

Proceedings of the Fourth Session of the Assam Legislative Assembly assembled after the First General Election under the Sovereign Democratic Republican Constitution of India.

The Assembly met in the Assembly Chamber, Shillong, at 1-30 P.M., on Friday, the 11th September, 1953.

P R E S E N T

Shri Kuladhar Chaliha, B.L., Speaker in the Chair, the nine Ministers, the two Deputy Ministers, two Parliamentary Secretaries and seventy-nine Members.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral Answers were given)

Present Agricultural Inspector posted at Nazira

Shri ANANDA CHANDRA BEZBARUA asked :

*18. (a) Will Government be pleased to state the name, qualification, age and length of service of the Agricultural Inspector posted at Nazira ?

(b) Is it a fact that he has reached the age of superannua-

(c) If so, why has he been still retained ?

Shri MAHENDRA MOHAN CHOUDHURY (Minister)

plied :

18. (a)—The particulars of the Agricultural Inspector (Irrigation) posted at Nazira are given below :—

Name of Agricultural Inspector (Irrigation) at Nazira—Padmaanta Datta.

Qualifications—Entrance passed with two years training at the Amanullah Engineering School, Dacca.

Age—58 years.

Length of service—8 years.

(b)—Yes.

(c)—Due to the lack of qualified experienced personnel.

Shri ANANDA CHANDRA BEZBARUA : No. 18(a)—Does possess the agricultural qualifications ?

Shri MAHENDRA MOHAN CHAUDHURY (Minister): I have already stated, Sir.

Shri HARESWAR GOSWAMI: What is the qualification required to fill the post of an Agricultural Inspector ?

Shri MAHENDRA MOHAN CHAUDHURY (Minister): Generally B.Sc. (Agri.), Sir.

Shri ANANDA CHANDRA BEZBARUA: Is Government aware that the Officer is not in a position to undertake tours in the circle ?

Shri MAHENDRA MOHAN CHAUDHURY (Minister): The Government is aware that he is capable of undertaking tours.

Bill for Control of Regulation of Homeopathic Practice

Shri ANANDA CHANDRA BEZBARUA asked :

*19. (a) Have Government received a copy of resolution passed by the Assam Homeo Research and Public Health Association requesting Government to bring in a Bill for Control of Regulation of Homeopathic Practice ?

(b) If so, will Government be pleased to state what action they have taken in the matter ?

Shri RUPNATH BRAHMA (Minister) replied :

19. (a)—Yes.

(b)—The motion for eliciting public opinion on the Assam Homeopathic Medicine Bill, 1953 introduced by Shri R. N. Barua, M. L. A., has been adopted during the current session of the Assembly.

Agents appointed for distribution of Sugar in the State

Maulavi MUHAMMAD UMARUDDIN asked :

*20. (a) Will Government be pleased to state the names of the Agents appointed so far for the distribution of sugar and the

amount of security money deposited by each and the date of deposit ?

(b) Is it a fact that almost all the agents have since resigned and if so, will Government be pleased to state the reasons for their resignation ?

(c) Has the security money of those Agents whose resignations have been accepted been refunded ?

(d) If not, will Government be pleased to state the reasons for not refunding the security deposits money so long ?

Shri BAIDYANATH MOOKERJEE (Minister) replied :

20. (a)—A statement showing the names of distributing agents appointed by Government for dealing in sugar and the amount of security furnished by each either in cash or in the shape of Bank Guarantee Bonds executed by the Co-operative Apex Bank, Ltd., in favour of the agents is given below :—

Centre	Agent	Cash security	Bank guarantee		
			Rs.	a.	p.
Gauhati ..	1. Gauhati C. T. C. ..	.. .. ..	63,645	5	0
	2. Shri Amarchand Pannalal	Rs 34,787-8-0 deposited <i>vide</i> Treasury Chalan No.205, dated 1st June 1950.	..	..	..
	3. Nalbari C. T. C. ..	.. .. ..	8,696	14	0
Barpeta ..	1. Barpeta C. T. C. ..	.. .. ..	9,487	8	0
Silchar ..	1. Silchar C. T. C. ..	.. .. ..	22,929	2	0
	2. M/S. G. C. C. L, Seth ..	Rs.14,232 deposited <i>vide</i> Treasury Chalan No.424, dated 13th June 1950.	..	..	..
	3. M/S. G. C. Paul ..	Rs.14,747 deposited <i>vide</i> Treasury Chalan No.143, dated 20th April 1951.	..	..	..
	4. Shri Arabinda Dutta Chaudhary.	Rs.28,464 deposited <i>vide</i> Treasury Chalan No.1390, dated 18th September 1951, No. 1075, dated 26th July 1951, No. 1474, dated 26th September 1951.	..	..	..
Hailakandi..	1. Hailakandi C. T. C. ..	.. .. ..	6,750	0	0
Karimganj..	1. Karimganj C. T. C. ..	.. .. ..	6,328	0	0
	2. M/S. Tulsiram Tolaram Jain.	Rs.12,650 deposited <i>vide</i> Treasury Chalan No.660, dated 6th September 1951.	..	..	..
Shillong ..	1. Shillong C. T. C. ..	.. .. ..	39,532	0	0
	2. M/S. K. Sarawgi & Co. ..	.. .. ..	33,206	4	0

Centre	Agent	Cash security	Bank guarantee Rs. a. p.
Dhubri ..	1. Dhubri C. T. C. .. 2. M/S. Neturam Kanhaiyalal ..	Rs.14,232 deposited <i>vide</i> Treasury Chalan No.123, dated 18th May 1950.	7,116 0 0
Goalpara ..	1. Goalpara C. T. C. .. 2. Shri Rahaman Stores & Meghraj Nahata. 3. Shri Routhmall Bhothra ..	Rs.5,325 deposited <i>vide</i> Treasury Chalan No.132, dated 28th September 1951. Rs.6,325 deposited <i>vide</i> Treasury Chalan No.117, dated 14th September 1951.	6,325 0 0
Nowgong ..	1. Nowgong C. T. C. .. 2. Shri Baroah Trading Co., Ltd. 3. Sawarmall Garodia .. 4. Shri Milapchand Hiralal ..	Rs.15,813 deposited <i>vide</i> Treasury Chalan No.56, dated 15th June 1950. Rs.15,813 deposited <i>vide</i> Treasury Chalan No.153, dated 20th May 1952. Rs.15,813 deposited <i>vide</i> Treasury Chalan No.137, dated 20th May 1952.	15,813 0 0
Tezpur ..	1. Tezpur C. T. C. .. 2. M/S. Saligram Rai Chuni-lal Bahadur & Co. ..	Rs.22,138 deposited <i>vide</i> Treasury Chalan No.68, dated the 15th May, 1950.	11,068 0 0
Mangaldai ..	Mangaldai C. T. C. ..	..	6,325 0 0
Jorhat ..	Jorhat C. T. C. ..	..	26,882 0 0
Sibsagar ..	1. Sibagar C. T. C. .. 2. M/S. Matiram Ratanchand ..	Rs.7,906-4-0 deposited <i>vide</i> Treasury Chalan No 65, dated the 18th May, 1951.	7,906 4 0
Golaghat ..	1. Golaghat C. T. C. .. 2. M/S. H. B. Agarwala ..	Rs.6,325 deposited <i>vide</i> Treasury Chalans No.130, dated the 11th September, 1951, No.169, dated the 15th November, 1951.	6,325 0 0
Dibrugarh ..	1. Dibrugarh C. T. C. .. 2. Shri S R. C. B. & Co. .. 3. Shri Harihar Chowdhuri .. 4. M/S. Assaram Shewbhagan & Co. ..	Rs.22,138 deposited <i>vide</i> Treasury Chalan No.1119, dated the 12th May, 1950. Rs.3,447-2-0 deposited <i>vide</i> Treasury Chalan No.2282, dated the 25th May, 1951. Rs.3,447-2-0 deposited <i>vide</i> Treasury Chalan No.4070, dated the 29th November, 1951.	22,138 0 0
North Lakhimpur ..	North Lakhimpur C. T. C. ..	..	6,325 0 0
Margherita ..	M/S. S. R. C. B. & Co. ..	Rs.9,488 deposited <i>vide</i> Treasury Chalans No.1, dated the 17th November, 1949, No.2, dated the 21st December, 1949, No.1, dated the 24th February, 1950.	..
Garo Hills ..	Garo Hills C. T. C. ..	..	27,592 0 0

Centre	Agent	Date of resignation or dismissal	Whether security refunded
Gauhati	1. Gauhati C. T. C. ..	Resigned 14th July 1952	Accounts finalised but resignation not yet accepted due to non-recovery of Government dues.
	2. Shri Amarchand Panalal.	Resigned 19th May 1952	Orders for refund after adjustment of Government dues issued.
	3. Nalbari C. T. C. ..	Dismissed 20th August 1952.	Account finalised but resignation not accepted due to non-payment of Government dues.
Barpeta	Barpeta C. T. C. ..	Resigned 2nd July 1952	Ditto ditto.
Silchar	1. Silchar C. T. C. ..	Resigned 5th May 1951	..
	2. M/S. G. C. C. L. Seth.	Resigned 24th July 1951	Orders for release of security issued.
	3. M/S. G. C. Paul ..	Cancelled	Security deposit released.
	4. Shri Arabinda Dutta Choudhury.	Resigned 31st May 1952	Security released.
Hailakandi..	Hailakandi C. T. C. ..	Resigned 21st July 1952	Bank Guarantee released.
Karimganj..	1. Karimganj C. T. C.	Resigned 17th July 1951	Liability not yet assessed.
	2. M/S. Tulsiram Tolaram Jain.	Resigned 11th August 1952.	Ditto ditto.
Shillong ..	1. Shillong C. T. C. ..	Resigned 4th June 1952	Accounts finalised—the release of Bank Guarantee under consideration.
	2. M/S. K. Sarawgi & Co.	Resigned 3rd June 1952	Ditto ditto.
Dhubri ..	1. Dhubri C. T. C. ..	Resigned 29th October 1952.	Still under correspondence with Deputy Commissioner.
	2. M/S. Neturam Kanhaiyalal.	Resigned 31st July 1952	Ditto ditto.
Goalpara ..	1. Goalpara C. T. C.	Dismissed 27th September 1951.	Ditto ditto.
	2. Shri Rahaman Store and Meghraj Nabata.	Resigned 10th September 1952.	Security released.
	3. Shri Routhmall Bhoitra.	Still functioning.	
Nowgong ..	1. Nowgong C. T. C.	Resigned 26th April 1952.	Final accounts awaited from Deputy Commissioner.
	2. Shri Baroah Trading Co., Ltd.	Resigned 17th May 1953	Security released.
	3. Sawarmall Garodia	Resigned 1st June 1952	Liability not assessed.
	4. Shri Milapchand Hiralal.	Resigned 1st June 1952	Ditto ditto.
Tezpur ..	1. Tezpur C. T. C. ..	Resigned 13th March 1952.	Liabilities not yet assessed.
	2. Shri S. R. C. B. & Co.	Resigned 15th October 1951.	Security released.
Mangaldai .	Mangaldai C. T. C. ..	Resigned 6th September 1952.	Under correspondence.
Jorhat ..	Jorhat C. T. C. ..	Resigned 6th May 1952	Account finalised—under consideration of Government.
Sibsagar ..	1. Sibsagar C. T. C. ..	Resigned 28th June 1952	Final accounts awaited.
	2. M/S. M a t i r a m Ratanchand.	Resigned 15th March 1952.	Security released.

Centre	Agent	Date of resignation or dismissal	Whether security refunded
Golaghat ..	1. Golaghat C. T. C.	Resigned 23rd June 1952	Final accounts awaited from Subdivisional Officer.
	2. M/S. H. B. Agarwalla.	Resigned 26th May 1952.	Security released.
Dibrugarh ..	1. Dibrugarh C. T. C.	Dismissed 19th December 1952.	Liabilities not yet assessed.
	2. Shri S. R. C. B. & Co.	Resigned 9th August 1952.	Ditto ditto.
	3. Shri Harihar Chowdhuri.	Resigned 15th October 1951.	Security released.
Dibrugarh ..	M/S. Assaram Shewbhagawan.	Still functioning, but as agent is no longer required proposal for refund submitted.	
N. Lakhimpur.	North Lakhimpur C. T. C.	Resigned 14th July 1952.	Final accounts received but settlement of inaccuracies under correspondence.
Margherita	M/S. S. R. C. B. & Co.	Date of resignation not known—matter rests with Adviser.	Security released.
Garó Hills..	Garó Hills C. T. C. ..	Resigned 1st August 1952.	Final accounts received. Acceptance of resignation and release of Guarantee Bond under consideration of Government.

(b)—Yes. All but two, *viz.*, M/S. Assaram Shewbhagawan and Company, Doom-Dooma and M/S. Routhmall Bothra, Goalpara have submitted their resignations or have been dismissed for violating the terms and conditions of their appointment. Reasons for the resignations of some of the agents may be attributed to either the lack of profit owing to the slump in the States' sugar market or to financial instability. In some cases the agents have not given any definite reasons for terminating their agreement with Government and this is a question which can best be answered by the agents themselves.

(c)—Yes. Orders for release of the security of those agents whose resignations have been finally accepted by Government have been issued.

(d)—Does not arise.

Maulavi Md. UMARUDDIN: Have all the agents stated the reasons for their resignations? Will Government state the reasons?

Shri BAIDYANATH MOOKERJEE (Minister): Not in all cases. I have already stated the reason—it is quite clear, Sir. It is in reply to question 20(b). For the benefit of my friend—the questioner and also the Leader of the Opposition who is very eager to know the reasons, I will read answer 20(b) again

Mr. SPEAKER: You need not take the trouble of reading again.

Maulavi Md. UMARUDDIN: Does the security money of the agents carry any interest ?

Mr. SPEAKER: How does it arise ?

Maulavi Md. UMARUDDIN: Yes, it does. There is the question of refund.

Mr. SPEAKER: I disallow it. The question is not relevant to this. Mr. Mookerjee, do you pay interest ?

Shri BAIDYANATH MOOKERJEE (Minister): I don't remember the terms of the contract, but I don't think, Sir, that interest is paid, as there is a provision for cash security as well.

Shri BISHNURAM MEDHI (Chief Minister): Generally no interest is paid, unless there is some sort of contract to that effect.

Maulavi Md. UMARUDDIN: I want to know only whether interest is paid or not and that will finish the matter.

Shri BAIDYANATH MOOKERJEE (Minister): Sir, even if interest is paid, Government will also get some return on the security money by investing it somewhere and certainly the return will be more than what Government will give to the Party. So the question of loss on this score does not arise.

Primary Schools in Dhubri Subdivision

Shri SANTOSH KUMAR BARUA asked :

*21. (a) Will Government be pleased to furnish a statement showing—

- (i) the number of primary schools in Dhubri Subdivision having as medium of instructions, Assamese, Bengali and any other language, separately for each of the years 1947-48, 1948-49, 1949-50, 1950-51 ; and
- (ii) the total amount of grants-in-aid received by the aforesaid each category of schools in each of the aforesaid years, from the Board ?

(b) Will Government be pleased to state whether they have given any directions to the officers of Education Department posted

in that area, to make it known among the general public that primary schools with medium of instructions other than Assamese will not receive any grants-in-aid from the Board ?

(c) Are Government aware that the officers of Education Department posted in that area, are off and on giving out that the primary schools with medium of instruction other than Assamese will not receive any grants-in-aid from the Board ?

(d) Do Government propose to issue communique and have the same printed in Assamese, Bodo and Bengali languages and circulate in the locality that primary schools having medium of instructions in the mother tongue of the pupil taught in the institutions be it Assamese, Bodo or Bengali will get equal treatment in the matter of receiving grants-in-aid from the Board and that no discrimination will be made in making grants from the Board on the grounds of the medium of instruction in the school ?

Shri OMOO KUMAR DAS (Minister) replied :

21. (a) (i) and (ii)—The statement required is placed on the table.

STATEMENT SHOWING THE NUMBER OF PRIMARY SCHOOLS IN DHUBRI SUBDIVISION HAVING AS MEDIUM OF INSTRUCTION, ASSAMESE, BENGALI, ETC., SEPARATELY FOR EACH OF THE YEARS 1947-48, 1948-49, 1949-50, AND 1950-51.

	1947-48		1948-49		1949-50		1950-51	
	Schools	Rs.	Schools	Rs.	Schools	Rs.	Schools	Rs.
1. Total No. of Lower Primary Schools with Assamese as medium of instructions.	348	96,135	582	2,11,470	773	3,84,063	833	3,58,990
			Assamese.		Assamese.		Assamese.	
2. Total No. of Lower Primary Schools with Bengali as medium of instructions.	250	66,000	130	48,360	45	22,236	3	4,674
			Bengali.		Bengali.		Bengali.	
3. Total No. of Lower Primary Schools with Hindi as medium of instructions.	Nil	..	..	..	2	983	2	1,367
4. Total No. of Lower Primary Schools with Garo as medium of instructions.	Nil	..	..	..	1	366	1	366
Total No. of Schools ..	598 Nos.	1,62,135	712 Nos.	2,59,830	821 Nos.	4,07,648	839 Nos.	3,65,397

(b)—No.

(c)—Government have no information. Government may consider desirability of enquiry in case specific complaint is made against any officer.

(d)—No, a circular has already been issued to clarify the position.

Shri RAM PROSAD CHUBEY: ধুবড়ী ৰেঁ Government aid নহী পানোৱালে কিতনে Schools হেঁয় ?

Mr. SPEAKER: আপ আপনে সাৱালকো ঠীক ভবহ পুছিয়ে তো ।

Shri RAM PROSAD CHUBEY: আসান Government কী ওকো aid নহী মিলনোৱালে কিতনে L. P. Schools হেঁয় ?

Sri OMEO KUMAR DAS (Minister): That is a new question, Sir.

Shri DHARANIDHAR BASUMATARI: Is it not a fact that all the Bodo people understand Assamese well and they do not want any Circular in their own tongue as they have no written literature of their own ?

Shri OMEO KUMAR DAS (Minister): We have already instructed the district officers to publish it in Assamese.

Shri DHARANIDHAR BASUMATARI: Is it not a fact that the Bodo people are divided in their opinion in the matter of having the medium of instruction in their own tongue ?

Shri OMEO KUMAR DAS (Minister): That does not arise, may be so.

Staff of the Weaving and Sericulture Department

Shri GAURISANKAR BHATTACHARYYA asked :

*22. (a) Will Government be pleased to state whether the post of the Assistant Weaving Superintendent, Assam has been kept vacant since February, 1951 ?

(b) Is it a fact that a plucked candidate has lately been appointed as Weaving Demonstrator, though there were many passed candidates duly nominated by the Public Service Commission awaiting appointment ?

(c) What is the technical qualification of the Deputy Director of Sericulture and Weaving, Assam in these two subjects ?

(d) What research work has been done by the Research Officer of Sericulture, Assam since his appointment upto this time ?

(e) Who is the Superintendent of Sericulture for Tribal Areas ?

(f) Whether this post was duly advertised before appointment ?

(g) Is it a fact that the post of Head Assistant of the new Superintendent's office was filled up by transferring a new Lower Division Assistant without advertisement and in spite of there being more suitable candidates ?

(h) Is it a fact that the headquarters of the Assistant Superintendent of Sericulture, Assam is changed very frequently ?

(i) Is there any administrative difficulty in fixing the headquarters of the Assistant Superintendent of Sericulture, Assam permanently at Gauhati ?

Shri MAHENDRA MOHAN CHOUDHURY (Minister)
replied :

22. (a)—The previous incumbent of the post retired with effect from 10th February, 1952. Thereafter the Assam Public Service Commission was requested to nominate candidates for the post and their nomination was received in August, 1952. The first nominee of the Commission was appointed in August, 1952.

(b)—A plucked female student of the Government Weaving Institute belonging to a backward community was temporarily appointed as Weaving Demonstrator as a very special case by the Government on compassionate grounds but subject to her passing the next examination. Nomination of the Assam Public Service Commission for the posts of Weaving Demonstrators is not required at present under the revised Assam Public Service Commission Regulation, 1951.

The candidate has since passed the examination of the Government Weaving Institute, Gauhati.

(c)—He is a Science Graduate of the Calcutta University having passed in 1919 and took his technical training in Sericulture at Kalimpong under the Protozoologist to the Government of India of the Indian Agricultural Research Institute under arrangements made by this Government. Though he did not undergo any course of technical training in Weaving, he has got the necessary administrative capacity and technical knowledge acquired through his long experience of 32 years in the Department. It is not always possible for one person to have combined training in Sericulture and Weaving as these subjects are taught in different institutions. Moreover, there are officers in both the branches of Sericulture and Weaving under him who are technically qualified. Besides, duties of the Deputy Director is principally of administrative nature.

(d)—The following experiments and research work have been conducted under his guidance.

Experiment No.1.—Experiment to determine the optimum period for which the layings and seed cocoons of mulberry silk worms can be refrigerated under the climatic condition of the State.

Experiment No.2.—Manurial experiment on mulberry.

Experiment No.3.—Research on different systems of plantations.

Experiment No.4.—Artificial treatment of hatching Bivoltine and Univoltine layings according to climatic variation of the State.

Experiment No.5.—Manurial experiment on food plants for muga silk worms.

Experiment No.6.—Study of Pests on mulberry as they appear in the State and preventive measures adopted.

Experiment No.7.—Extraction of gut from Muga silk worms.

Experiment No.8.—Selective breeding and hybridization.

Experiment No.9.—Bleaching of Muga fabrics.

(e)—Shri Salehuddin Ahmed.

(f)—No. The Seniormost Officer of the Department holding the post of Assistant Superintendent of Sericulture has been promoted to this temporary post to which the Assam Public Service Commission have given their temporary concurrence.

(g)—The post of Head Assistant, office of the Superintendent of Sericulture (Autonomous Districts) was filled up from amongst the applicants for the post of Head Assistant, office of the Weaving Superintendent (Tribal Areas) carrying the same scale of pay and with similar duties and responsibilities, which was duly advertised. Both the posts fell vacant almost at the same time. Two suitable persons out of the applicants were selected—one for the office of the Weaving Superintendent (Tribal Areas) and the other for the office of the Superintendent of Sericulture (Autonomous Districts).

A Lower Division Assistant of the Rural Development Directorate with knowledge in Accounts work and more than 8 years' experience in several offices who had applied for the post of Head Assistant, office of the Weaving Superintendent (Tribal Areas) was selected for the post as he was considered the best.

It was considered unnecessary to advertise this post again as it would have been mere waste of time and money and the office had to be started without delay in the interest of the public service.

(h)—No. The headquarters of the Assistant Superintendent of Sericulture have been changed only thrice since the creation of the post in 1920 and on each occasion under compelling circumstances arising out of war conditions or administrative necessities.

(i)—At Gauhati, there is no Sericulture Farm or Research Institute to afford facilities to this officer to do any technical works.

These facilities are available at Titabar (his present headquarters) for working in conjunction with and under the guidance of the Superintendent of Sericulture and Research Officer. Besides, with the increase in the activities of the Department, it has been necessary to fix the headquarters of the Assistant Superintendent of Sericulture at Titabar to help the Superintendent of Sericulture and Research Officer in technical matters as well as official works.

Shri MAL CHANDRA PEGU: With reference to the question No. 22(b), may I know the name of the plucked candidate who was appointed as Weaving Demonstrator and the community she belongs to ?

Shri MOHENDRA MOHAN CHAUDHURY (Minister): She is Premada Barua. She belongs to the Ahom community.

Shifting of the office of the District Transport Officer from Massimpur to Silchar

Shri RANENDRA MOHAN DAS asked :

*23. Will Government be pleased to state what steps they have taken to shift the office of the District Transport Officer from Massimpur to Silchar.

Pu CH. SAPRAWANGA (Parliamentary Secretary) replied :

23—Government in the Revenue Department is being moved for allocation of land for construction of departmental building and a plot of land has provisionally been earmarked by the Deputy Commissioner, Cachar for the purpose. Pending construction of a departmental building, Revenue Department is being moved to allot the settlement office building which is likely to fall vacant shortly to temporarily house offices of the District Transport Officer and Secretary, Cachar Regional Transport Authority. Besides this, any earlier opportunity for shifting the office to Silchar Town will be availed.

Shri RANENDRA MOHAN DAS: Within what time the building is expected to be completed ?

Pu. CH. SAPRAWANGA (Parliamentary Secretary): I cannot say just now, but as soon as the building is completed the office will be shifted there.

Excise Inspector, Mr. Borkakoti**Shri MAL CHANDRA PEGU** asked :

*24. Will Government be pleased to refer to the answer given to starred question No. 106 put in the last Budget Session of the Assembly by the questioner on the 20th March, 1953 and state—

- (a) Who did inform Government that the house occupied by the then Excise Inspector, Mr. Borkakoti did not belong to Padda Bora ?
- (c) Whether enquiries were conducted by Government as regards the personal assets of the officer concerned ?
- (d) If so, whether Government propose to lay on the table a list of his personal assets ?

Rev. J. J. M. NICHOLS-ROY (Minister) replied :

24. (a)—Excise Commissioner informed Government on the basis of a report from the Deputy Commissioner, Sibsagar.

(c)—Yes, and Government are satisfied with the result of the enquiry.

(d)—No.

Shri MAL CHANDRA PEGU : What action Government has proposed to take against the D. C. who has given a wrong information to Government ?

Rev. J. J. M. NICHOLS-ROY (Minister) : The Government does not know that the D. C. has given wrong information. We take for granted that the information is correct.

Total quota of C. I. Sheets sanctioned for the State of Assam in 1952 and 1953

Shri HARESWAR GOSWAMI asked :

*25. Will Government be pleased to state—

- (a) The total quota of C. I. Sheets sanctioned for the whole State of Assam in 1952 and 1953 ?
- (b) How much of this quota was lifted last year and how much this year ?
- (c) Who are the agents for lifting of C. I. Sheets for Assam ?
- (d) What is the quota for the Gauhati Subdivision and how much has been lifted this year ?

Shri BAIDYANATH MOOKERJEE (Minister) replied :

25. (a)—1952	...	...	...	28,955 Bundles.
1953	...	...	...	87,100 Bundles.

(b)—1952—The entire quota for 1952 was lifted and over and above this 2,245 bundles were lifted from the previous year's quota.

1953	...	...	...	3,910 Bundles.
(c)—Messrs. Vishnu Agencies Ltd., Calcutta.				
Messrs. Assam Trading Co-operative Ltd., Gauhati.				
(d)—1952	...	...	...	3,200 Bundles.
1953	...	...	...	10,060 Bundles.

No C. I. Sheets have been lifted by the Handling Agent for Gauhati during 1953 but a quantity of 2,171 bundles despatched by the previous Handling Agent in 1952 was received during January, February and early March, 1953 by the Registered Stockists.

Shri THANURAM GOGOI: Did all the subdivisions get their respective quotas of C. I. sheets ?

Shri BAIDYANATH MOOKERJEE (Minister): Yes, so far as 1952 is concerned, they got alright.

Shri THANURAM GOGOI: Did Sibsagar also get its quota ?

Shri BAIDYANATH MOOKERJEE (Minister): My answer is already there, Sir, Sibsagar is also included.

Assembly Bye-election in Silchar Constituency

Shri HARESWAR GOSWAMI asked :

*26. (a) Will Government be pleased to state whether the Chief Minister has received a copy of the application dated 11th May 1953 from one Sikandar Ali of village Kassipore, police station Sikhar addressed to the Returning Officer, Silchar constituency stating there *inter alia* about the use of force and threat held out to Muslims present at polling Station No. 34 including the complainant on the date of the bye-election of Silchar Constituency for their not voting for the Congress ?

(b) Was any enquiry held into the matter ?

(c) If not, what was the reason for not doing so ?

(d) If so, what was the finding and will Government be pleased to lay on the table a copy of the enquiry report ?

Shri BISHNURAM MEDHI (Chief Minister) replied :

26. (a)—Yes. But as such matters are within the exclusive jurisdiction of the Returning Officer, no action was considered nece-

ssary by Government as the allegations contained in the petition were against private individuals and amounted to mere altercation outside the polling station after the polling was over.

(b) & (c)—On receipt of the petition the Returning Officer considered that no enquiry was necessary as the alleged occurrence did not take place in the polling station nor before or within the polling hours.

(d)—Does not arise.

Shri HARESWAR GOSWAMI: Did not the allegations refer to matters of law and order ?

Shri BISHNURAM MEDHI (Chief Minister): This is not a question of law and order. If anybody had any grievance, he was at liberty to go to the court and institute a case.

UNSTARRED QUESTIONS

(To which oral Answers were given)

Taking up of all the main roads of the Town areas by Public Works Department

Shri HARESWAR GOSWAMI asked :

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

(a) Whether he has received a resolution regarding taking up by the Public Works Department all the main roads of the town areas passed by the Transport Advisory Committee ?

(b) Whether Government have come to a decision on this issue and if so, what is that decision ?

(c) Do Government propose to spend the unspent amount of Public Works Department money on these roads immediately ?

Pu CH. SAPRAWNGA (Parliamentary Secretary) replied :

40. (a)—A resolution was adopted in the meeting of the State Board of Transport held on 10th August 1953 under the Chairmanship of Transport Minister that Government should fix up a prescribed standard for the Municipal roads and that the main roads should at least be taken over by the State Government in view of the unsatisfactory financial position of the Municipal Boards.

(b)—Government have not yet come to any decision on this. The matter will be placed in the next meeting of the Road Communication Board with necessary statistics of Municipal roads. Government will take into consideration the recommendation of the Assam Road Communication Board at the time of taking a decision.

(c)—Does not arise.

Palating the bank of Pagaladiya River

Shri BAIKUNTHA NATH DAS asked :

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

- (a) What is the total amount sanctioned for palating the bank of Pagaladiya River from the south side of Kehura Bandha ?
- (b) Under whose direction and order those palatings are constructed and for what purpose ?
- (c) Whether Government are aware that between the two rows of palatings, the paddy cultivations are there, though the palatings are constructed for protection of paddy ?

Pu CH. SAPRAWANGA (Parliamentary Secretary) replied :

41. (a)—Rupees 16,250.

(b)—In accordance with the recommendations of the Pagaladiya Diversion Enquiry Committee set up by the Government under Notification No.49-N.E.D., dated 10th February, 1953 with a view to arrest silt carried by the Pagaladiya during floods and help the river to build up the banks, so that the intensity of the flood spill is gradually reduced.

(c)—The purpose of constructing the first row of Leet's fencing is to arrest the coarser silt and that of second one is to arrest the finer silt.

If there is any paddy grown between the stakings, these will necessarily be exposed to the flood, till the bank is raised and made gradually more and more immune from serious flooding. These measures are not expected to exclude flood water like on earth bund, but are expected to allow silt laden water to pass through them and in the process build up the banks of the river.

Shri BAIKUNTHA NATH DAS: What is the total length of that Leet's fencing ?

Shri MOHIKANTA DAS (Parliamentary Secretary): That is very difficult to say. Do you speak about palating ?

Shri BAIKUNTHA NATH DAS: Yes, has the Minister-in-charge of Public Works Department got any knowledge about this Leet's fencing ?

Shri MOHIKANTA DAS (Parliamentary Secretary): I do not know exactly what is the proper meaning of Leet's fencing. As a matter of fact, P.W.D. Minister is absent.

Mr. SPEAKER: The question is whether Government knows it. Absence of the P. W. D. Minister is no excuse for you.

Shri MOHIKANTA DAS (Parliamentary Secretary): No, Sir, the question is whether the P. W. D. Minister has got personal knowledge about it.

(A Voice)—What is the meaning of the word 'palating', Sir ?

Mr. SPEAKER: Yes, there is a meaning. I have got it in Webster's Dictionary in my office. Please consult it. It means overcoating with same material.

Protection of people of Pagladia river valley from heavy flood

SRIMAN PRAFULLA GOSWAMI asked :

42. (a) Will Government be pleased to state about the steps (both long term and short term) proposed to be undertaken by Government to protect the people of Pagladia river valley from heavy flood ?

(b) What steps are taken to control the River Pagladia ?

Pu CH. SAPRAWANGA (Parliamentary Secretary) replied :

42. (a) & (b)—In accordance with the recommendations of the Pagladia Diversion Enquiry Committee appointed by the Government under Notification No. 49-N.E.D., dated 10th February 1953,

the following short term steps are being undertaken by the Government :—

1. Closing of all the spill channels down stream of Kehura.
2. Providing Leete's fencing to build up the banks of the Pagladiya.

3. Bunding up the new diversion channel at Kehura.

As the Pagladiya originates from the Bhutan Hills, any long term measure, involving control of the river at its upper reaches falling within the Bhutan Hills, cannot be taken up without the permission of the Bhutan Government.

As a part of the long term proposals the following works are proposed to be carried out.

- (1) Contour survey of the area by the Survey of India in the next cold weather.
- (2) Collection of Hydrological data by the River Investigation Division under direct administrative control and supervision of the Central Water and Power Commission.

Office Buildings of the Public Works Department Subdivision and North-Kamrup Division

SRIMAN PRAFULLA GOSWAMI asked :

43.(a) Is it a fact that provision in the last year's budget could not be made for the office buildings of the Public Works Department Subdivision and North-Kamrup Public Works Department Division ?

(b) Do Government propose to provide these allotments in the next year's budget ?

Pu CH. SAPRAWANGA (Parliamentary Secretary) replied :

43.(a)—(i) Regarding Subdivisional office buildings :—

No. There are three Subdivisions under the North-Kamrup Division, e.g. Barpeta, Nalbari and Rangiya. Already there are Subdivisional office buildings at Barpeta and Nalbari.

Provision for construction of Public Works Department Subdivisional office buildings at Rangiya has been made in the current year's (1953-54) Budget and the work is being taken up, as there was no such office building.

(ii) Regarding North-Kamrup Divisional office building—Yes.

(b)—Attempt will be made to provide funds for construction of Executive Engineer's office buildings at Nalbari in the next year's Budget.

Bhadarani Dong Committee and Construction of Bhogdola Embankment and Canal

Raja AJIT NARAYAN DEB of Sidli asked :

44. Will Government be pleased to state—

- (a) If Government have lately received a petition from the Secretary of the Bhadarani Dong Committee, Kokrajhar Police Station praying for construction of an embankment and a canal for irrigating their paddy fields?
- (b) If an inquiry and a survey was made to ascertain the probable cost some years ago ?
- (c) If so, when ?
- (d) If an estimate is under preparation ?
- (e) If so, when it will be completed ?
- (f) When Government propose to start construction of the projects ?
- (g) If not, why not ?

45. Will Government be pleased to state—

- (a) If the construction work of Bhogdola embankment and canal was sanctioned by Government ?
- (b) If the actual work has been started ?
- (c) If so, when ?
- (d) If not, when the work is proposed to be started ?

Pu CH. SAPRAWANGA (Parliamentary Secretary) replied :

44. (a)—No recent petition appears to have been received by the Government.

(b), (c), (d) & (e)—The scheme was partly surveyed during 1948-49 under the Post-War Reconstruction programme, but as the scheme was not selected under any of the subsequent programmes by the Embankment and Drainage Advisory Board or by Government no further action was taken to complete the survey and prepare the estimate.

(f)—Does not arise.

(g)—Does not arise.

45. (a)—Yes, in June, 1953.

(b), (c) & (d)—Work will be started shortly, i.e., just after the rains.

Zamindaries of Goalpara

Shri BAIKUNTHA NATH DAS asked :

46. (a) Is it a fact that Government proposes to take up the management of some Zamindaries of Goalpara District ?

(b) If so, how the matter stands now ?

(c) What amount has been spent till now in this connection ?

Shri HARESWAR DAS (Deputy Minister) replied :

46. (a)—Yes.

(b)—Government took necessary steps to take over management of the Zamindari Estates of Goalpara District with effect from as far back as 1950. But on petitions filed by the proprietors affected challenging the validity of the Management of Estates Act the High Court issued a writ of mandamus staying further proceedings till the disposal of the petitions. The petitions were disposed of on 1st August 1952 by the High Court which held the Act as valid. Then Government after due consideration issued notifications to the effect that the management would be taken over with effect from 23rd April, 1953. In the meantime the aggrieved proprietors filed appeals before the Supreme Court against the decision of the Assam High Court whereupon the Supreme Court passed a stay order on 21st April, 1953. The stay order still continues.

(c)—No amount has yet been spent from the Budget grant made for this purpose.

Md. TAZUDDIN AHMED : Will the Government decision of taking over the management of the Zamindari Estates still continue ?

Shri HARESWAR DAS (Deputy Minister) : Yes, it is still in force.

Shri BAIKUNTHA NATH DAS : Sir, is there any provision for expenditure from any grant other than the Budget grant ?

Mr. SPEAKER : Budget grant includes everything.

Training of officers in Japanese method of cultivation

Shri BAIKUNTHA NATH DAS asked :

47. Will Government be pleased to state—

(a) How many officers are there who have received training in Japan about Japanese method of cultivation ?

(b) How many officers are there who received foreign training on Agriculture and what are their names ?

Shri MAHENDRA MOHAN CHOUDHURY (Minister) replied :

47. (a)—Nil.

(b)—Four.

(1) Mr. L. K. Handique, Director of Agriculture, Assam, B.Sc. Agriculture from Edinburgh University.

(2) Dr. S. R. Barooah, Special Officer, Short Training in Agriculture in California University.

(3) Shri B. N. Duara, Economic Botanist, Assam, M. Sc. (Genet.) in California University.

(4) Shri G. Sarma, Entomologist. Six months' training in Plant Protection in Cambridge University, sent under Colombo Plan.

Re: Industrial Loan

SRIMAN PROFULLA GOSWAMI asked :

48. (a) Will Government be pleased to state the names of persons to whom industrial loan exceeding Rs.10,000 was granted from the year 1948 to the present date in Assam ?

(b) Whether the loans have been or are being repaid according to the terms of the loan.

(c) If not, who are the persons and what steps have been taken against them to realise the loan ?

Shri MAHENDRA MOHAN CHOUDHURY (Minister) replied :

48.—Industrial loans exceeding Rs.10,000 were granted to

(1) M/S. Hindusthan Builders Limited, Nowgong (Assam).

(2) Shri Amulya Prasad Chaliha, Chapari, Rehabari, Dibrugarh.

(3) Shri Surjya Kanta Kalita, Kukurmara, Kamrup.

Nos. (1) & (2) have not repaid the annual instalments according to terms of the loan.

Name of persons	Steps taken against them
(1) M/s. Hindusthan Builders Ltd., Nowgong (Assam).	The Company have been granted extension of time upto March 1954 to repay the overdue instalments.
(2) Shri Surjya Kanta Kalita, Kukumara, Kamrup.	He has been asked to repay the 1st instalment of the loan due immediately which was due on 15th May 1953, failing which coercive action will be taken against him.

Irrigation Branch of the Public Works Department in the Western part of Nowgong

Shri BALIRAM DAS asked :

49. Will Government be pleased to state—

- (a) What are the concrete schemes taken into hand by the Irrigation branch of the Public Works Department in the Western part of Nowgong ?
- (b) Is it a fact that this department did not pay the Government allotment to the projects namely Makaria in the Mauza of Uttarkhola and Merua-Gaon-Hatilunga in Tetelia Mauza even after the completion of the projects and as a result of which the amount has been lapsed ?
- (c) If so, why ?
- (d) What steps have been taken to control this sort of disorderly affairs of such officers ?

PU CH. SAPRAWNGA (Parliamentary Secretary) replied :

49. (a)—The following schemes have been taken in hand—
- (i) Flood control measures in the Kopilli Valley.

Estimated cost—

		Rs.	
Contour Survey	... ..	4.67 lakhs	
Works	... ..	5.33 ,,	
Total	... ..	10.00 ,,	

It may be explained at the outset that the small scheme was never expected to afford any protection against a high flood of the Kopilli like the one in 1946 or 1952. Under the scheme the following provisions were made—

(1) Control or closure of the many spill channels from the Kopilli which submerge the ripe boro paddy or the young bao paddy by letting in water long before the river banks are submerged by flood, which seldom occurs before end of June. This would protect both the boro and bao in normal flood years.

Control of these channels also allows early rain water to be collected for proper growth of the bao.

(2) Excavation of a drainage channel from Khanagharia Beel to Pakaria channel, thereby draining and reclaiming extensive waterlogged areas adjoining the Udari-Khanagharia beels.

(3) Excavation of a flood escape channel from Mori Kollong beel upto Khanagharia through the Manikpur beel to reduce duration and intensity of flooding in the area lying between the Railway line and Jagi road, to begin with.

(4) Increasing the flow in the Kollong by reducing its length between Roha and Basanaghat by short circuiting 4 long loops.

This work is nearing completion.

(ii) Remodelling the Kollong embankment from Phulaguri to Malankata and Roha to Chaparmukh.

Revised estimate for Rs.2,33,500.

(iii) Drainage of waterlogged area between Chaparmukh and Dhramtul.

Estimated cost—Rupees 6,00,000.

(b), (c), & (d)—The questions are not clear as to what information is wanted. As such it is not possible to furnish a reply.

Persons trained in Punjab to record water levels

Shri BALI RAM DAS asked :

50. (a) Is it a fact that in compliance with the State Government's move, the Central Government have trained few persons of this State in the Punjab only to record the water levels ?

(b) What benefit has been derived from those trained persons in matter of flood control ?

(c) What steps the State Government have undertaken to control the flood in the Mauzas namely Gubha, Uttar-Khola, Mayong, Ghagua, Kampur and Sahari in the District of Nowgong ?

Pu Ch. Saprawnga (Parliamentary Secretary) replied :

50. (a)—The persons concerned were trained how to make discharge measurements and silt observation in rivers with modern equipment correctly.

(b)—Before control of floods can be considered in a correct manner it is necessary to know what quantity of water any river is capable of carrying, and what extra quantities that cause the flooding are actually coming down from the hills and how this can be taken care of.

The trained personnel will utilise their knowledge in correctly measuring such quantities and other basic data which are at present wanting.

(c)—To enable a comprehensive proposal for protecting these and other mauzas of Nowgong District from floods of the Kopili and the Brahmaputra, contour survey of the remaining areas of the Kopili basin is proposed to be carried out through the Agency of the Survey of India during the next cold weather.

After these survey plans are made available, it is proposed to undertake a comprehensive scheme for flood protection in the entire basin according to availability of funds.

Allowances of Presiding and Polling Officers of last General Election

Shri BAIKUNTHA NATH DAS asked :

51. (a) Is it a fact that many Presiding Officers and Polling Officers are not getting their allowance up till now for doing works in connection with the last general election ?

(b) If so, why ?

(c) Do Government propose to take such steps so that their allowances might be paid immediately ?

Shri BISHNURAM MEDHI (Chief Minister) replied :

51. (a)—Yes, some bills have yet to be paid but almost everyone of these officers was given advance travelling allowances and the net amount that will be payable will be very small.

(b)—The reason is that their bills were not presented in due time and as such had to be pre-audited by the Accountant General under the rules and some of these had again to be returned for re-submission after removing certain defects and audit objections.

(c)—All actions have already been taken from time to time to expedite payments of these bills.

Number of Dacoities committed near Nagarbera since 1st March, 1953

Shri RADHA CHARAN CHOUDHURY asked :

52. Will Government be pleased to state—

(a) How many dacoities were committed near Nagarbera since 1st March, 1953 ?

(b) What steps have been taken by Government to minimise such dacoities in the said area ?

Shri BISHNURAM MEDHI (Chief Minister) replied :

52. (a)—Three dacoities were committed in Nagarbera area since 1st March, 1953 upto-date.

(b)—Intensive patrols and raids were carried out by the Police in the said area and its surroundings. Four dacoits possessing three unlicensed guns were arrested in Tarabari area. No dacoity has been reported since May, 1953.

Creation of a Secondary Education Board

Shri RADHA CHARAN CHOUDHURY asked :

53. Do Government propose to create a Secondary Board of Education in Assam ?

Shri OMEO KUMAR DAS (Minister) replied :

53.—This question will be taken up after considering the recommendations of the Secondary Education Commission's report which is just out.

Minimum Wages of the Tea Garden Workers

Shri GAURISANKAR ROY asked :

54. (a) Are Government aware that the introduction of fine plucking and increment of task rate has further curtailed the earning of the tea garden workers over and above the revised minimum wage ?

(b) Do Government propose to take any action in the matter to save the labourers ?

(c) Do Government propose to revise the existing minimum wages of the tea garden workers ?

(d) If so, when ?

Shri PURNANANDA CHETIA (Deputy Minister) replied :

54. (a)—Such complaint has been made and the matter is now under enquiry.

(b)—Government will take such action as may be deemed necessary after the enquiry is complete. All possible steps will be taken to protect labour earnings.

(c) & (d)—The matter is receiving attention of Government.

Shri RAM PRASAD CHAUBEY: How long will it take to complete the enquiry ?

Mr. SPEAKER: The question is under enquiry of the Labour Tribunal, so he is not in a position to reply that question.

Shri GAURISANKAR ROY: Is it a fact that the reduction of minimum wages had to be reviewed within six months time according to Gazette Notification published on the 9th of February, 1953 ?

Shri PURNANANDA CHETIA (Deputy Minister): Yes, Sir, it is a fact. Subject to fulfilment of certain conditions.

Hailakandi Hospital

Shri GAURISANKAR ROY asked :

55. (a) Are Government aware of the poor condition of the Hailakandi Hospital ?

(b) What amount has been sanctioned for its improvement this year ?

(c) Do Government propose to consider the case of this Hospital as a special one and to grant a considerable sum for its improvement ?

Shri RUPNATH BRAHMA (Minister) replied :

55. (a)—Yes.

(b) & (c)—In addition to the usual grant-in-aid to be given for purchase of medicine and equipment and for high prices of medicine it is proposed to give a non-recurring grant of Rs.12,500 to this hospital during this year for general improvement.

Full Exemption of Amusement Taxes in all cases of sports in Assam

Shri BISWADEV SARMA asked :

56. (a) Will Government be pleased to state the number of cases where exemption of Amusement Taxes has been granted in matters of Sports in different parts of Assam ?

(b) Do Government propose to exempt fully the payment of amusement taxes in all cases of sports in Assam ?

Shri MOTIRAM BORA (Minister) replied :

56. (a)—Such informations are not easily available and it will take a very long time to collect such informations from the 9 taxing circles.

(b)—No. But individual cases for exemption are always considered on merit.

Nationalisation of some Electric Supply concerns in Assam

Shri BISWADEV SARMA asked :

57. (a) Is it a fact that Government propose to nationalise some electric supply concerns in Assam ?

(b) If so, on what basis Government propose to do so ?

Shri RAMNATH DAS (Minister) replied :

57. (a)—Yes, such a proposal is under the consideration of the Government.

(b)—Because those concerns have failed to supply energy.

Shri BISWADEV SARMA: Are these concerns all losing concerns ?

Shri RAMNATH DAS (Minister): That I cannot say, Sir.

Shri HARESWAR GOSWAMI: Will the Minister-in-charge please name these concerns ?

Shri RAMNATH DAS (Minister): They are, Dibrugarh, Nowgong and Karimganj.

Delay in settlement of bonus and commission dispute for staff employed in tea gardens

Shri BISWADEV SARMA asked :

58. (a) Is it a fact that Labour Department of the Government of Assam is delaying the settlement of bonus and commission dispute for staff members of the Tea Gardens in Assam ?—

(b) Are Government aware that this delay is being taken as a handle by the employers to drive a wedge amongst the different section of employees ?

Shri PURNANANDA CHETIA (Deputy Minister) replied :

58. (a)—No. Government, on the contrary, took all possible steps for an amicable settlement of the issue and subsequently referred two disputes to Industrial Tribunal.

(b)—Government are not aware of this.

Overtime work in Tea Factories

Shri BISWADEV SARMA asked :

59. (a) Will Government be pleased to state the reason for allowing overtime work in the Tea Factories of Assam year after year ?

(b) For how many years a factory is allowed to take overtime work continually ?

(c) Will Government be pleased to give the figures of overtime work done in different factories in Tezpur circle during the course of last three years ?

Shri PURNANANDA CHETIA (Deputy Minister) replied :

59. (a)—The reason is the seasonal character of the manufacturing of tea, the peak of which occurs during 2/3 months each year and all the tea factories do not possess enough machineries to deal with the crop during the peak season.

(b)—Under section 65(4) of the Factories Act, 1948, a factory can be exempted from restrictions of hours of work for three months in the aggregate in a year to meet exceptional pressure of work. The tea factories in Assam are granted exemption for 3 months under section 65(2) subject to a limit of 50 hours a week and the payment of prescribed overtime wages.

(c)—The figures of over time work in different factories in the Tezpur circle only during the course of the last three years is not available.

Mahadew Rice and Oil Mills and Gonesh Oil Mills

Shri BISWADEV SARMA asked :

60. (a) Is it a fact that in spite of the Factory Inspector's enquiry in Mahadew Rice & Oil Mills at Dhekiajuli no Factory Register is maintained by the said Mills ?

(b) If so, what steps have been taken by Government on the said Mill ?

61. (a) Will Government be pleased to state the result of the enquiry in the Gonesh Oil Mills, Tezpur about the causes of accidents which was assured by Government in reply to unstarred question 95(c) asked by the questioner on 23rd March, 1953.

(b) What steps were taken by Government on the said Mill for non-reporting of the accident cases as required by law ?

(c) Will Government be pleased to state the number of Factory Inspectors working in the State of Assam ?

Shri PURNANANDA CHETIA (Deputy Minister) replied:

60. (a)—It is not a fact.

(b)—Does not arise.

61. (a)—The following accidents were not reported:—

1. Nageswar (Welder) on 14th November, 1952—Eye injury.
2. Nageswar (Welder) on 27th November, 1952—Burn injury.
3. Nageswar (Welder) on 23rd February, 1953—Burn injury.
4. Ramji Singh (Dhamawalla) on 2nd October, 1952—Cut injury on right leg.

(b)—This factory has been prosecuted under Section 92 of the Factories Act, 1948 for breach of Section 89 of the same for non-reporting of the accidents. Result of prosecution is still awaited.

(c)—Five—including the Chief Inspector of Factories.

Shri BISWADEV SARMA : Is it a fact that about two hundred factories are still not yet inspected by the Factory staff.

Shri PURNANANDA CHETIA (Deputy Minister) : It is not a fact.

Post of Trade Adviser

Raja AJIT NARAYAN DEB of Sidli asked :

62. Will Government be pleased to state—

- (a) If it is a fact that the post of Trade Adviser to the Government of Assam was advertised lately ?
- (b) If more than twenty candidates submitted petitions along with necessary fees ?
- (c) If about eighteen candidates were interviewed by the Public Service Commission and other co-opted members ?
- (d) If no one among these candidates received the appointment ?
- (e) If one Mr. Satijiban Das, A. C. S. was appointed in the post ?
- (f) If so, whether the said Mr. Satijiban Das was a candidate for the post and the reason for so appointing him ?
- (g) On whose recommendation he was appointed ?

Shri BAIDYANATH MOOKERJEE (Minister) replied :

62. (a)—Yes.

(b)—Yes, twenty-four candidates submitted applications.

(c)—No, sixteen candidates were interviewed.

(d)—Yes.

(e)—Yes, temporarily.

(f)—Shri Satijiban Das is a permanent member of the Assam Civil Service Cadre and was not an applicant for the post. Due to the fact that the Assam Public Service Commission themselves considered that of the candidates interviewed, none was of the

standard expected, Shri Satijiban Das, an experienced member of the Service who was available, has been temporarily appointed by Government.

(g)—In view of the reply to (f) does not arise.

Amount allotted for the Self-Help Boards in Assam

Shri HAKIM CHANDRA RABHA asked :

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

(a) The total amount allotted for the Self-Help Boards of Assam for each Subdivision during the last five years ?

(b) Which Subdivision in the State has shown keen interest in Self-Help Work ?

(c) Whether Government propose to allot more money for that Subdivision to encourage the people to work more on Self-Help basis ?

Shri MAHENDRA MOHON CHAUDHURY (Minister) replied :

63. (a)—Subdivisional Rural Development Funds—

			Rs.	a.	p.
1.	Dhubri	...	65,400	0	0
2.	Goalpara	...	31,510	0	0
3.	Barpeta	...	44,232	8	0
4.	Gauhati	...	76,204	0	0
5.	Mangaldai	...	37,025	0	0
6.	Tezpur	...	40,165	9	0
7.	Nowgong	...	69,391	8	0
8.	Sibsagar	...	37,150	6	0
9.	Jorhat	...	36,668	2	0
10.	Golaghat	...	33,550	0	0
11.	Dibrugarh	...	63,336	8	0
12.	North Lakhimpur	...	25,014	4	0

ANNOUNCEMENT OF THE RESULT OF THE ELECTION TO SOLDIERS', SAILORS' AND AIRMENS' BOARD

2391

13. Silchar	...	...	40,740	0	0	
14. Karimganj	...	...	30,728	0	0	
15. Hailakandi	...	...	22,000	0	0	
16. Aijal	...	...	4,540	0	0	
17. Lungleh	...	...	1,800	0	0	
18. Kohima	...	...	3,921	0	0	
19. Mokokchung	...	...	3,889	0	0	
20. Garo Hills	...	...	12,890	0	0	
*21. Shillong	...	...	73,584	0	0	
22. Jowai	...	...	4,990	0	0	
*23. Mikir Hill, Diphu	...	...	8,488	0	0	
24. North Cachar Hills, Haflong	...	...	1,660	0	0	
25. Sadiya	...	...	3,000	0	0	Since amalgamated with the District of Darrang and Lakhimpur.
26. Pasighat	...	...	1,150	0	0	
27. Balipara	...	...	720	9	0	
28. Tirap	...	...	1,750	0	0	

* Nos.21 and 23 above.

No separate funds all payments are made from Provincial Fund.

(b)—Difficult to assess.

(c)—Difficult to assess.

Shri HAKIM CHANDRA RABHA: Is it a fact that the subdivision of Goalpara has been declared first for the work done on self-help basis during the last two years by the A. P. C. C. ?

Shri MAHENDRA MOHAN CHAUDHURY (Minister): That may be so.

Announcement of the result of the election to Soldiers' Sailors' and Airmen's Board.

Mr. SPEAKER: The following hon. Members are hereby declared duly elected to the State Soldiers', Sailors' and Airmen's Board:—

1. Shri A. Alley, and
2. Shri Dalbir Singh Lohar.

The Assam State Acquisition of Zamindaris (Amendment) Bill, 1953

Shri HARESWAR GOSWAMI: Mr. Speaker, Sir, we were discussing the amendment to Clause 6 of the Assam State Acquisition of Zamindaris (Amendment) Bill, 1953. Sir, I am supporting this Amendment on the principle that we should condemn the sin and not the sinner. Sir, we oppose to the Zamindari system and we want its liquidation immediately, but when the Zamindars would be divested of their Zamindaris, they will not naturally remain as Zamindars but will again become ordinary men, good or bad, like ourselves. So, Sir, in legislating this subject, we must see that there is no undue oppression or harassment of Zamindars. Sir, this Bill was passed into an Act in 1951 and yet up till now we have not been able to give effect to it and to-day we have brought this Amendment Bill to remove certain defects of the principal Act. Sir, here we have waited for 2 years and as a matter of fact for so many years. Now the Amendment moved by my Friend, Raja Ajit Narayan Deb of Sidli, and it is a spectacle to see that the Raja is himself a party to the liquidation of the Zamindaris—this amendment is a modest amendment. Instead of 48 hours, 15 days should be given. When we have waited so long, it is possible to give time also to the Zamindars or *ex-Zamindars* and as a matter of fact we shall be doing it only once, sufficient time should be given to them. Once we have taken it, Sir, time will not be necessary again. So when we have waited so long to do away with the Zamindaris at least the principle of equity also demand that they should be given some time also for handing over their books. Sir, I have no quarrel with the Zamindars and I think, nobody has any quarrel with the Zamindars, namely, the men who are enjoying the Zamindaris to-day. We are only opposing to the system of Zamindari. Let it be abolished, but in doing it, we should also see that we do not unduly harass and do not thereby unduly oppress people. Sir, this Amendment is therefore a very modest and mild Amendment and I hope the Minister in charge will be able to accept this Amendment. By accepting this Amendment, he will not lose anything and the country will not lose anything. On the other hand, it will be proved that we only hate the sin and not the sinner. With these words, I support the Amendment.

Shri HARESWAR DAS (Deputy Minister): Mr. Speaker, Sir, I fail to understand why my Friends in Opposition gave this clause such undue importance. There is a Bengali saying that—

“যাৰ জন্য চুৰি কৰি, সে বলে চোর।”

That is my position, Sir, I refer to section 26, sub-section (2) of our present Act. Section 26(2) of the principal Act does not give any time to the Zamindars. The Deputy Commissioner may at once seize papers without giving any notice. Here just for the purpose of taking the co-operation of the proprietors, we have made the change. We have repeated section 26(2) and have inserted this clause giving two days' time. In section 26(2), Deputy Commissioner could seize papers without any notice and Raja Ajit Narayan Deb was a party to that. It so emerged from the Select Committee and Raja Bahadur was a member of the Select Committee and signed it. Now, that we have given 2 days' time he raises objection, when there was no time he fully agreed to it. So Sir, I say—

“যাৰ জন্য চুৰি কৰি, সেই বলে চোর।”

The main contention of my Friends is that two days' time is not sufficient, if it is made 15 days then all the evils will be uprooted. I fail to follow this argument. Sir, my Friend, Raja Ajit Narayan Deb and also Shri Gaurisankar Bhattacharyya said that there are good D. Cs and bad D. Cs. In case of good D. Cs possibly there will not be any complaint, but in case of bad D. Cs there may be complaint. So they want 15 days' time to file appeal, but exactly that is what we want to prevent. These papers are related to the management of the estates. If the estates go out of the hands of proprietors, what value these papers retain? What the proprietors will do with them? My Friend, Shri Umaruddin, has raised a pertinent point and I shall deal with that later. These papers have got no other significance except realisation of arrears of rents and management of the estates. If these estates vest in Government then what is the reason that Government should not take over the papers, which are necessary to manage them? Government should seize these papers because these papers are necessary to manage the estates which vest in Government. So, I do not see that an appeal is necessary. My Friend, Shri Bhattacharyya, said that when a man loses his property he must be given a chance for appeal. When the properties have already gone, then only Government take the papers giving two days' time. If the papers are not given, there are some powers with the D. Cs who can forcibly cease them. Another point is this—what good will come out of extension of time by 13 days more? My Friend, Raja Ajit Narayan Deb, said that the big Zamindars have got papers and they can possibly produce them within two days' time. But small tenure-holder have no paper, how can they comply with these orders? Now, my reply is this, if big landlords have got papers and they can produce these papers within

two days, extension of time is not necessary. If small tenure-holders have got no papers how extension of time can help them? If they have got no papers how they will be able to produce papers if extension of 13 days is given?

Raja AJIT NARAYAN DEB of Sidli: I did not say they have got no papers. They have papers, but they are not systematically kept as Zamindars. It is physically impossible for them to put these papers which the D. C. might demand. That is what I said.

Shri HARESWAR DAS (Deputy Minister): We do not know whether they are systematically arranged. They will produce as they are. There is no harm in that. My point is this, extension of time in their case will not be necessary.

Shri GAURISANKAR BHATTACHARYYA: In realising their arrears?

Shri HARESWAR DAS (Deputy Minister): I shall come to that. My Friend has got no idea as to how arrear rent suits under the Goalpara Tenancy Act are filed. Now to the point raised by my Friends, Shri Bhattacharyya and Raja Ajit Narayan Deb, about the good D. Cs. and bad D. Cs. In case of good D. Cs. there may not be any case of complaint, but in the case of bad D. Cs. my Friends say, they may harass the people. This reminds me a story.

(At this stage Shri Gaurisankar Bhattacharyya left his seat). I would be very much glad to see my Friend Shri Bhattacharyya listen to it. The story goes like this—There were two friends talking under a tree by the side of a tank. One was telling the other, look, this tree has got wonderful properties. If a leaf falls on water it becomes a crocodile and if it falls on land it becomes a tiger. The other queried if half of it falls on water and half on land what would happen? (Shri Gaurisankar Bhattacharyya—ভেতিয়া হিবপাকষিপু হব।) I also ask my Friend some proprietors are good and some are bad. What happens if the bad proprietors suppress papers within the time given and makes management impossible? If papers are suppressed how the estates can be managed? That makes the management impossible. Vesting of the estate means that somebody is losing his property, there an appeal is understandable. When they allow the property to go and then they only object to the papers being taken, the position is not understandable. My Friend, Shri Bhattacharyya has presented a very rosy picture for the Zamindars under the Communist plan. We shall wait its reaction on Raja Bahadur and Shri Ranendra Mohan Das. Let him convert Raja Ajit Narayan Deb first. Sir, when an estate vests in Government

under section 4 a notice is served to the proprietor. Generally 30 days time is given. That 30 days time they get in addition to that of two days provided by this clause. Actually it is not 48 hours. 48 hours are preceded by another 30 days or even more. Then in reasonable cases Deputy Commissioner may further extend the time. So the question is not of 2 days only. Our point is this, we want to take the co-operation of the Zamindars, so we give them notice. In the Act we can give them one day's notice, but as a matter of fact we gave clear 30 days' notice and we propose to do so here also. So they are given more than one month's time and it is not 2 days' time.

One pertinent point has been raised by Mr. Umaruddin that the arrears of rent and cesses now did not vest in Government. The proprietor will have to realise them by suits and they will have to file civil suits and for that they require papers. For that reason to meet their objection we have inserted the proviso here that the landlords will be allowed to take copies of those papers whenever necessary, and when the original will be necessary simply a notice to Government will do.

Now as regards the point how rent suits are filed, raised by my Friend, Bhattacharyya. Under the Goalpara Tenancy Act, the rent of a year becomes due on the last date of the agricultural year. Landlords generally file their rent suits on the 2nd day of *Bahag*, as 1st *Bahag* is always a holiday, they can file rent suits for 4 years arrears and as the suit has got to include the entire claim upto that date, the proprietors include all their dues upto the last day of *Chait*, may prepare papers and plaint accordingly. But according to section 4 of our Act we can take over a Zamindari on the first of *Bahag*, if we miss the first of *Bahag* we lose a year. So the vigilant proprietors, in their rent suits, already have copies of papers upto the day preceding the date of vesting. For future cases they are entitled to take copies. So there will be no case of hardship.

Under the Goalpara Tenancy Act, in addition to the requirement of the Civil Procedure Code, for a rent suit the boundaries have got to be given and almost everything in the Tauzi has got to be given. That is a special provision in the Goalpara Tenancy Act. So the rent suit is a complete thing. So in case of big landlords, no more papers will be necessary for filing rent suits. But the landlords who sleep and allow their claims to be barred, extension of time will do them no good.

I think, I have replied to all the points raised by my hon. Friends. Now, I would request my Friend to withdraw his Motion in view of what I said.

Mr. SPEAKER: Will the hon. Member withdraw his Amendment?

Raja AJIT NARAYAN DEB of Sidli: I am not going to withdraw it, Sir.

Mr. SPEAKER: The question is that in the new sub-section (5) going to be substituted by item (d) of clause 6, for the words "forty eight hours" occurring in the fourth line the words "fifteen days" shall be substituted.

(The Motion was lost).

The question is that clause 6 do form part of the Bill.

(The question was adopted).

The question is that clauses 7, 8, 9 and 10 do form part of the Bill.

(The question was adopted).

Raja AJIT NARAYAN DEB of Sidli: Mr. Speaker, Sir, I beg to move that in item (a) of sub-clause (1) of clause 11, for the words "Three times" occurring in the third line the words "Four times" shall be substituted.

Mr. SPEAKER: The hon. Member should move both the amendments together.

Raja AJIT NARAYAN DEB of Sidli: I am going to move them separately. Sir, in the parent Act it was four times instead of three times and Mr. Hareswar Das said that I was a party to this. This Act was first introduced as a Bill in 1948 and it went through the Select Committee and some of its Members went to different places and took evidence and many other things had to be done to come to a final shape and after that it was decided that compensation would be given according to these rates and in that particular clause four times was decided upon by all concerned, but I do not know what prevailed upon the Deputy Minister after three years to change it to three times.

Sir, it will be a great injustice done to the Zamindars by this action. A man who would get say Rs.4 lakhs would now get Rs.3 lakhs, which means $\frac{1}{4}$ due to him will be deducted from him for no reason whatsoever. Mr. Das has not shown any cause for this reduction. In the Statement of Objects and Reasons it is clearly said that the first object was to bring this amendment to avoid some lacuna which were in the Act and which were pointed out by the Supreme Court, and secondly, it is to offer some better rights on the tenants. I do not find after going through the Statement of Objects and Reasons the reasons as to how he can bring in this amendment.

Sir, I will state what is done in other States in India. In Assam if the previous Act remained, the net income if it is rupees one lakh, compensation would have been given amounting to four lakhs, but by the new amendment a man having income of Rs.1 lakh would be entitled to get 3 lakhs as compensation. In Orissa if the net income of a man is 1 lakh, he will get 4 lakhs 19 thousand.

This is calculated according to the following slabs:—

First—500	×	15	=	7,500
next—3,500	×	13	=	45,500
next—3,000	×	10	=	30,000
next—3,000	×	7	=	21,000
next—1,500	×	5	=	75,000
next—1,500	×	4	=	60,000

40,000 = 2,39,000

Balance 3 times = 1,80,000

In Bihar if the net income is Rs.1 lakh the compensation will be Rs.4 lakhs. In Madhya Pradesh if the net income is 1 lakh compensation will be 10 lakhs in addition to rehabilitation grant. In Uttar Pradesh if the net income is Rs.1 lakh compensation will be 8 times, i. e., Rs.8 lakhs.

So, Sir, if we look into the Acts of other States, which are also as anxious as our State to do away with intermediaries, we find that they have given more amount of compensation than Assam proposes to give. Assam also decided to give 4 times of the net income but why it has been decided by the Deputy Minister to give 3 times instead of 4, is not clear to me.

With these words, I would commend my Motion for the acceptance of the House.

Mr. SPEAKER: The Motion moved is that in item (a) of sub-clause (1) of clause 11, for the words "Three times" occurring in the third line, the words "Four times" shall be substituted.

Shri HARESWAR DAS (Deputy Minister): Mr. Speaker, Sir, Raja Ajit Narayan Deb is right when he says that in section 13(1)(j) and (k) of the principal Act, "four times" and "three times" were provided. He wants to know why these have been changed now. The reasons are these: by reason of the changed provisions the money which the proprietors would have got under the provisions of the principal Act has not been reduced. Under the principal Act, a proprietor having a net income of Rs.1 lakh to Rs.3 lakhs would get four times, subject to a maximum of Rs.10 lakhs; if the income is above 3 lakhs he will get three times subject to a maximum of 10 lakhs; even if a proprietor's net income is 5 lakhs he also will not get more than 10 lakhs though the figures comes to 15 lakhs (5 multiplied by 3). So, there was anomaly in the principal Act, to the passing of which my Friend was also a party. The principle of three times the net income did not work. That was a defect. But we should remember that that was passed before the Constitution came into force. It was all right under the Government of India Act. But now, under Article 31 of the Constitution, we have got to lay down the principle how the compensation is to be calculated or the amount of compensation itself in the Act. So, we have got to change

the provisions of the principal Act. Then, Sir, under item (vii) of section 12 of the principal Act a 10 per cent. deduction was to be made, where the gross income exceeded Rs.20,000, for the cost of beneficial works. We have deleted that provision and the Zamindars will get the benefit of non-deduction. Then, it was provided that arrears of rent would vest in Government. This provision has also been deleted now and Zamindars will get the benefit of arrears of rent. Then, Sir, in computing the gross income, instead of previous 15 years' average, provided for in the principal Act, we are now taking only the previous year's income. This also will benefit them to a great extent. In this way, the net income of Zamindar will increase.

Then, another thing, Sir, we have not put any maximum limit. If according to calculation a Zamindar is entitled to 50 lakhs of rupees, he will get it. Then, for the smaller income groups, we have left them as they were. For the larger income groups, as I have already shown, we have made provisions by which their net income will increase, with corresponding increase in the total amount of compensation, even though we have made "three times" and "two times" in place of "four times" and "three times". I therefore oppose this amendment.

Mr. SPEAKER: Do you like to withdraw?

Raja AJIT NARAYAN DEB of Sidli: If I do not withdraw, I shall be defeated.

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

Raja AJIT NARAYAN DEB of Sidli: I would like to move the second amendment, Sir.

Shri HARESWAR DAS (Deputy Minister): He spoke on both the amendments and I also replied to both.

Mr. SPEAKER: Any way, the hon. Member may move his second amendment if he likes.

Raja AJIT NARAYAN DEB of Sidli: Mr. Speaker, Sir, I beg to move that in item (b) of sub-clause (1) of clause 11, for the words "Two times" occurring in the third line, the words "Three times" shall be substituted.

Here also the case is the same. Mr. Das, the Deputy Minister, meant to say that he had done a great favour to the Zamindars by deleting the clause which fixed a maximum limit of compensation. But, Sir, that was not due to his kindness or favour and he knows it better than I do. The other changes also were not done due to his kindness, but according to the decision of the Supreme Court. No State has suggested any maximum limit.

Then, Sir, here also a man having a net income of Rs.3 lakhs would have got Rs.9 lakhs according to the principal Act, but under the present Act he will get only Rs.6 lakhs. I know, Mr. Das is a very good civil lawyer and it would be easy for him to say nice things

against not accepting my suggestion. But the unfortunate fact which remains is that injustice is being done. Of course, Mr. Das, may defy our opinion being conscious of the huge majority that he has got at his back.

With these words, I commend my amendment to the acceptance of the House.

Mr. SPEAKER : Amendment moved that in item (b) of sub-clause (1) of 11, for the words "two times" occurring in the third line, the words "three times" shall be substituted

Shri HARESWAR DAS (Deputy Minister) : Mr. Speaker, Sir, I have got only one point to add. My Friend said that a proprietor having a net income of Rs.3 lakhs will get Rs.6 lakhs. That is not correct. He has not correctly read the amendment. It is stated "two times such net income or the maximum amount under (I) above, whichever is greater". The maximum under (j) is Rs.9 lakhs. 3 lakhs multiplied by 3. A proprietor having Rs.3 lakhs as his net income will get Rs.9 lakhs. He will not come under the "two times" provision. If his income is more than 3 lakhs then he comes under the next item *i. e.*, 2 times, but it cannot come below 9 lakhs. The wording are "three times such net income or the maximum amount under (j) above, whichever is greater" then if you multiply 3 by 2 you get 6 lakhs, but then there is that provision "whichever is greater." So, Sir, it cannot be below 9 lakhs.

Mr. SPEAKER : Do you want to press your amendment ?

RAJA AJIT NARAYAN DEB of Sidli : No Sir. I beg leave of the House to withdraw my Motion.

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

Mr. SPEAKER : The question is that clause II do form part of the Bill.

(The question was carried.)

Shri HARESWAR GOSWAMI : Mr. Speaker Sir, I beg to move that in clause 12—

(1) For the figures and words "150 bighas" wherever occur the figures and words "100 bighas" shall be substituted.

(2) The item (ii) of the first proviso under new section 22A(1) shall be deleted.

Sir, clause 12 wants to include a new section to the Bill, namely, section 22A. This section runs as follows:—"22A(1) Subject to the provisions of section 6 whenever the State Government is of opinion that for effecting land reforms it is expedient in public interest to fix an upper limit of land which an individual may hold, the State Government may by notification declare that no individual shall be entitled to settlement or possession of more than 150 bighas of agricultural land in the aggregate and that the land above this limit, shall

vest in Government free from all encumbrances”.....(After a pause). But this should be 22A(ii). I do not know why it is put here as 22A(i).

Mr. SPEAKER: Mr. Das, do you accept it that it should be 22A(ii) ?

Shri HARESWAR DAS (Deputy Minister): Does the hon. Member mean that clause in the case of individuals? If so, there is nothing incorrect there. The figure as I get it here is item (ii) of the first proviso and not a new section. This is quite correct, Sir.

Shri HARESWAR GOSWAMI: Yes, Sir, Mr. Das is correct. I am thankful to him for pointing out the correct thing.

Shri HARESWAR DAS (Deputy Minister): We always point out only the correct thing (laughter).

Shri MOTIRAM BORA (Minister): But the difficulty is that they do not like to accept it!

Shri HARESWAR GOSWAMI: However, Sir, subject to the provision of section 6 of the main Act where the limit is put at 400 bighas, this amending Bill wants to put in a new section here which says—“Subject to the provision of section 6 whenever the State Government is of opinion that for effecting land reforms it is expedient in public interest to fix an upper limit of land which an individual may hold, the State Government may by notification declare that no individual shall be entitled to settlement or possession of more than 150 bighas of agricultural land..... etc.” Sir, I want to point out that the whole thing here is contradictory because on the one hand it says, that it is for the State Government to compute the figure about land reforms and then to put the ceiling on land holdings. Then on the other hand this section wants to keep 150 bighas as the maximum holding. The State Government has not been given the time to come to a decision regarding the maximum holdings. Without giving that time it puts 150 bighas as the maximum holding and says that even if it comes to a decision regarding the maximum holding it will not take away any land from any holding which is less than 150 bighas. This section in a way forestalls the decision of the State Government. The maximum holding would not be the ceiling holding that a man or cultivator may hold or enjoy. So, Sir, this section appears to be contradictory as, Sir, we consider that 150 bighas should not be the maximum holding specially in a State like Assam. It should not be more than 100 bighas. Sir, we hold that 100 bighas should be the maximum holding that should be allowed to be retained by a tenure holder or by a Zamindar. Sir, my purpose in doing so is that in a State like Assam where we have not got enough land to go round but on the other hand we have got so many landless people, it will not be possible for Government to allow anybody to retain more than 100 bighas of land. If we allow a man to retain more than 100 bighas then there will not be

enough land to be given to the landless people. Secondly, more than 100 bighas of land will also not be necessary. We know what our standard of living is. The *per capita* income to-day is Rs.255 and we cannot accept it to go above that say to Rs.285 or Rs.300 or something like that in the next five years. In doing all these things we must have consideration of other people also. If we allow a man to retain more than 100 or say 150 bighas of land, then the disparity that we want to remove from our society will remain and our efforts at land reformation will also come to naught. Therefore, Sir, my first objection is so long the State Government do not come to any decision as to the maximum holding it will allow a cultivator to enjoy, it should not allow more than 100 bighas to be retained, otherwise, Sir, the whole thing will become very contradictory. Even if we have come to any decision, and that decision is like this, we cannot allow in a State like Assam, any body to have more than 100 bighas of land. Sir, the Agricultural Investigating Committee appointed by the Congress that published its recommendations some years back also suggested that the minimum holding should not be less than 30 bighas and the maximum holding should not be more than three times the minimum limit, and therefore, Sir, in view of that recommendation also we cannot allow the maximum to be more than 100 bighas—that is my first suggestion: and secondly in the proposed new section 22A (1) (i) and (ii) it gives the latitude—“Provided that the limit of 150 bighas may be relaxed—(i)—in the case of a Co-operative Society formed for the purposes of large scale farming, or (ii)—in the case of any individual taking up large scale cultivation by mechanical appliances...”. So, Sir, I am moving my amendment to delete item (ii) of the first proviso under new section 22A(1). Unless this clause (ii) is deleted, people who have large holdings, that is more than 150 bighas will come and say that they will require the land for mechanical or scientific cultivation, and it will be very difficult to persuade such people to surrender the land, they will come with any plea, and that will defeat the whole purpose of this Bill, the very Bill we may consider for the purpose of land reform. So, Sir, I made my observation and said that this Bill while will liquidate the so called Zamindars and will also create another type of Zamindars. These loopholes will enable people to create another class of Zamindars, and it will be difficult to get the land from them. These people will come and say that they will require the land for mechanical or scientific cultivation and thus they will not surrender it. Therefore, Sir, it will be very difficult to get the land from these people, consequently, at no time we shall be able to bring about land reforms which will benefit the people of the State. Sir, we can allow the Co-operative Society and even other Societies who are able to do the work. But, Sir, if we allow individual to hold more than 100 bighas we will only augment the

disparity that already exists in our society. We must not allow such a thing to continue—no matter whether the individual cultivates in the primitive way or in the modern way. I submit, Sir, if this is allowed to remain it will defeat the very purpose of this Bill as well as any future Bill which we may bring for the purpose of land reform. Sir, so long the State Government do not come to any decision regarding the maximum holding, we should not allow the people, or Zamindars or tenure holders to hold more than 100 bighas of land, and after the passing of this Bill it will be difficult to amend the clause.....

Shri RADHIKA RAM DAS: Why my Friend wants to fix at 100 bighas ?

Shri HARESWAR GOSWAMI: It is based on the recommendation of the Agricultural Investigating Committee, and it is also based on the Five-Years' Report—which says that the maximum holding should not be more than three times the minimum limit of 30 bighas.....

Shri RADHIKA RAM DAS: Does my Friend think that by giving more than 100 bighas of land to people—that also will create another class of Zamindars ?

Mr. SPEAKER: He has stated the reasons based on the recommendation of Agricultural Investigating Committee.

Shri HARESWAR GOSWAMI: Sir, I agree with my Friend, Mr. Das, Member from Sila Sundari Ghopa to reduce it, and I am also for it that no body should have more than 100 bighas of land. Sir, even an authority like MARX said, "all fingers in our hands are not equal". Sir, we find that some people have not got any land and others have got enough land, some have thousands and thousands bighas of land, who do not cultivate themselves. Sir, this disparity should go, for the interest of our society, for the intelligence of the people, for the genius of the people will not develop if we start artificially a man-made difference: This is an artificial difference—we are deadly against creating artificial difference and forming certain sections of the people against other.

Sir, after these observations, I hope the Minister-in-charge will carefully look into this new section, and see his way to accept my amendment.

Mr. SPEAKER: Motion moved is that in clause 12—

(1) for the figures and words "150 bighas" wherever occur the figures and words "100 bighas" shall be substituted.

(2) the item (ii) of the first proviso under new section 22(A) shall be deleted.

Shri HARESWAR DAS (Deputy Minister): Mr. Speaker, Sir, I am sorry, I am unable to accept this Amendment, and I think my Friend has an incorrect impression about the scope of this Bill. This is an amending Bill and, therefore this Bill cannot abolish all

the principles of the principal Act. This has been put in here for better arrangement from section 6, but the principle is there. The main Act accepts this principle, the principle of 150 bighas to rayots. It is not also inconsistent with the recommendation of the Five-Year Plan. The Five-Year Plan recommends that first a family holding should be fixed. After a family holding is fixed, 3 times that family holding may be fixed as ceiling. What should be the area of each family holding, has not been fixed.

Shri RANENDRA MOHON DAS: You should consider also what the other States are doing.

Shri HARESWAR DAS (Deputy Minister): Then in that case my Friend Umaruddin Saheb will fall on us. He will say that we are only imitating the other States. That is why we are following the recommendations of the Centre, *i. e.*, the recommendations of the Five-Year Plan. Land system is different in different States. So the Five-Year Plan has not fixed any area which should constitute the family holding. As my Friend, Mr. Ranendra Mohon Das, has said, Bihar has fixed in one way, the Uttar Pradesh in another way and the West Bengal still in a different way. So, what the other States are doing is not the appropriate analogy for us to follow here.

Shri HARESWAR GOSWAMI: What is the report from the Statistical Department regarding this family holding? This is 30 bighas only.

Shri RANENDRA MOHON DAS: Will the Government first ascertain the productivity of land before fixation of rent?

Shri HARESWAR DAS (Deputy Minister): That is not the point, Sir. Now, reverting to my contention as to what constitutes family holding, I would say that unless this is finally fixed once, everybody is entitled to differ. We may fix 50 bighas, Mr. Goswami would like to fix at 30 bighas, and my Friend, Mr. Ranendra Mohon Das, may go to West Bengal to find out a principle for fixation of family holding. Therefore, Sir, I am confining myself within the recommendations of the Five-Year Plan. In the Five-Year Plan the question of fixation of family holding has been left to the discretion of the State. This State has not yet fixed the area. It has not been recommended in the Five-Year Plan that the ceiling should be three times, but what it recommends is that it should be reasonable three times is fixed as ceiling. In this matter, Sir, here we are concerned with the principal Act. The principal Act fixes it at 50 bighas.

Shri HARESWAR GOSWAMI: It should be fixed at 400 bighas.

Shri HARESWAR DAS (Deputy Minister): Then again Sir, I am compelled to say that my Friend has not correctly understood it, he has not read it correctly, i. e., the section regarding private land of the proprietors.

Shri HARESWAR GOSWAMI: This section also includes private land of the proprietors.

Shri HARESWAR DAS (Deputy Minister): If you include that then 400 bighas will have to be reduced. Private land is a technical term. Only because of one's possession of some land, one cannot treat it as his private land.

Now my Friend wants to reduce the land in the hands of the rayots from 150 bighas to 100 bighas. Then what will be the position? Tenure-holders will get 150 bighas, ordinary ryots will get 100 bighas. That will create an anomaly. This is not the aim of this amending Bill. It was there in the principal Act. So the amending Bill cannot deviate totally from the principal Act. This can be done only if we repeal the Principal Act and bring in a new Act. So the amending Bill cannot directly go against the principal Act. Section 6 of the principal Act says, "Provided that the limit of 400 bighas may be relaxed in the case of a proprietor or a tenure-holder who has undertaken large-scale farming on a co-operative basis or by the use of power driven mechanical appliances"; This proviso of section 6 of the principal Act has been inserted here in section 22A of the amending Bill.

So long we were sending out much money from our State for the purchase of food. We are now on the verge of self-sufficiency. We have got land, but not sufficient food. So in order to give impetus to the Grow-More-Food Campaign, we inserted that proviso, and in my opinion, it is also essential. So, Sir, my submission is that if the Amendment of my Friend is accepted, this will instead of solving the real problem that is facing us to-day, will only create division among the different classes of raiyats and heart-burning amongst some of them. We do not want to create a situation like that, but if in future it becomes necessary to curtail it, there will be no harm to amend it. As it stands now, this Amendment will destroy the uniformity in our Act. So I request my Friend to withdraw it in view of what I have explained.

Maulavi MUHAMMAD UMARUDDIN: I want to point out that in the principal Act I do not see that there was any intention of cutting down the holdings of the raiyats. Now, with a view to bring the raiyats in the same category as the State holders and proprietors, this Bill has been introduced. So there is a deviation from the principle of the original Bill.

Shri HARESWAR DAS (Deputy Minister): It is there in the principal Act. In Section 9, sub-section (v) and also Proviso 2, which provides how compensation above 150 bighas is to be given.

Shri HARESWAR GOSWAMI: Sir, even if they accept the Amendment as bad, for the sake of clarification, I want to say that its wordings are not happy, because in one hand it reveals a maximum to be fixed by Government afterwards. I agree that it may be possible to amend the Bill again but that can be done even without fixing it at 150 bighas. The wording of the whole paragraph of item (ii) of the first proviso to proposed Section 22A is not therefore happy and secondly, even if we may be able to bring an amendment to this amending Bill, why not give an additional area to this 150 bighas, and the maximum will also touch the private or any type of land?

Shri HARESWAR DAS (Deputy Minister): Private land is a technical land, and the concession was meant just to habilitate the *ex*-proprietors. As a matter of fact, the President, while giving his assent to it, praised the Government for such a provision. Four hundred bighas have been given to the proprietors just to habilitate them. Proprietors belong to very old and respectable families. We cannot throw them away all on a sudden. We do not follow the Communist plan, but we follow our own plan. We want to abolish the Zamindaris and make the Zamindars raiyats, but we do not want to throw them into the streets; so we have given them 400 bighas out of their private land. To the tenure holders we have given 150 bighas and these tenure holders will also be ordinary raiyats. So if one class of raiyats is allowed to possess 150 bighas, all others should be allowed that area, and for that reason we put it here. With these words, I request the Mover to withdraw his Amendments.

Shri HARESWAR GOSWAMI: I withdraw the first Amendment but not the second one.

Mr. DEPUTY SPEAKER: The question is that in Clause 12, the item (ii) of the first proviso under new section 22A (I) shall be deleted.

(The Motion was lost).

The question is that clause 12 do form part of the Bill.

(The question was adopted).

The question is that Clauses 13 and 14 do form part of the Bill.

(The question was adopted).

Maulavi MUHAMMAD UMARUDDIN: I beg to move, Sir, that for clause 15 the following shall be substituted:—

“In section 31 of the principal Act, sub-clause (i) of sub-section (ii) shall be deleted and the subsequent sub-clauses renumbered accordingly”.

This does not involve any principle. If we refer to the principal Act, the first sub-section and the sub-clause(ii) look alike.

Shri HARESWAR DAS (Deputy Minister): I accept this amendment.

Mr. DEPUTY SPEAKER: The question is:

“That for clause 15 the following shall be substituted:—

‘In section 31 of the principal Act, sub-clause (i) of sub-section (ii) shall be deleted and the subsequent sub-clauses re-numbered accordingly.’

(The Motion was adopted).

The question is that Clause 15, as amended, do form part of the Bill.

(The question was adopted).

The question is that the title and the Preamble do form part of the Bill.

(The question was adopted).

Shri HARESWAR DAS (Deputy Minister): I beg to move that the Assam State Acquisition of Zamindaris (Amendment) Bill 1953, as amended, be passed.

Mr. DEPUTY SPEAKER: Motion moved is that the Assam State Acquisition of Zamindaris (Amendment) Bill, 1953, as amended, be passed.

Raja AJIT NARAYAN DEB of Sidli: Sir, I owe it to myself and to the House to make it clear that I am not holding any brief for any Zamindar as I do not represent any Zamindar. I am a representative of the people as anyone here, and I like to see the interest of the tillers of the soil first before I want mine in my personal capacity. As a matter of fact, the House knows as well as you know, Sir, I have been concerned with this Act since its beginning. I did not oppose any one of the provisions, but at the same time I feel, Sir, that the present Bill as well as the principal Act will do very little good to the people. It is already known to us that Bihar has passed an Act, Madras has passed an Act, Madhya Pradesh has passed an Act like this. So Assam has passed an Act as well. But if we see to the thing how much of Assam is benefited by this Bill, we will simply be disappointed. It is known to the House that nobody is benefited by this. The thin attendance in the House itself shows what interest the representatives are taking in this matter. Because only two-thirds of the district of Goalpara and only one Subdivision in Cachar are having some benefit of this Bill. The very title of this Bill to amend the

Assam State Acquisition of Zamindaris Act means to say that Zamindaris will be abolished, and this one was copied from Bihar and other Acts. The name is borrowed from them. Zamindar is scattered all over the State of Bihar and other States, but in Assam this term is simply useless because there are no Zamindaris except in those two places. Bihar later on changed the name and repealed the Act. This abolition of Zamindaris and intermediaries is actually the proposal of the Leaders of India and the Congress. They wanted laws to be framed to remove the intermediaries so that lands can be made available for the actual tillers, and, Sir, intermediaries must be removed so that the actual tiller of the soil can be contacted directly by the Government. While we see in our Act the scope of this legislation, we are really amazed to find how our Government can ever effect it. If we see to the Orissa Estates Abolition Act, it is "an Act to provide for the abolition of all the rights, title and interest in land of intermediaries by whatever name known, including the mortgages and lessees of such interest, between the Raiyat and the State of Orissa, for vesting in the said State of the said rights, title and interest and to make provision for other matter connected therewith." Orissa wants to do away with all the titles rights and interest of intermediaries in whatever name they are.

Madhya Pradesh Act also says—"An Act to provide for the acquisition of the rights of proprietors in estates, mahals, alienated villages and alienated lands in Madhya Pradesh and to make provision for other matters connected therewith". It also applies to the whole of the State, just as Orissa.

Uttar Pradesh Act says that same thing. Bihar Act also says the same thing.

But, Sir, if we look to our principal Act, we will find that it extends only to the permanently-settled estates of Goalpara and Karimganj Subdivision of Cachar district though there are similar estates all over Assam. There are 318 Lakhiraj estates all over Assam, of which 40 are in Goalpara, 65 in Karimganj and 79 in Cachar excluding Karimganj. This 65 and 40 estates will be abolished, because incidentally they happen to be in the permanently-settled district of Goalpara and Karimganj Subdivision. But others will be left to themselves to enjoy, as usual. I have got certain history to show how equity and justice had been given a goodbye. Sir, after 1864 a strip of land from Kamrup to Jalpaiguri adjoining to the Bhutan Hills was ceded by Bhutan to British. These were divided into two Duars—Eastern and Western Duars. Western Duar is now in West Bengal. The Eastern Duars in Goalpara are divided into five Duars—Bijni, Sidli, Chirang, Ripoo and Guma. These Duars are at present not permanently settled. They have the same Rayotari system as in other districts in the State of Assam. If it is the intention of the Government to do away with the proprietors of

these two Duars, namely, Bijni and Sidli, I think, Government will not gain anything according to the Statement of Objects and Reasons of this Bill. The Act was passed with a view to bring tenants directly under the Government so that land reforms may be introduced and improvement in the agriculture can be effected, but in these areas of the 5 Duars, which I have named just now, the tenants are directly in touch with the Government and the system is run according to the Temporary District Settlement Act. While two of the Duars are going to be affected by this Bill, others are going to be left alone.

Then, Sir, there are other kinds of lands in other parts of Assam in addition to Lakheraj. In Kamrup, there are some kinds of estates called "khals" and in Cachar there are Ilam estates. There are also two such estates in the Nowgong district, in addition to Nisf-khiraj and fee simple grants.

With regard to the Acknowledged Estates, I would like to make it more illustrative. The proprietors of these Estates were formerly independent ruling chiefs who came under Bhutan. Then after the East India Company had taken up the Dewani of Bengal, Bihar and Orissa, they came in contact with the Bhutias and Bhutan War was started. There were several battles between Bhutanese and the British. Here, I will read out one letter to show how British came into these parts. It is a letter from the Foreign Office Despatch No.186 of 11th January, 1856, containing directions from the Governor-General Lord Dalhousie to the Agent of the Governor-General, North-East Frontier. It says:—

"The large Duars of Bijni and Sidli are literally rendered desolate, and within this week the Magistrate of Goalpara has sent me a private letter from the Rajah of Sidli to the effect that the oppressions of the Booteahs were beyond all endurance and the man who delivered it said that the object of his master was to prevail on us to take possession of the country, but that, if his communication was by any means made known to the Booteahs, his life would be endangered".

Sir, due to this fact of oppression by the Bhutias they wanted the British to take possession of their territory. Even after taking possession these two independent chiefs, namely, Bijni and Sidli, retained their sovereign power. In a memorandum from the Commissioner of Assam and Agent, Governor-General, North-East Frontier, to the Secretary to the Government of Bengal, dated 23rd August, 1864, regarding the Bhutan Frontier and the system of administration introduced in these two Estates, it is stated thus:—

"Sidli and Bijni are tributary States having their own administrations under their own rulers, and in the first instance at any rate, it would not be wise, even if it did not seem contrary to our present declared policy, to supersede the native Governments of these two States".

Although these territories came under British rule, Sir, they retained their sovereign powers.

Mr. DEPUTY SPEAKER: What is the relevancy of reading these letters? You are to speak about the Acknowledged Estates.

Raja AJIT NARAYAN DEB of Sidli: Because, I find that there is absolutely no justification of including these two Estates in this Act.

Then, Sir, by the abolition of these two Acknowledged Estates nothing will be gained by anybody, neither the tenants nor the Government.

Another side of the picture is completely out of the notice of the Government. We are now considering the question of unemployment in the country and probably the Government of India is going to spend some money to meet this acute situation.

Shri HARESWAR DAS (Deputy Minister): What is the relevancy there between unemployment question and the Acknowledged Estates and letters from the British Government and wars between the British and the Bhutias?

Mr. DEPUTY SPEAKER: I said him the same thing. Have you finished about Acknowledged Estates?

Raja AJIT NARAYAN DEB of Sidli: Sir, I am speaking about unemployment and I will speak about charitable institutions.

Mr. DEPUTY SPEAKER: How these things come here?

Raja AJIT NARAYAN DEB of Sidli: Because when the Zamindaris will be abolished many people will be unemployed and the charitable institutions which are maintained and run by the Zamindars, will come under Government. In these respects, we want a guarantee from the Government that the unemployed employees of Zamindars would receive consideration and the charitable institutions will be properly managed by the Government. Government should have brought an amendment to this effect.

Mr. DEPUTY SPEAKER: You are not speaking on things in the amending Bill.

Raja AJIT NARAYAN DEB of Sidli: Anyway, Sir, I oppose this Motion.

Maulavi TAJUDDIN AHMED: Mr. Deputy Speaker, Sir, I stand to oppose the passing of this Bill. Sir, firstly this Bill does not satisfy the popular demand, which is to relieve the

people from the oppression of the Zamindars. This Bill does not meet this demand as Zamindars are going to be paid compensation. Secondly, this Bill, when it will become an Act, will be an additional burden on the tillers of the soil. They will get no benefit from it ; on the other hand, the Zamindars will get a huge sum of money with which they will be able to run their business. Then, Sir, under the provisions of this Bill the tillers will not be the masters of the soil. Under the garb of co-operative societies and such other bodies the land will go into the hands of the rich people and the poor people shall have to serve under them as day labourers. As you know, Sir, our Government is run on a deficit budget and as such it will not be able to pay compensation to the Zamindars. Ultimately, Government will have to impose further taxation upon the poor people, which will be a heavy burden on them. Thirdly, this, measure is an eye-wash and a hoax. From the experience of similar legislations passed in other States of the country we find that Zamindaris will not be abolished in this way. If there is any provision in the Constitution that Zamindaris cannot be abolished without payment of compensation to the Zamindars, the proper course is to make a strong representation to the President to amend the Constitution. In view of all these, Sir, I submit that this Bill should not be passed.

Shri GAURISANKAR BHATTACHARYYA: Mr Deputy Speaker, Sir, I know that the Bill is something like a swan-song for the Zamindars, though not for the Zamindari system. Yet I cannot but thank my Friend, Raja Ajit Narayan Deb, in giving an appropriate adjective to this Amendment Bill, *viz.*, that it is an illusory legislation. My Friend, Mr. Tajuddin, went further and said that it was an eye-wash and a hoax. Now, Sir, from the point of view of both the Zamindars and the tenants, this legislation is illusory and a hoax on the poor people. It does not seek to satisfy any of the basic fundamental demands of the peasants. The peasants demand that they should be the masters of the soil which they till. This Amendment Bill, as also the parent Act, does not provide for that. It does not make the tillers the owners and masters of the soil they till. At the same time, it does not abolish the system of Zamindari. I give particular emphasis to the word "system". Whereas some Zamindars will be divested of the proprietary rights over their estates, the system will still remain. It will not go and those Zamindars who will be divested of their Zamindaris will get compensation, which will be a fairly big sum of money. My Friend, Raja Ajit Narayan Deb, will of course say that it is small, but from the point of view of poor people it is too big.

Mr. DEPUTY SPEAKER: Are you opposing the Raja?

Shri GAURISANKAR BHATTACHARYYA: No, but I am not following his argument. I am trying to impress that though we sit on the same side of the House we are not following the same line of arguments.

Sir, the other day in connection with an amendment to a particular clause moved by Raja Ajit Narayan Deb, I said that there was no objection to the Raja or the other Zamindars being given adequate benefit for their proper rehabilitation, but it would be improper and inequitable to give them compensation. Rehabilitation benefits are one thing and compensation is another. As my Friend, Mr. Tajuddin, has said just now, the question before us is where from will this money that shall have to be paid as compensation come? It will surely come from our exchequer and the State exchequer, as you know, gets money from taxation on the people. Therefore, for giving compensation to the Zamindars further taxation, directly or indirectly, shall have to be imposed on the people. The question, therefore, comes to this: the Zamindars are divested of their properties but the peasants do not get land and they are to pay additional taxes! This, in a nutshell, will be the effect of this Amendment Bill. The system continues, the oppression continues and the groaning of the peasantry under the Zamindari system also continues! We can only parade the fact that we have also in our State acquired, not abolished, Zamindaris. I must of course thank our Government for their honesty in not styling the Act as "Abolition of Zamindaris Act" but styling it as "Acquisition of Zamindaris Act". But is it what the peasants wanted?

The acquisition of Zamindaris by the Government was not what the peasantry want, they want abolition of Zamindaris lock, stock and barrel. This is what the peasantry want, not simply acquisition. Therefore, when we found certain loopholes in the principal Act, and when we find occasion to amend that Act, we ought to have respected the feelings, the urge and the demand of the peasantry whom we profess to serve and whom we also claim to represent here. Now, this amending Bill does not satisfy that point at all. So it is by no means a progressive piece of legislation. While it gives hardship and heart-burning to a particular section of people, it on the other hand, does not give any benefit to the vast majority of the people and therefore, I think, Sir, this piece of legislation is worse than useless. In spite of the fact that we might agree with the honest intention of Government to help the people and though we are thankful to them for not parading too much, we think, Sir, that Government are creating unnecessary and improper illusions in the minds of the people that our Government also are proposing to do

something in the way of abolition of Zamindaris. Sir, this illusion ought not to have been there. If Government were not prepared to move the Union Government and Parliament for changing this provision of the Constitution which stands as a bar on the abolition of Zamindaris without compensation, then Government ought to have been at least honest and frank enough to go to the people and say, "We are powerless, we cannot abolish Zamindaris without compensation. But wait till that day comes. Wait and agitate for changing the Constitution to your liking, to your aspiration and to your desire". But by bringing in this illusory legislation, on the one hand giving hardship and heart-burning to a section of the people, however small that section may be, and on the other hand creating unnecessary illusion in the minds of the people and also giving them additional burden of taxation without giving them any real relief, Government is not justified in doing so. Therefore, Sir, in spite of our thanks to the Hon'ble Deputy Minister for his efforts in piloting this Bill, we are not in a position to welcome it.

Shri HARESWAR DAS (Deputy Minister): Mr. Speaker Sir, at the outset I find some difficulty in giving any reply when the three speakers from the Opposition spoke from three different stand points and one almost crosses out the arguments of the other leaving nothing for me to reply. So far as Raja Ajit Narayan Deb is concerned, he does not share the feelings of his colleague, Shri Bhattacharyya. While Shri Bhattacharyya argues that there is no abolition of the Zamindaris as compensation has been provided for, the Bill according to him is absolutely bad because money is given to proprietors. My Friend, Raja Ajit Narayan Deb, does not think in that light; he wants to increase the rate of compensation. When my Friend, Raja Ajit Narayan Deb, spoke and wanted to raise the rate of compensation, Shri Bhattacharyya and also Tajuddin Saheb who are against giving any compensation, should have opposed it, but they did not do that, they kept silent. What is the reason? How can you explain this attitude? Our position is clear. Under the provisions of the Constitution we cannot satisfy our Friend, Shri Bhattacharyya, because if we abolish Zamindaris then under the provision of the Constitution we will have to pay compensation. There is no way out. If our Friend, Shri Bhattacharyya, disagrees with us in this, we cannot oblige him, because the Constitution is there. It will at once declare our Act *ultra vires*. My Friend knows it fully well; therefore he is not serious about it. If he is serious, he should have opposed Raja Ajit Narayan Deb who wants to raise the rate of compensation.

Then Sir, my Friend, Tajuddin Ahmed, in opposing this Bill said that the people would be oppressed by taxation. Where he got

that idea, I do not know. I must point out to my Friend that there is clear provision in this Bill that the right of the raiyats will remain in tact as it existed previous to the date of acquisition.

Shri GAURISANKAR BHATTACHARYYA: What about those who hold lesser amount of land rent-free ?

Shri HARESWAR DAS (Deputy Minister): Sir, my Friend wants to take away the Zamindaris without compensation, but want to retain the special rights enjoyed by a small section. Those who possess such land rent-free will be charged rent. But everybody whose right on land is taken away will get compensation. There is no denying that fact. There is a mistake committed here. It was mentioned by my Friend, Umaruddin Saheb, that some persons possess land rent free in recognition of service rendered. These people do not pay rent and if Zamindaris are abolished they will not get compensation, as they have no rights over the land. But I can say that as under the State Government those personal services will not be necessary, so they will be charged with rent. Now, even if Zamindars create *bonafied* small tenancies, those tenants will not be divested of their land, but they will be charged rent at par with others no matter whether they are small tenure holders or big tenure holders.

Shri GAURISANKAR BHATTACHARYYA: Wherefrom compensation will come if not from taxation ?

Shri HARESWAR DAS (Deputy Minister): There is a mistake there also. We have clearly provided that for this there will be no taxation, but the Provincial Exchequer will pay it.

Shri GAURISANKAR BHATTACHARYYA: That too comes from taxation of the people.

Shri HARESWAR DAS (Deputy Minister): Not necessarily. The Zamindars get about 35 lakhs as rent and pay to Government only 11,400 rupees as revenue annually, the rest of the amount they consume. Now this amount will come to the Government, and on the preparation of the records of rights this amount will increase to approximately rupees 50 lakhs. Under the Zamindars the land record staff is very small and there is large concealed occupation. So with survey and record of rights the total amount of rent is expected to rise upto rupees 50 lakhs.

We know from our knowledge that a raiyat who may have in the record 10 bighas of land is actually enjoying 40 or 50 bighas of lands. When the records of rights will be prepared these concealed lands will be charged with rent.

(Voices: What is the amount for payment of compensation ?)

The amount may come to about 50 lakhs. With this amount Government will pay the compensation, which is spread over 20 years.

Shri GAURISANKAR BHATTACHARYYA: Wherefrom the fifty lakhs of rupees will come ?

Shri HARESWAR DAS (Deputy Minister): From the rents to be realised from the tenants. It is immaterial whether the tenants pay rent to the Raja Saheb or Shri Ranendra Mohan Das or Government. I assure Mr. Bhattacharyya that Government will not have to tax people for compensation, and for that reason the payment of compensation has been spread over twenty years. I hope my Friends are now fully satisfied with this position.

Shri BAIDYANATH MOOKERJEE (Minister): মাছের তেল
মাছ ভাজা হবে।
(At this stage the clock struck 4 P.M.)

Mr. DEPUTY SPEAKER: I think we will continue.

Shri BISHNURAM MEDHI (Chief Minister): So we can sit the whole day tomorrow for other business, but let us sit to-day for half an hour or one hour more to finish Appropriation Bill.

Mr. DEPUTY SPEAKER: If we sit for an hour, I hope we can finish this Bill to-day.

Shri HARESWAR GOSWAMI: No, Sir. Appropriation Bill may be taken up tomorrow. We can take up the other thing to-day, we can take up to-day the land Acquisition and Requisition (Amendment) Bill, 1953. Sir, we are not willing to sit to-day till we finish the Appropriation Bill.

Shri BISHNURAM MEDHI (Chief Minister): In order that almost the whole time of tomorrow may be available for non-official business, I request the Members of the Opposition, particularly, the Leader of the Opposition, to see their way to agree to continue sitting of the House for about an hour and take up the Appropriation Bill and another small Bill for extension of the existing Assam Requisition and Control of Vehicles, for consideration, clause by clause. I make this request particularly as we have started the business of the House at about 1-30 P. M.

Shri HARESWAR GOSWAMI: Sir, if it is necessary, the sitting of the Assembly may be prolonged if we cannot finish the business; if we sit longer to-day—that is unreasonable. We know in the House of the People sessions are often prolonged beyond the scheduled date for the sake of discussion and convenience of the House. If it is felt that more time is required and we may not finish within the scheduled time let us prolong the session. The question

is whether we can prolong the sitting for a day or two to discuss this thoroughly. We have explained our position that we do not want to sit longer, and according to the rules the House should sit up to 4 o'clock.

Shri BISHNURAM MEDHI (Chief Minister): Rule 9 (1) of the Assembly Rules says—

“The Assembly shall ordinarily sit from 10 A. M. to 12 noon and from 1-30 P. M. to 4 P. M. on all week days except Wednesday, and on Friday it shall sit from 1-30 P. M. to 4 P. M.:

Provided that the Speaker may, in his discretion, according to the exigencies of the business, adjourn earlier or extend the hour”.

Shri HARESWAR DAS (Deputy Minister): Sir, I request the House to pass this Bill.

Mr. DEPUTY SPEAKER: The question is that the Assam State Acquisition of Zamindaris (Amendment) Bill, 1953, as amended, be passed.

(The Motion was adopted).

The Assam Land (Requisition and Acquisition) (Amendment) Bill, 1953

Mr. DEPUTY SPEAKER: Now, we may take up item No.11.

Shri HARESWAR DAS (Deputy Minister): Sir, there is an amendment, but the Member is absent.

Now, Sir, I beg to move that the Assam Land (Requisition and Acquisition) (Amendment) Bill, 1953, be passed.

Mr. DEPUTY SPEAKER: The motion moved is that the Assam Land (Requisition and Acquisition) (Amendment) Bill, 1953, be passed.

(After a pause)

The question is that the Assam Land (Requisition and Acquisition) (Amendment) Bill, 1953, be passed.

(The Motion was adopted.)

The Assam Appropriation (No. III) Bill, 1953

Mr. DEPUTY SPEAKER: I will take up item No.12.

Shri HARESWAR GOSWAMI: We are not taking part in the discussion, Sir.

(At this stage all the Opposition Members left the Chamber.)

Shri MOTIRAM BORA (Minister): Mr. Speaker, Sir, I beg to move that the Assam Appropriation (No.III) Bill, 1953, be passed.

Mr. DEPUTY SPEAKER: The question is that the Assam Appropriation (No.III) Bill, 1953, be passed.

(After a pause).

(The Motion was adopted).

Mr. DEPUTY SPEAKER: Then we have finished.

Adjournment

The Assembly was then adjourned till 10 A. M. on Saturday, the 12th September, 1953.

Shillong,
The 8th May, 1954.

R. N. BARUA,
Secretary,
Legislative Assembly, Assam.

AGENTS IN INDIA

1. Messrs. Thacker Spink & Co., Calcutta.
2. Messrs. W. Newman & Co., Calcutta.
3. Messrs. S. K. Lahiri & Co., Calcutta.
4. Messrs. R. Cambray & Co., 6 and 8/2, Hastings Street, Calcutta.
5. Messrs. D. B. Taraporevala Sons and Co., 103, Meadow Street, Fort, Post Box No.187, Bombay.
6. The Indian School Supply Depot, 309, Bow Bazar Street, Calcutta.
7. The City Book Company, Post Box No.283, Madras.
8. The Director, The Book Company, Limited, Book Sellers and Stationers, 4/4A, College Square, Calcutta.
9. The Manager, The Imperial Publishing Co., 99, Ry. Road, Lahore.
10. Messrs. Chapala Book Stall, Shillong.
11. Messrs. Sirbhumi Publishing Co., Calcutta
12. The Proprietor, 'Graduates Union,' Gauhati.
13. Mr. Banwarilal Jain (Book Seller), 1719/2002, Mati Katra, Agra (India).
14. Messrs. Low Book Society, 65/3, Harrison Road, Calcutta.
15. The Director, Benares Corporation, University Road, P.O. Lanka.
16. Messrs. Law Book Society, 4A, Wellington Square, Calcutta.
17. Messrs. Bodh Raj Marwah, Booksellers, Shop No.63, Pusa Colony Market, Delhi-Karof Bagh, New Delhi.