United Provinces and Bihar have already passed similar Resolutions authorising the Central Government in this behalf so that one uniform legislation may be in force throughout India. With this object in view, this Resolution has been moved in this House and, I hope, the hon. Members will accept this and pass the Resolution.

The Hon'ble the SPEAKER: Motion moved :

"Whereas the Indian Legislature has passed the Public Debt (Central Government) Act, 1944 [Central Act (XVIII) of 1944], consolidating and amending the law relating to Government securities issued by the Central Government and to the management by the Reserve Bank of India of the Public Debt of the Central Government.

And whereas, in order to avoid inconvenience to the public, it appears to be desirable that the laws and regulations relating to Government securities should be uniform as far as possible throughout India.

Now, therefore, this Assembly hereby resolves, under section 103 of the Government of India Act, 1935, that the matters dealt with in the Act aforesaid shall be regulated, in this Province, by Act of the Indian Legislature, in so far as Government securities issued by the Provincial Government and the management of the Public Debt of the Provincial Government are concerned, being matters falling within the scope of entry 5 of the Provincial Legislative List, *viz.*, 'Public Debt of the Province'."

(After a pause)

The Hon'ble the SPEAKER: It appears that no hon. Member is taking part. So I am putting the question.

The question is:

"Whereas the Indian Legislature has passed the Public Debt (Central Government) Act, 1944 [Central Act (XVIII) of 1944], consolidating and amending the law relating to Government securities issued by the Central Government and to the management by the Reserve Bank of India of the Public Debt of the Central Government.

And whereas, in order to avoid inconvenience to the public, it appears to be desirable that the laws and regulations relating to Government securities should be uniform as far as possible throughout India.

Now, therefore, this Assembly hereby resolves, under section 103 of the Government of India Act, 1935, that the matters dealt with in the Act aforesaid shall be regulated, in this Province, by Act of the Indian Legislature, in so far as Government securities issued by the Provincial Government and the management of the Public Debt of the Provincial Government are concerned, being matters falling within the scope of entry 5 of the Provincial Legislative List, *viz.*, 'Public Debt of the Province'."

The question was adopted.

Time limit for Budget discussion

The Hon'ble the SPEAKER: I requested, the other day, the Party Leaders to submit a list of names of the hon. Members who would like to participate in the Budget discussion but up till now I have received only two names. I shall be obliged if the names are submitted.

Srijut NILMANI PHUKAN: I am going to take part, Sir.

The Hon'ble the SPEAKER: No, your party should decide it. May I know from the Hon'ble Deputy Leader of the Congress Party what his party proposes to do?

The Hon'ble Srijut BISHNURAM MEDHI: Sir, the list will be submitted.

Srijut BELIRAM DAS: The list is being prepared and will be submitted.

The Hon'ble the SPEAKER: Can I get an idea?

Srijut BELIRAM DAS: About 20 Members will speak.

Maulavi ABDUL HAI: We have about 5 or 6 Members who will speak.

The Hon'ble the SPEAKER: Then about 30 Members will take part and I shall divide the time accordingly.

Adjournment

The Assembly was then adjourned till 10 A.M. on Monday, the 15th March, 1948.

SHILLONG:
The 23rd April, 1948.

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