

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

The Assembly met at the Assembly Chamber, Shillong, at 11 a.m. on Thursday the 19th August, 1937

QUESTIONS AND ANSWERS

STARRED QUESTIONS

Number of passes held by opium eaters in Nowgong District

SRIJUT PURNA CHANDRA SARMA asked :

*133. (a) Will Government be pleased to state the number of passes held by the opium eaters in the district of Nowgong this year and those held by them in 1932-33 ?

(b) If there has been an increase and if so, what are the circumstances for which they have increased ?

(c) Will Government be pleased to state what is the quantity of opium consumed in the district of Nowgong during 1936-37 and what is its excess over the quantity consumed in 1932-33, if any ?

(d) Will Government be pleased to state whether the new pass-holders during 1932-33 and 1936-37 were produced before medical officers ?

*134. Will Government be pleased to state—

(a) which are the biggest opium shops in the province and what is the quantity sold in each of them ?

(b) What is the total consumption of opium in the province ?

(c) How many cases of smuggling have been detected during the last year in the district of Nowgong and in how many cases have there been convictions by Magistrates ?

*135. (a) Is it a fact that the officers of the Excise Department often persuade people to hold licenses and purchase opium from the shops and recommend them to the officers concerned to grant passes instead of dissuading them from the habit ?

(b) Will Government be pleased to state whether there is any opium shop in the plains of the district of Nowgong showing a decrease in consumption since 1932-33, and, if so, what is it ?

*136. (a) Will Government be pleased to state the total number of consumers of opium in the district of Nowgong and whether there are any to the knowledge of the Department who consume opium without holding passes, and, if so, what will be their number ?

(b) Will Government be pleased to state whether any cases have been detected by the officers of the department in Nowgong for consuming opium without licenses, and if so, how many are they during the last five years ?

(c) Is it a fact that licenses are granted to the applicant consumers on the same day of their applications and if not, how many days do they require to get the passes after their application ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY replied :

133. (a)—Four thousand three hundred fifty-two on 1st April 1937 against 10,966 on 31st March 1933.

(b)—Does not arise.

(c)—Thirty-one maunds 5 seers in 1936-37 as against 38 maunds 6 seers in 1932-33 which shows a decrease of 7 maunds 1 seer since 1932-33.

(d)—Yes.

SRIJUT PURNA CHANDRA SARMA: With regard to (d), is it a fact that these people were never examined by the Civil Surgeon, Nowgong?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: According to our information the Civil Surgeon examined some of them at least.

SRIJUT KARKA DALAY MIRI: What is the ration to the new license holders?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I cannot tell that just now.

SRIJUT PURNA CHANDRA SARMA: Is it a fact that many passes have been issued to young people by the Civil Surgeon on the recommendation of the officers of the department?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I am not aware of that, Sir. If that is done, I may say that it is not the policy of Government.

SRIJUT PURNA CHANDRA SARMA: Are Government prepared to issue a warning to all officers not to encourage young men to become opium addicts?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Government are against issuing any passes to young men.

SRIJUT KARKA DALAY MIRI: May I know the maximum ration, Sir?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The maximum ration fixed by the previous Government was $2\frac{1}{2}$ tolas.

THE HON'BLE REV. J. J. M. NICHOLS-ROY replied:

134. (a)—A statement is laid on the table.

(b)—Two hundred thirty-nine maunds 32 seers in 1936-37.

(c)—Twenty-one cases of which 17 ended in conviction.

STATEMENT REFERRED TO IN REPLY TO STARRED QUESTION
No.134(a) BY SRIJUT PURNA CHANDRA SARMA TO BE PUT
ON THE 19TH AUGUST 1937

LIST OF THE BIGGEST OPIUM SHOPS IN THE PROVINCE OF ASSAM

District	Subdivision	Name of shops	Estimated monthly sale
Lakhimpur	... Dibrugarh	... Chabua	... 15 srs. 8 ch.
"	... "	... Dibrugarh	... 10 srs.
Cachar	... North Cachar Hills.	... Haflong	... 11 srs.
Sibsagar	... Golaghat	... Borpathar	... 10 srs.
Khasi and Jaintia Hills.	Jowai...	... Umkarto	... 15 srs.

135. (a)—Officers of the Excise Department do not endeavour to increase the consumption of opium.

(b)—There are 23 shops in the plains of the district all of which show decrease in consumption since 1932-33.

136. (a)—Four thousand three hundred fifty-two on 1st April 1937. The number of persons taking opium without passes is estimated at about 400 to 500.

(b)—One hundred sixteen.

(c)—There is no time limit for this. The passes are granted by the Deputy Commissioner as soon as applications are received back from the Medical Officer with his recommendation.

SRIJUT PURNA CHANDRA SARMA: With regard to the latter portion of question No.136(a), may I know if there are any who consume opium without passes, and if so what is their number.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have already answered that it may be between four and five hundred.

KHAN BAHADUR MAULAVI KERAMAT ALI: May I know on what basis this estimate has been made?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That estimate has been made probably on the basis of those consumers who have been thrown out of the register on account of the fact that their rations have been reduced to a certain minimum, which cannot be reduced by 10 per cent. on the original amount.

KHAN BAHADUR MAULAVI KERAMAT ALI: Do the officers know as to which of these people are taking opium without license?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The officers must be suspecting that these people are taking opium, because they were opium consumers before and they must be getting it from somewhere.

KHAN BAHADUR MAULAVI KERAMAT ALI: Have any of these people ever been prosecuted?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: There were some who were prosecuted. Their number I think is about 116.

KHAN BAHADUR MAULAVI KERAMAT ALI: Why were not the others prosecuted?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Because they were not found out at the time when they possessed opium.

SRIJUT PURNA CHANDRA SARMA: Are all the 400 to 500 people referred to in answer to (a) suspects?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have already answered, Sir.

SRIJUT DEBESWAR SHARMA: With reference to the Hon'ble Minister's reply that it is not the policy of Government to encourage young people in opium addiction, will he be pleased to state how he proposes to make the Government policy known to the subordinate officers?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: It is already known to them.

SRIJUT DEBESWAR SHARMA: If they know it already, may I know if they are acting up to it?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: They are supposed to act up to it. If hon. members know any case in which they have acted otherwise I shall take the necessary action.

SRIJUT DEBESWAR SHARMA: Seeing that the policy of the Government has not been followed in almost all districts, will the Hon'ble Minister give an assurance to this House that this policy will be acted upon hereafter?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have already answered that, Sir. I said that the Excise staff is supposed to act according to the policy of the Government. If any hon. member of the House knows that any of them does not act according to that policy, we shall be very thankful to get that information in order to take the necessary action.

SRIJUT DEBESWAR SHARMA: It is not an undesirable state of things, Sir, that the whole burden of information is to be thrown on the House?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Government does all that it can do. And from all the information that we get I think that the policy of Government is being followed by the Excise staff.

SRIJUT DEBESWAR SHARMA: Are the subordinates supposed to know the policy ?

THE HON'BLE REV. J. I. M. NICHOLS-ROY: They already know it.

SRIJUT PURNA CHANDRA SARMA: Under what conditions are the passes issued ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: No passes are issued by the Government under any other conditions except under the recommendation of a medical officer, on the grounds of preservation of his health or of any disease.

SRIJUT PURNA CHANDRA SARMA: Are Government prepared to issue passes to these people who are called suspects ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Government is not prepared.

SRIJUT RAJENDRA NATH BARUA: In regard to the issue of opium passes to new addicts, was the method of Modi's treatment ever applied ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That question practically does not arise, Sir.

SRIJUT JOGENDRA NATH BARUA: Is the policy of the Government put done anywhere in the shape of a circular or in writing ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The circular was already issued by the previous Government to the Commissioner and all the Superintendents know this, and in every district there is that circular.

Recommendation of the Assam Provincial Retrenchment Committee and abolition of the posts of Deputy Superintendents of Police

SRIJUT SIDDHI NATH SARMA asked :

*137. (a) Will Government be pleased to state whether the Assam Provincial Retrenchment Committee of 1931 under the Chairmanship of the then Finance Member, the Hon'ble Maulavi Saiyid Sir Muhammad Saadulla, kt., M.A. B.L., recommended the abolition of the posts of the Deputy Superintendents of Police in Assam ?

(b) If the posts referred above have not been abolished will the Minister in charge do so now ?

*138. (a) Will Government be pleased to state what was the total amount of proposed retrenchment recommended by the said Committee on heads (1) Immediate Saving and (2) Ultimate Saving ?

(b) What recommendations of the said retrenchment committee were given effect to and what is the total amount saved thereby ?

*139. Do Government propose to give immediate effect to those proposals which were immediate but were not given effect to till now and to take further immediate steps for giving effect to other recommendations which were not given effect to ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

137.—Yes.

(b) & 139.—The hon. member is referred to the replies given to question No. 398 asked by Maulavi Abdur Rahman and to starred question No. 54 (a) to (d) asked by Srijut Debeswar Sharma at the current session of the Assembly.

SRIJUT SIDDHI NATH SARMA: Does the Hon'ble Minister in charge of Finance stick to the opinions given in the Retrenchment Committee's Report ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The matter will be discussed in the Retrenchment Committee that I am p.osing.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

138. (a)—(1) Rs. 20,73,679
 (2) 30,29,035

(b)—The hon. member is referred to Government Resolution No. 3414-F.(b), dated the 30th September 1931, published in Part II of the Assam Gazette, dated the 7th October 1931.

Census of cattle and buffaloes in Assam

SRIJUT SIDDHI NATH SARMA asked :

*140. (a) Will the Hon'ble the Minister in charge be pleased to state whether the Government of Assam has made any census of cattle and buffaloes in Assam ?

(b) If so, when was the last census made ?

(c) What was the census figure of—

(i) Cows,

(ii) Bullocks,

(iii) Calves,

(iv) Buffaloes—males, females, calves, separately in each district ?

(d) If the answer to question 140 (a) be in the negative, has the Hon'ble the Minister any other source of information from which the figure asked for in question 140 (c) can be given ?

(e) If the answer to question 140 (d) be in the affirmative, will the Hon'ble the Minister supply the figures asked for in question 140 (c) ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN replied :

140. (a)—Yes.

(b)—In 1935.

(c)— The following are the figures.

District	Cattle			(iv) Buffaloes		
	(i) Cows	(ii) Bullocks	(iii) Calves	Males	Females	Calve
Cachar	91,486	59,263	97,608	19,290	27,177	17,305
Sylhet	472,607	445,812	417,437	15,152	28,854	11,539
Goalpara	273,369	219,736	195,482	36,504	25,396	15,760
Kamrup	286,421	304,944	308,012	13,619	19,428	10,253
Darrang	197,550	156,392	167,417	44,307	34,368	28,497
Nowgong	123,734	142,656	128,796	17,930	13,628	14,059
Sibsagar	171,013	222,682	172,256	27,808	28,691	24,463
Lakhimpur	132,829	154,837	136,192	17,226	16,604	12,832
Sadiya Frontier Tract.	9,110	6,690	11,891	737	2,391	1,506
Balipara Frontier Tract.	1,26	1,039	1,096	390	571	579
Garo Hills (plains)	14,576	11,568	9,817	2,961	2,098	1,038
Total	1,773,961	1,725,619	1,646,004	195,924	199,206	137,831

THE HON'BLE THE SPEAKER: The practice hitherto followed is that when such statements form part of the answer to a starred question, such statements are laid on the table. I find this practice has not been followed in this case. I think that practice is far better; because if these statements are read in this way much time of the House is lost.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The reply to the starred question is to be given orally.

THE HON'BLE THE SPEAKER: But that part of the answer containing a statement of figures may be very conveniently laid on the table.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: If you be pleased to give a ruling like that we will be glad to place such figures on the table in future.

THE HON'BLE THE SPEAKER: Only the statements containing figures should be placed on the table and other answers to the starred questions should be given orally.

BABU RABINDRA NATH ADITYA: On a point of order, Sir. I think much time has been taken away by these figures. It reminds me of the story of counting stars in the sky. I would suggest that figures may be supplied to the member concerned. Other members are not interested in it. Time of the House may be saved in this way.

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN replied:

140.(d)—Does not arise.

(e)—The figures have been supplied.

SRIJUT SIDDHI NATH SARMA: Is the report published anywhere in the Government official reports?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Yes. In the Census Report.

SRIJUT SIDDHI NATH SARMA: Of which year?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: 1935.

Starting of Industrial Bank on Co-operative lines

SRIJUT JOGENDRA NATH BARUA asked:

*141. (a) Do Government propose to start an Industrial Bank on Co-operative lines to foster indigenous industries such as bell metal, etc., in the Assam Valley?

(b) Do the Registrar, Co-operative Societies, and Government propose to take steps to open such an institution?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN replied:

141. (a) & (b)—The Assam Development Board suggested in 1936 that steps should be taken for the establishment of an Industrial Bank in the province but the late Government was unable to take any action in the matter owing to lack of funds. The question of the establishment of an Industrial Bank will be considered by the present Government.

SRIJUT JOGENDRA NATH BARUA: Does the hon. member know that middle men take away most of the profits?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I am not aware of that, Sir.

SRIJUT JOGENDRA NATH BARUA: What is the policy of the present ministry in this matter with regard to starting of an Industrial Bank?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I have already replied, Sir.

Number of Military Officers and Force in Assam

SRIJUT KRISHNA NATH SARMAH asked :

*142. Will Government be pleased to state—

- (a) Number of Military Officers in Assam and the strength of the military force in the frontiers of the Province ?
 (b) Proportion of cost borne by the Provincial Government and Central Government ?

*143. Will Government be pleased to state—

- (a) Composition of Assam Valley Light Horse ?
 (b) Composition of Surma Valley Light Horse.
 What annual contribution is made by the Government for the upkeep, travelling allowance and other expenses of these bodies ?
 (c) Are there any Indian or Assamese in the Assam Valley Light Horse and Surma Valley Light Horse ?
 (d) Is it a fact that the Assam Valley Light Horse and Surma Valley Light Horse are composed mainly of European Tea Planters ? What is the total strength of each ?
 (e) What is the object of maintaining these bodies ?

*144. Will Government be pleased to state—

Whether the maintenance of these bodies is now necessary ? If so, will Government be prepared to disband the bodies or ask them to bear their own expenses ?

*145. Will Government now be pleased to train a batch of young men in the lines of Assam Valley Light Horse and Surma Valley Light Horse to fit them to defend their own hearth and home ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

142. (a)—The military officers in Assam and the military force on the frontiers of the province are entirely under the control of the Government of India, and this Government are not in a position to supply the figures required. The Assam Rifles are not a military force, but a branch of the Police in Civil employ.

(b)—No proportion of the cost is borne by the Provincial Government.

143. (a) & (b)—

	Active class		Reserve	
	Officers (including staff and supernumerary officers).	Rank and file.	Officers	Rank and file.
Assam Valley Light Horse.	36	552	...	101
Surma Valley Light Horse.	15	225	...	70

(These are the figures on the 1st April 1936.)
 No contribution is made by this Government.

MR. NABA KUMAR DATTA: Is there any Indian in the Assam Valley Light Horse ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: None, I have replied.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied:

(c)—None.

(d)—Yes.

Total strength of Assam Valley Light Horse—689

Ditto Surma Valley ditto —310

(e)—The defence of India in times of emergency.

144.—This is a matter for the Central Government. This Government are not competent to disband them.

145.—This Government have no power in the matter.

SRIJUT KRISHNA NATH SARMAH: Will Government make a recommendation to the Central Government for the training of young men of this province on the lines of Assam Valley Light Horse ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The Assam Valley Light Horse is not open to Indians.

SRIJUT KRISHNA NATH SARMAH: I mean independent organisation. I propose that a recommendation be sent to the Central Government for training a batch of young men of this province on the lines of the Assam Valley Light Horse.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Our young men are entitled to join the Indian Territorial Force. There is no branch of the Territorial Force here, but there is a class in the Universities of Calcutta and Dacca. Some of our young students join this forces.

Otto Niemeyer's Award

MR. FAKHRUDDIN ALI AHMED asked :

*146.(i) Is the Hon'ble Minister in charge of Finance aware of the fact that under Otto Niemeyer's award all the amounts due from the Government of Assam to the Government of India on account of debts prior to 1st April 1936, were wiped out ?

(ii) If so, will the Hon'ble Minister be pleased to state—

(a) the instalment of interest and principal due to the Government of Assam for the year 1935-36 ?

(b) whether the instalment mentioned in (a) was paid by the Government of Assam to the Government of India last year ?

(c) whether such other provinces which had contracted debts with the Central Government and which were wiped out in same way as Assam's debt under the said award paid the instalment last year to the Government of India on account of interest and principal ?

(d) whether the province of Assam is entitled to remission of the said instalment under Niemeyer's award in case it was paid last year ; if not, why not ?

(e) in case the Government is entitled to the said remission what steps does the Hon'ble Minister propose to take to claim back the amount of instalment in question from the Government of India ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

146. (i)—Yes, with effect from midnight of the 31st March 1937.

(ii) (a)—Trs.18,00. (Principal Trs.10,40, Interest Trs.7,60).

(b)—No, it was paid in 1935-36. The instalment due for 1936-37 (to which it seems the hon. member is referring) was Trs.10,46 principal and Trs.8,28 interest, total Trs.18,74, which was paid last year.

(c)—Government have no information, but it is presumed that they paid.

(d)—No. As such debts were written off from midnight of the 31st March 1937, the Government of India, who were approached in the matter in 1936, ruled that the instalments of principal and interest due for 1936-37 had to be paid.

(e)—Does not arise.

Headmaster of the Silghat Middle English School in Nowgong district

SRIJUT PURNA CHANDRA SARMA asked :

*147. (a) Will Government be pleased to state whether they received a reference from the Nowgong Local Board and the Commissioner, Assam Valley Division, with regard to the dismissal of the Headmaster of the Silghat Middle English School in the district of Nowgong by the Managing Committee ?

(b) Will Government be pleased to state when this reference was received and what reply has been sent thereto ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED replied :

147. (a)—The reference was made to the Director of Public Instruction who submitted the case to Government for orders on the 28th January 1937.

(b)—The Director of Public Instruction was asked to make a personal enquiry but has not yet been able to do so.

SRIJUT PURNA CHANDRA SARMA : Is it a fact that pending the decision of the Government the grant of the school is still kept under suspension by the Local Board ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : I do not know whether the case is still pending or not.

SRIJUT PURNA CHANDRA SARMA : Is it a fact that pending the decision of the Government the Headmaster is without employment from the date of suspension ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : I am not aware of the fact.

SRIJUT PURNA CHANDRA SARMA : When does the Local Government expect to give the reply ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : As early as possible.

Assam Public Service Commission

SRIJUT SIDDHI NATH SARMA asked :

*148. Will Government be pleased to state if they are prepared to advise His Excellency the Governor to abolish the present Public Service Commission of Assam as a measure of economy and to request the Federal Public Service Commission to serve the needs of this Province, as provided for in the Section 264(3) of the Government of India Act, 1935 ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

148.—No. The Federal Public Service Commission have expressed their inability to serve the needs of this Province.

SRIJUT SIDDHI NATH SARMA : Sir, rule 264(3) of the Government of India Act provides that the Public Service Commission for the Federation, if requested so to do by the Governor of a Province, may, with the approval of the Governor-General, agree to serve all or any of the needs of the province. May I know, Sir, whether the Federal Public Service Commission was requested ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Yes, Sir. We requested the Federal Public Service Commission in 1935 but they refused to take up our work. They said it would be neither economic, nor expedient nor efficient.

Cabinet meetings

BABU DAKSHINA RANJAN GUPTA CHAUDHURI asked :

*149. Will the Government be pleased to state—

- (a) If the Governor presided over any of the Cabinet meetings ?
- (b) If His Excellency interfered with any decision of the Ministry ?
- (c) If the answer be in the affirmative whether the Ministry consider that the spirit of the Government of India Act is being followed ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

149. (a)—Yes. The hon. member is referred to the reply given to Srijut Mahi Chandra Bora's question on the subject in this session of the Assembly.

(b)—No.

(c)—Does not arise.

BABU DAKSHINA RANJAN GUPTA CHAUDHURI : May I know the approximate number of meetings presided over by His Excellency the Governor ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I am sorry, I have not just now got the reply that was given to Srijut Mahi Chandra Bora's question. If I remember aright, the number of formal meetings presided over by His Excellency the Governor was eight up to 30th June 1937.

BABU DAKSHINA RANJAN GUPTA CHAUDHURI : Has the Hon'ble Chief Minister ever presided over any of the meetings ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, I had already replied this in answer to Srijut Mahi Chandra Bora's question that many times the Council of Ministers consulted amongst themselves in which the Chief Minister presided.

SRIJUT DEBESWAR SARMAH: Is the Hon'ble Leader of the House going to create a convention of having cabinet meetings without the presence of His Excellency the Governor, except in special circumstances?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The matter of presiding over the cabinet meetings is in the discretion of His Excellency the Governor himself. On many occasions His Excellency has told me that he may not come in many meetings and I will have to preside over the meetings, and actually I have presided over many meetings.

SRIJUT DEBESWAR SARMAH: On a point of personal explanation, Sir. Of course, Sir, His Excellency the Governor has got his discretion whether to preside over a meeting or not. We have got no hand in the matter. It entirely depends upon his discretion. He can also ask members of the cabinet to assemble in a meeting and he may preside over it. That is altogether a different matter. What I say is that whether the Leader of the House is going to start creating a convention of having cabinet meetings without the presence of His Excellency the Governor, except under special circumstances?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I have already answered that many times there were discussions amongst the Ministers themselves in which the Chief Minister presided as His Excellency the Governor was absent.

THE HON'BLE THE SPEAKER: The Hon'ble Minister means that it depends upon the discretion of His Excellency whether he should attend a meeting or not.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I can assure the House, Sir, that we never invited His Excellency to attend a meeting.

SRIJUT DEBESWAR SARMAH: How can His Excellency then come to preside over the meetings?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: His Excellency the Governor comes of his own accord to attend the meetings, in exercise of his powers in his 'discretion'.

MR. FAKHRUDDIN ALI AHMED: Is the Hon'ble Minister prepared to advise His Excellency that he should not preside over the meetings except under special circumstances?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: If my advice is sought in matters concerning His Excellency's 'discretion', then I am prepared to advise him accordingly.

KHAN BAHADUR MAULAVI KERAMAT ALI: Is the Hon'ble Chief Minister aware that in some provinces in which Congress ministries have been functioning the Governors are presiding over cabinet meetings?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, I have seen in the press report that in Madras His Excellency presided over the cabinet meetings.

THE HON'BLE THE SPEAKER: I think, the Hon'ble Chief Minister will do well to describe the procedure how a meeting of the Council of Ministers is held so that hon. members can understand the way in which His Excellency gets notice of a meeting and attends it.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: When any meeting of the Council of Ministers has got to be convened, the Chief Secretary issues a circular or a letter with the agenda to the effect

that there will be a meeting of the Council of Ministers on a particular date, time and place and as a matter of course, such a list of business goes to His Excellency the Governor. Then he comes and presides over the meeting. In many meetings of the Ministers he does not come and the Council of Ministers decides matters themselves.

SRIJUT DEBESWAR SARMAH: My friend Khan Bahadur Maulavi Keramat Ali may be told that there can be no analogy between the Congress Ministers and our present Ministers.

KHAN BAHADUR MAULAVI KERAMAT ALI: One is 'vision' and the other is 'sight'.

Appointments in the office of the Executive Engineer, Lower Assam Division

MR. FAKHRUDDIN ALI AHMED asked :

*150. Is it a fact that Government have issued orders to the Executive Engineer, Lower Assam Division that permanent vacancies of clerks in his office are to be filled by passed Accounts clerks ?

*151. If so, will the Hon'ble Minister in charge, Public Works Department be pleased to state—

- (a) When the said order was issued ?
- (b) How many clerks were given post in this office on a temporary basis and when these posts were given ?
- (c) Whether the said order will stand in the way of persons mentioned in (b) being made permanent ?
- (d) Whether the recognised minorities will not get adequate representation in the said office in view of the operation of this order ?
- (e) Whether he proposes to consider the cases of the temporary staff in the said office and take necessary steps for appointing them in these vacancies as far as possible ?

THE HON'BLE MAULAVI SAYID SIR MUHAMMAD SAADULLA replied :

150.—Yes.

151. (a)—In January 1937.

(b)—Five temporary and officiating clerks are serving in the Lower Assam Division, one from January 1933, one from May 1935, and three from October 1935.

(c)—Yes.

(d)—Any Minority community will get representation when qualified candidates from that community are available.

(e)—The names of these temporary and officiating clerks have been circulated to certain other Executive Engineers for consideration of their cases when filling up permanent vacancies in their offices.

QUESTIONS AND ANSWERS

UNSTARRED QUESTIONS

Expenditure of three offices of Deputy Directors of Agriculture

MAULAVI ABDUR RAHMAN asked :

401. Will the Hon'ble Minister in charge please state—

- (a) What is the annual expenditure of the three offices of the Deputy Directors of Agriculture inclusive of their pay and travelling allowances?
- (b) Whether they propose to give an impetus to Sugar Industry in Assam ?
- (c) What are the qualifications of the three Deputy Directors ?
- (d) Whether they are all graduates in Agriculture ?
- (e) Whether they have any research work to their credit ?
- (f) What are the qualifications of Inspectors of Agriculture ?
- (g) How many of them are graduates ?
- (h) Whether any one of them possesses any higher qualifications ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN replied :

401. (a)—The expenditure for the year 1936-37 inclusive of pay and travelling allowance is as follows—

	Rs		Rs.
Deputy Director of Agriculture, Upper Assam Valley.	18,301	including T. A.	2,035
Deputy Director of Agriculture, Lower Assam Valley.	17,939	,,	1,962
Deputy Director of Agriculture, Surma Valley.	20,480	,,	2,339
Total	56,720	...	

As the hon. member has asked about 3 offices it is presumed he did not intend to include the Deputy Director of Agriculture (Live Stock).

(b)—A Sugarcane Farm already exists at Jorhat. Government wish to give every possible assistance to the Sugar Industry.

(c)—Mr. L. Barthakur—studied Agriculture (with Chemistry as a special subject) in the Tohoku University Sappore, Japan, also studied sugar manufacturing for one season in Formosa.

Mr. Fazlul Haque—Diploma holder in Agriculture of the Poona Agricultural College.

Mr. Benode Behari Das—B.Ag. of the Poona Agricultural College.

(d)—No. [*Vide* answer to question (c)].

(e)—They are responsible for the experimental work on the Farms in their charge.

SRIJUT PURNA CHANDRA SARMA: With regard to (e) are the Officers subordinate to Deputy Directors of Agriculture all trained officers ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: They are all supposed to be trained officers.

SRIJUT PURNA CHANDRA SARMA: Will the Hon'ble Minister consider the proposal of starting an agricultural school in one of the circles if the officers are supposed to be all trained officers ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: We are considering the question of starting an agricultural school.

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN replied :

(f)—Inspectors of Agriculture (including the Livestock Section) and Farm Managers are included in one cadre and the following information relates to the whole cadre :—

No minimum qualification is prescribed. A few of the senior men who were appointed when Agricultural Colleges were few, hold certificates of a two years' course in Agriculture. But latter recruits are Diploma-holders or graduates of Agricultural Colleges. The Inspectors of the Livestock Section are holders of the Indian Dairy Diploma.

(g)—Eleven.

(h)—One of them completed a post-graduate course in Dairying and three are undergoing post-graduate courses of training at Pusa and Coimbatore.

Development of Industries in Assam

MAULAVI ABDUR RAHMAN asked :

402. Will the Hon'ble Minister in charge of Industries please state what is the gross annual amount spent by the Government for the development of Industries in Assam, during the last three years ?

403. Will the Hon'ble Minister in charge please state what cottage industries do Government patronise and support ?

404. Do the present Government propose to make a programme immediately for the gradual introduction and development of smaller industries in Assam ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN replied :

402.—Excluding expenditure under development schemes financed by the Government of India the expenditure has been as follows :—

						Rs.
1934-35	...	...	...	...	...	1,74,763
1935-36	...	...	...	...	...	1,85,460
1936-37	...	...	...	...	...	2,00,562

MR. FAKHRUDDIN ALI AHMED: Will the Hon'ble Minister be pleased to state what proportion of the total expenditure is spent towards the salaries of the officers ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I want notice of that question, Sir.

MAULAVI ABDUR RAHMAN: Is the Hon'ble Minister prepared to start an Industrial School in a proper centre of the province for popularising industry ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: The question of the hon. member is not clear to me.

KUMAR AJIT NARAYAN DEV: Do the Government propose to provide regular contributions to the private technical institutions of the Province ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Some of the private technical institutions are already being helped by Government.

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN replied :

403.—Government help by technical advice the two main cottage industries of the province, viz., Handloom Weaving and Sericulture. Government have also started Peripatetic Soap Demonstration classes to encourage soap industry on a cottage scale. Instructions are now given in Durry Weaving

at the Sylhet Technical School and fine Silk Weaving at the Government Weaving Institute, Gauhati. For the benefit of the handloom weavers arrangements have been made for instructions in Dyeing and Calico printing. Government also patronise cottage industries by purchase of the products of cottage factories such as Rubber Stamps, Inks, etc., when such articles compare favourably in price and quality with the articles Government used to purchase before. They also support cottage industries in deserving cases by industrial loans.

BABU HARENDRA NARAYAN CHAUDHURI: Sir, we find in the answer that Government also support cottage industries in deserving cases by industrial loans. Will the Government be pleased to place one or two instances where such help has been given?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I do not remember any instance now. If the hon. member wants I can give him the information later on.

BABU HARENDRA NARAYAN CHAUDHURI: The answer is there, Sir. "They also support cottage industries in deserving cases....."

THE HON'BLE THE SPEAKER: The Hon'ble Minister says that information can be supplied to the hon. member, if he wants, as to which industrial institutions are being helped.

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Will the hon. member please repeat his question?

BABU HARENDRA NARAYAN CHAUDHURI: I want to know one or two such cases in which Government has granted industrial loans?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I have already said I do not remember the exact instance, but I can give him the information afterwards.

SRIJUT RAJENDRA NATH BARUA: Is he prepared to give this information within the present session?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Yes, Sir.

SRIJUT PURNA CHANDRA SARMA: Do the Government consider the desirability that Government officers should purchase and use articles produced in these institutions of weaving and other cottage factories, by way of patronising and supporting those industries?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Does the hon. member mean in private capacity or in official capacity?

SRIJUT PURNA CHANDRA SARMA: Yes, in official cloak, in official dress.

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: In that case, I will say, we are already patronising those industries.

MR. KEDARMAL BRAHMIN: What steps have Government taken for the improvement and culture of Muga Industry in Kamrup?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: Does that question arise, Sir?

MR. KEDARMAL BRAHMIN: Yes, it is in connection with cottage industries; Muga is a cottage industry of Kamrup.

MAULANA ABDUL HAMID KHAN: Sir, গোয়ালপাড়া district এর লক্ষীপুর থানা, মান কাচর থানা, South Salmara থানা, মহেন্দ্রগঞ্জ থানা এবং ফুলবাড়ী থানার গবর্ণমেন্ট হইতে কোন শিল্প শিক্ষা দেওয়া হয় কি?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN: I want notice for that.

MAULAVI ABDUR RAHMAN: May I know whether Government is prepared to open classes attached to certain schools to give publicity to the indigenous industries of the province?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Does that question arise ? Moreover, the question is very vague—"to open classes in certain schools"—what schools ?

MAULAVI ABDUR RAHMAN : I want to know whether the Government is prepared to open in certain schools—selected schools—industrial classes ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : In high schools ?

MAULAVI ABDUR RAHMAN : Yes.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The question of adding vocational classes in high schools is being considered in the scheme of rural reconstruction.

SRIJUT GAURI KANTA TALUKDAR : Has the Government done anything so far to encourage spinning which is another cottage industry of the Province.

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : It is also done in the weaving schools.

SRIJUT MAHADEV SARMA : From the replies given, may I enquire how the Ministers are also patronising the products of cottage industries in Assam ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I am sorry to intervene again. The answer is quite clear under question 403. "Government also patronise cottage industries by purchase of the products of cottage factories such as rubber stamps, inks, etc., when such articles compare favourably in price and quality with the articles Government used to purchase before". What more can we say beyond that ?

SRIJUT GAURI KANTA TALUKDAR : Sir, I have not got an answer to my question. What Government has done to encourage spinning ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : It is already said that spinning is a part of the curriculum of the weaving school.

BABU HIRENDRA CHANDRA CHAKRAVARTI : The answer is "Government also patronise cottage industries by purchase of the products of cottage factories such as rubber stamps, ink, etc." May I know what sum Government has spent during the current year and in what way ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : Probably that does not arise, Sir. If it arises, I require notice.

SRIJUT PURNA CHANDRA SARMA : Are Government prepared to issue a circular to Government officers that all of them must purchase, as far as possible, articles from these weaving and other factories ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : I will see what I can do in the matter, Sir.

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN replied :

404.—Industrial development must necessarily be mainly a matter for private enterprise. Government will do all in its power to encourage such development.

KUMAR AJIT NARAYAN DEV : With reference to the answer given—"Government will do all in its power to encourage such development"—how do the Government propose to encourage such development ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN : We have got every desire to do it, and we will think out means how to do it.

Posts of Manual Instructors

KHAN SAHIB MAULAVI SAYIDUR RAHMAN asked :

405. Will Government be pleased to state when the posts of Manual Instructors were created in Assam ?

406. Will Government be pleased to state how many posts of Manual Instructors in the Assam School Service were created in the Province and in which of the schools ?

407. Is it a fact that vacancies in these posts have always been filled up by promotion of incumbents from the Lower Assam School Service to the Assam School Service ?

408. Is it a fact that Babu Devendra Nath Mahinta was promoted to the Assam School Service when appointed to the post of Manual Instructor, Dibrugarh Government High School, due to the resignation of Babu Sachindra Nath Chatterjee ?

409. Is it a fact that Babu Dwarika Nath Das was similarly promoted to the Assam School Service when appointed to the vacancy at Sylhet caused by the promotion of Babu Abinash Chandra Choudhury ?

410. Is it a fact that the Drawing Master at Karimganj who was formerly the Manual Instructor of the Dibrugarh Government High School is in the Assam School Service ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED replied :

405.—In 1914.

406.—Two. In the Government High Schools at Sylhet and Dibrugarh.

407.—Yes.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN : Is the Hon'ble Minister aware that the present incumbent of the Dibrugarh Government High School though recruited from the Lower Subordinate Service is still in that service ?

THE HON'BLE SHAM-UL-ULAMA MAULANA ABU NASR MD. WAHEED : I am not aware of that fact.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN : Is he prepared to take it from me that this is so ?

THE HON'BLE SHAM-UL-ULAMA MAULANA ABU NASR MD. WAHEED : Yes, I accept the statement of the hon. member.

KHAN SAHIB MAULAVI SAYIDUR RAHMAN : If so, is the Government ready to put him to the Subordinate Service, as has been done in other cases ?

THE HON'BLE SHAM-UL-ULAMA MAULANA ABU NASR MD. WAHEED : Yes, we shall consider the case.

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED replied :

408.—Yes.

409.—Yes.

410.—Yes.

Census of unemployed youths in Assam

BABU LALIT MOHAN KAR asked :

411. Will Government of Assam be pleased to state if they propose to take a census of the unemployed youths in Assam, who are either passed Matriculate or of higher educational qualifications and whose ages vary between 21 and 30 years, stating the district and the community to which they belong ?

412. Will Government be pleased to state if they propose to formulate and publish for general information a scheme for giving employment to the educated youths as aforesaid in agricultural and industrial undertakings ?

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN replied :

411.—No. A census of this nature presents almost insuperable difficulties. One was carried out in 1931 in connection with the ordinary census and proved a failure. The hon. member is referred to paragraphs 115 to 117 of Part I of the Assam Census Report, 1931. It may not be known to the hon. member that the late Government constituted an unemployment Enquiry Committee. A copy of the *ad interim* report of that Committee is laid on the Library table.

MAULAVI BADARUDDIN AHMED: Will the Government be pleased to state what is the nature of difficulties to take the census of unemployed youths ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The difficulties are, firstly, we will have to collect from district to district the members, looking for matriculates or those who have gone into higher studies than the Matriculation Examination and looking into their ages because the ages ought to be between 21 to 30 years, and also enquire separately for each community. These are the various difficulties.

SRIJUT JOGENDRA NARAYAN MANDAL: May I take it that the Government is not willing to take a census ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I have already stated "no".

BABU RABINDRA NATH ADITYA : Cannot the District Officers take a census ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : They can take it provided they are put on special duty and given a special staff.

BABU RABINDRA NATH ADITYA : Is the difficulty insuperable ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : It will be very expensive.

KHAN BAHADUR MAULAVI KERAMAT ALI: May I suggest that the Government may call for applications from unemployed youths ?

BABU KEDARMAL BRAHMIN : With an anna stamp ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The late interim ministry of Bihar, according to Press reports, started an information bureau, and if the House so desire, we can also open a register of unemployed youths.

BABU RABINDRA NATH ADITYA : Do the Government consider that they can tackle this question successfully ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I have already replied to the question of Khan Bahadur Keramat Ali that if the House desire that we should follow the procedure of Bihar and start an information bureau for unemployed youths in the Secretariat, we will take the matter into consideration.

MAULAVI DEWAN MUHAMMAD AHBAB CHAUDHURY: Will the Hon'ble Minister in charge include other unemployed youths also ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The original question is "Will the Government of Assam be pleased to state if they propose to take a census of the unemployed youths in Assam who are either passed matriculates or of higher educational qualifications ?" The supplementary question is going beyond that.

SRIJUT MAHI CHANDRA BORA: I have gone through the *ad interim* report of the Unemployment Enquiry Committee. Shall I be wrong in coming to the conclusion that this Committee could only solve the unemployment problem of some of the hon. members of this House.

THE HON'BLE THE SPEAKER: This is not a proper question ; and I cannot allow it.

SRIJUT MAHI CHANDRA BORA: My question is that there are some members of the Assam Legislative Assembly who are engaged in the enquiry, and they drew certain allowances, but ultimately the result was a big zero. Therefore my question is that it solved their unemployment problem.

THE HON'BLE THE SPEAKER: That makes it even more objectionable. The question is disallowed.

THE HON'BLE MAULAVI MD. ALI HAIDAR KHAN replied :

412.—As the hon. member will find from the list of new schemes in the Budget, a start will be made this year by opening an experimental training farm. Unemployed youths who wish to settle on the land will also be able to take loans on easy terms. The problem is not one capable of easy solution and it is necessary to proceed by experimental stages.

MR. BAIDYANATH MOOKERJEE: We find in the reply that "the problem is not one capable of easy solution and it is necessary to proceed by experimental stages". By this does the Hon'ble Minister mean to say that this Rs.1,500 was allotted after giving due consideration to its gravity ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: It is not merely on account of this that we have started this new scheme for agricultural colonies. This scheme was before the Government for a number of years, and ultimately a few youths were trained in the Jorhat Experimental Farm, and it is with a view to help these trained youths to settle on the land that this provision is made on the budget.

SRIJUT HALADHAR BHUYAN: Is the Hon'ble Minister aware of the Unemployed Youths Association of Nowgong ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I believe we have received a copy of their proceedings.

SRIJUT HALADHAR BHUYAN: Is it not a fact that some 2,500 bighas of land have been thrown open to some 50 young unemployed youths of the district on the lines suggested by the Unemployment Enquiry Committee of 1934, but not a single farthing has been advanced to them by way of a loan ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: We know that a colony was started by the previous Government and an area was thrown open.

SRIJUT HALADHAR BHUYAN: Do the Government propose to advance them any money by way of loans ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: If they apply when the present budget provision is passed, the matter will receive consideration.

SRIJUT GAURIKANTA TALUKDAR: For how long are we passing through that experimental stage ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Either my friend has misunderstood the reply or the hearing from that corner of the room is faulty. We trained some youths in the Jorhat Experimental Farm and we propose to settle them in the Kokilamukh colony.

SRIJUT GAURIKANTA TALUKDAR: What about the other unfortunate youths ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : If there is a demand for training in other centres we shall take that matter into consideration.

SRIJUT MAHADEV SARMA : Government can help in other respects also; this is not the only way. There are many other things besides agriculture.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : We are doing many things within the allotment of our funds. We are already helping small handicrafts by giving industrial loans.

MR. BAIDYANATH MOOKERJEE : The question was "Will Government be pleased to state if they propose to formulate and publish for general information a scheme for giving employment to the educated youths as aforesaid in agricultural and industrial undertakings?" The reply is "As the hon. member will find from the list of new schemes in the Budget a start will be made this year by opening an experimental training farm. Unemployed youths who wish to settle on the land will also be able to take loans on easy terms. The problem is not one capable of easy solution and it is necessary to proceed by experimental stages." But what about industrial affairs? There is not a word about that.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I find, Sir, the hon. member is quite correct that no information is given about other industries. But most probably the Department thought that as a definite question comes immediately after the reply to this question (question 418) they observed economy of words and thought there is no need to reply to that part of this question. The question is "Is the Hon'ble Minister in charge aware that bell-metal utensils are widely used, etc.?" The reply is "Stipends for training at Benares in brass and bell-metal work awarded from time to time according to the applications received. Applications for training in this industry should be addressed to the Director of Industries. Government are prepared to grant stipends to suitable candidates." Apart from that also Government are trying their level best to help students to take up industries for making soap, umbrellas, etc., and if anyone wants to start a small factory and seeks loan for the purpose and applies to the Director of Industries, Government will see that such loan is granted, but one thing is necessary that those applying for loans must be able to furnish security.

BABU KAMINI KUMAR SEN : Sir, the question No.412 is: "Will the Government be pleased to state if they propose to formulate and publish for general information a scheme for giving employment to the educated youths" Do the Government propose to formulate such a scheme?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Yes, the Ministry of Industries has asked the Director of Industries to submit a scheme.

BABU HIRENDRA CHANDRA CHAKRAVARTI : Do the Government propose to give sufficient lands to the people who receive training in these experimental training farms?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : If there is a demand in every district for training, yes.

MR. BAIDYANATH MOOKERJEE : Then am I to understand, Sir, that only the trained youths will get this assistance and no one else?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : If the hon. member has got any particular instance, let him apply and see whether Government is sympathetic to him or not.

SRIJUT RAJENDRA NATH BARUA : What is the proper number of these youths, Sir? I asked that question but it has not been answered.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : We trained about 18. But I do not know how many will settle on the land.

STATEMENT MADE BY THE HON'BLE SPEAKER REGARDING
PRIORITY OF CUT MOTIONS

THE HON'BLE THE SPEAKER: Before I call upon the members to start discussion of the demands, I want to point out one matter which the House should pay special attention to. Now, as our rule stands, it says that when a cut motion is to be taken up the cut motion which is highest in value should be taken up first. The other day I ruled that in discussing the cut motions we should proceed in the order in which the head to which they relate appears in the Budget. I decided to follow that procedure because I found it to be more convenient. Now, if hon. members will look into the list that is before them they will find that the cut motion which stands in the name of Mr. Fakhruddin Ali Ahmed bears the highest value. If we follow the procedure that is laid down in our rules then we are to discuss that motion first. This is a procedure which is quite different from the procedure which we followed the other day. And if we are to follow the procedure laid down in our rules, there will be some inconvenience caused which I want to point out. The inconvenience will be that discussions on motions which have been tabled under a particular head will be detached from one another. Suppose under head A there are ten cut motions, one of which is for Rs.100, one for Rs.10 and another for Re.1 only. And suppose there are also cut motions under some other head, one for Rs.500, one for Rs.50 and one for Re.1. If we proceed according to the value then we shall first have to discuss that cut motion the value of which is Rs.500 which may relate to a head other than A. Then again we should discuss the motion under A of the value of Rs.100. After that we should discuss a cut motion under D of the value of Rs.50 and then come back again to the cut motion under A. I believe the House would not like this inconvenience. Therefore I decided to take up the motions in the same order in which the heads to which they relate stand and that according to the values of the motions—first the cut motion of the highest value, then the next highest and so on.

I find that this is perfectly in accord with the practice obtaining in the House of Commons of the British Parliament. If we follow that procedure then I shall have to call upon Babu Rabindranath Aditya to move his cut motion which is of the highest value and which is No.4 in the list and relates to minor head A. There is also one peculiarity in the cut motions which have been tabled. Some members have taken the total of a minor head and proposed a cut motion on that. And some other member has taken an item out of the detailed items and proposed a cut motion for that. All these cut motions really relate to the head under which these detailed items are included. So I shall propose to take the cut motion which stands in the name of Babu Rabindranath Aditya. There is one point I would like to mention here. Hon. members will find that the cut motion No.3 of Babu Shibendra Chandra Biswas is on a minor head A and cut motion No.4 is also a cut motion on the same head. But the hon. members will find that there is a difference in the amounts mentioned in the two cut motions. The cut motion of Babu Shibendra Chandra Biswas gives the figure Rs.2,20,470 whereas the next cut motion gives the figure Rs.2,18,000. But if the hon. members will look into the Budget then they will find that the figure given by Babu Rabindranath Aditya is the correct figure and Babu Shibendra Chandra Biswas has taken a wrong figure and has not deducted the minus figures for probable savings. Practically these are the same cut motions under the same minor head and although it is marked No.3, No.4 should come first. Therefore, I call upon Babu Rabindranath Aditya to move his cut motion.

BABU HARENDRA NARAYAN CHAUDHURY : Sir, before we go to the cut motions, may I make one submission? The other day when the discussion regarding the abolition of Commissioners was going on, the Hon'ble the Finance Member informed the House that if the cut motion is carried, about 150 men will be thrown out. But from the Budget detailed estimate at page 69 I find that only 61 men will be thrown out. So, Sir, may I know if it is fair.....

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Is that 61 only clerks or including menials?

BABU HARENDRA NARAYAN CHAUDHURY : It includes servants. So, Sir, although the misstatement of the Finance Minister did not make any difference in the position as he was utterly defeated in the division, is it fair to the House that he should mislead it?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, my impression is that the total is 150. If hon. members will turn to page 69 of the Budget, they will find that there are two Personal Assistants, 36 clerks and 21 servants. Then there are two other clerks and also some copyists whose number is not shown separately. Then down below there is provision for pay of contingency menials. The number of such menials charged to contingencies is not shown under establishment. My impression is that all told the number is over 100. If my hon. friend wants the exact number, I can give him.

MR. BAIDYANATH MUKERJEE : That amount was not included in the cut motion.

SRIJUT PURNA CHANDRA SARMA : There are a few, Sir, which have reference to the principles of the land-revenue system, which I think, as the rules states, must come up in the agenda of this day's business, because the details have been treated otherwise and will be taken up after the principles of the land-revenue system.

THE HON'BLE THE SPEAKER : What is the number of the hon. member's motion?

SRIJUT PURNA CHANDRA SARMA : That is No.36* in the list. It is a cut motion on the principles of the land-revenue system and it must come first.

THE HON'BLE THE SPEAKER : That is a cut motion on the whole grant. There are also some other cut motions on the whole grant, for instance the motion which stands in the name of Srijut Kameswar Das, No.35. Really speaking Nos.35, 36, 37, 38 and 39 are all cut motions on the whole grant. If we follow the procedure which I have just now narrated, then the other rule which we shall have to follow and which was also in vogue in the old Council is that no motion shall be made for reduction of a grant as a whole, until all motions for omission or reduction of minor items within that grant have been discussed. If we follow that rule, this cut motion should come last, namely, after the motions under the minor heads are disposed of.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURY : On the previous day, Sir, a time limit was fixed. Will the Hon'ble Speaker please fix a time limit to-day also?

THE HON'BLE THE SPEAKER : That rule holds good to-day also—7 minutes for the mover, 7 minutes for the Hon'ble Minister replying and 5 minutes for each of the other hon. members.

*That the total provision of Rs.15,92,700 under grant No.1, Major head—7.—Land Revenue at page 27 of the Budget be reduced by Rs.100. (To raise a discussion regarding codification of land laws and revision of land revenue system.)

DEMANDS FOR GRANTS

GRANT No. 1

7.—LAND REVENUE

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.15,92,700 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1938, for the administration of the head "7.—Land Revenue".

The Hon'ble the Speaker put the motion to the House.

BABU RABINDRA NATH ADITYA: I beg, Sir, to move that the provision of Rs.2,18,000 under Grant No.1, Major head—7.—Land Revenue Minor head—Charges of Administration, Sub-head—A.—General Establishment, Detailed head—1.—Pay of officers (total) at page 29 of the Budget, be reduced by Rs.100. The purpose of this motion is to raise a discussion as to the oppressive method of ejection from lands claimed by Government as *Khash*.

Sir, in moving this motion, I submit that the methods of ejection adopted by the Government are often more harsh and more oppressive than those of private landlords. Those of us who are in favour of State landlordism must focus their attention on these oppressive methods oftentimes adopted by the Government in ejecting persons whom they think undesirable. Even if a person has a *bona fide* claim of right and if the Government consider that the land held by him should be taken in *khash* possession of Government, they will at once issue a notice to him to remove his fixtures, etc., from the land; and if he does not do it within the time specified, he is mercilessly evicted from the land and the structures and house are all demolished. That is the procedure generally followed. Now, if he makes a petition to the Revenue Officers who are judges in the matter asserting his claim, they will at once reject it and send their emissaries to demolish the house and drive the people out of the land. Government are privileged never to come as plaintiffs in these cases. It is the person aggrieved who has to go to the Civil Court for redress. But unfortunately no time, no opportunities and no facilities are given to the person for getting a declaration from the Civil Court, because if he issues a notice under section 80 of the Civil Procedure Code, the Revenue Officer at once levies a daily fine until he vacates the land. And perhaps if he still persists he is at once forcibly removed from it. I know, Sir, one instance of a man who had his holding in the village of Barthal, Pergannah Patharia. He was asked by the Revenue Officer, to remove his *buvo* paddy from a piece of land. A few days after that notice was served, his houses were totally demolished, although the notice stated that his *buvo* paddy was to be removed from a certain piece of land. The Revenue authority became all the more angry with him, because he served notice under section 80 of the Civil Procedure Code and wanted to seek relief from the Civil Court.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: On a point of information, Sir. Will the hon. member kindly let me know when this eviction took place and what is the name of the person?

BABU RABINDRA NATH ADITYA: The name of the person is Noyan Ram Das *alias* Noyan Ram Kopali and the eviction took place this year about a month or two ago.

In many other cases, Sir, when there is a dispute between Government and private owners, over any plot of land, Government at once take recourse to Rule 18 under the Land and Revenue Regulations and force the

person who is already in possession to take recourse to the Civil Court—and even facilities of the Civil Court are denied to him by the adoption of procedure already stated. So my submission is this: in these cases of ejectments when a claim of right is asserted by the person in possession sufficient facilities should be given to him to prove his claims and all proceedings should be stayed till the decision of the Civil Court is given. Generally the Revenue Officer just after the issue of the notice under section 18 of the Land Revenue Regulation takes all possible measures of oppression against the person until he is forced to vacate the land. I think the oppression done by the Government for getting possession of land is more severe than what other private proprietors would do. With these few words, Sir, I beg to move the motion for a token cut, with a view to effecting necessary modification of the rules of eviction.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, I want to raise a point of order. This cut motion relates to the pay of the establishment and the cut can be effected only if the hon. member can prove that any particular officer has infringed the rules laid down in the Land and Revenue Regulation. So far as we have heard from the hon. member no such allegation has been made. He has only referred to the measures adopted by the officers allowed by the rules. I therefore submit, Sir, the motion is out of order. My hon. friend has not said that any particular officer has done anything in excess of the rules laid down.

THE HON'BLE THE SPEAKER: I do not know if the hon. member can start a discussion about the rules which have been framed by the Government. But will the Hon'ble Minister tell me how a member can criticise the administration of these rules?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: He can resort to two procedures. Either he can bring a motion saying that the rules are not satisfactory, or he can bring a censure motion on the Government for not amending it.

THE HON'BLE THE SPEAKER: In budget discussion in what way a censure motion is to be moved?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: If these rules are not satisfactory steps may be taken for amendment of those rules or if the hon. member wants to find fault with the Government for not amending the rules a censure motion can be brought. If the rules are unsatisfactory he cannot punish an officer for carrying out those rules.

THE HON'BLE THE SPEAKER: It is not a question of punishment but a question of censuring Government.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: It is curtailing the pay of the officers. That is a sort of punishment.

THE HON'BLE THE SPEAKER: This is only a token cut. I think the hon. members may choose any item which they like for the purpose of bringing that discussion.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: In the Land Revenue Regulation there are rules for carrying out an ejectment. I think I would do well in reading certain passages of that rule. Rule 18 reads as follows:—

- “(1) Subject as hereinafter provided, the Deputy Commissioner may eject any person from land over which no person has acquired the rights of a proprietor, landholder, or settlement-holder.
- (2) When such person has entered into possession of land that has previously been reserved for roads or roadside lands or for the grazing of village cattle or for other public purposes or has entered into possession of land from which he has been excluded by general

or special orders and when, further there is no *bona fide* claim of right involved, he may be ejected or ordered to vacate the land forthwith, and the Deputy Commissioner may sell, confiscate or destroy any crop raised, or any building or other construction erected, without authority on the land

- (3) In all other cases ejection shall be preceded by service of notice requiring the occupant to vacate the land within three months and to remove any buildings or fences which may have been raised on such land, subject to the proviso that crops actually growing on the land may be allowed to remain till they are ripe for harvest. Any buildings, fences or crops which have not been removed in accordance with such notice may be sold by order of the Deputy Commissioner, provided that the sale proceeds shall, after the deduction of any amounts due on account of process fees or cost of sale, be paid to the person who is ejected under this sub-rule.
- (4) Any person or persons required by notice to vacate under the last preceding sub-rule the land which the person or persons occupy, shall comply with the requisition within the time prescribed in the notice running from the date of its service.
- (5) Any person or persons intentionally disobeying an order or requisition to vacate under sub-rule (2) or (3) shall be liable to a penalty which may extend to Rs. 200 and in case such disobedience is continued to a further penalty which may extend to Rs. 50 for each day during which such breach continues."

The hon. member will admit that such a rule is necessary in order to prevent unauthorised occupation of Government land. We have found, for instance, in the Assam Valley districts that sometimes it has been necessary to resort to the provision of this section in cases where some persons enter into unauthorised occupation of land. This is generally found in the case of grazing grounds and forest reserves where these people squat into and by doing so they think that they have got a right from which they cannot be ousted. They purposely disobey orders of the Deputy Commissioner and therefore such procedure has to be resorted to. I quite admit that in some cases the provision of this rule may be violated, and if the hon. member can give me any specific instances where the people have been unduly harrassed, the matter will be carefully considered and would be brought to the notice of the Deputy Commissioner concerned. Government are always prepared to make inquiry in cases where the rules have been violated. Nobody in this House will say that this rule is not necessary. It has been necessary and found to be useful. If the hon. member will indicate in what way this rule should be amended Government will take such proposal into consideration. If any hon. member brings any proposal or amendment Government will see what they can do. Unless the House specifically directs in what way they want the rule to be amended, I think it will be unwise for the House to pass this motion.

As regards other points, unless any hon. member does make any specific allegation against any particular officer, I think it will not be wise or proper for any member of this House to agree to this cut motion. So I oppose this motion.

BABU RABINDRA NATH ADITYA: I do not deny the necessity for such a rule. All that I say is that when there is a *bona fide* claim.....

THE HON'BLE THE SPEAKER: Is the hon. member giving a reply ?

SRIJUT KRISHNA NATH SARMAH: About the alleged infringement of this rule in my own constituency at Jorhat there is a large number of people whose standing crop was damaged.....

THE HON'BLE THE SPEAKER: If hon. member wished to speak he should have spoken before the Hon'ble Minister had replied.

I put the motion to vote.

The motion was put and lost.

THE HON'BLE THE SPEAKER: After this cut motion, I should take up the cut motion standing in the name of Srijut Sarveswar Barua. The hon. member has combined both A and B. He mentions a sum of Rs. 4,37,452 which is the total of A and B. It will be quite sufficient if he speaks on (A) only.

SRIJUT SARVESWAR BARUA: Sir, if necessary, in order to bring my motion before the others in the House, I would like to make the correction.

THE HON'BLE THE SPEAKER: The hon. member may take 3 lakhs 40 thousand.

SRIJUT SARVESWAR BARUA: Sir, I beg to move that the provision of Rs. 3,40,076 under Grant No. 1, Major head—7.—Land Revenue, Minor head—Charges of Administration, A—General establishment, at page 27 of the Budget be reduced by Rs. 2.

Sir, the object of my motion is to raise a discussion about the progressive enhancement of land revenue which falls due in certain districts this year.

Sir, it may not be understood by many hon. members in this House what is meant by this progressive enhancement of land revenue. The last resettlement operations were taken up in this province in the year 1923-24. In Kamrup and Sibsagar this resettlement operation was taken up in 1923-24. The present economic depression did not set in in 1924. The economic condition of the people was very good and the post-war prices of local produce were there and people were getting a fair return for their agricultural produce. Since then, however, Sir, things have changed. But by the time the settlement operations of Kamrup and Sibsagar were completed the economic depression had not yet set in. The settlement operations of Kamrup and Sibsagar districts were completed in 1928. The result was, Sir, that in view of the prosperity of the people—resultant on the rise of prices after the War Government thought it wise to enhance the land revenue and increased the assessment in those two districts; and as a result the increase in the Kamrup and Sibsagar districts was effected to the extent of 20 per cent. and 19 per cent. respectively. That was an increase on the total revenue of the district. But in individual cases increase took place even to the extent of 100 per cent. in some cases and in town lands even more than 10 or 15 times; nay, more exorbitant assessments took place in certain towns. Sir, I think, at that time Government little thought that this depression was coming and the raiyats were also not aware of it. But even then they were not idle. They raised vehement protests against this. In those cases where enhancement amounted to more than 25 per cent. of the original assessment, Government proposed to introduce the enhancement by gradual stages, that is, a progressive enhancement of 25 per cent. at intervals of five years. The entire amount that was to be increased over the original assessment was divided into four parts and it was to take effect at stages of five years' interval. Sir, after that the settlement of Darrang and Nowgong districts were completed in the year 1932. There also Government effected similar enhancements in assessments of land revenue. Perhaps they were at that time under the impression that the economic depression that set in, was only a passing

phase ; that it would pass very soon and that at the time people would be expected to pay the first instalment of enhancement the normal conditions would return. As a matter of fact, Sir, this assumption has been belied by facts. We are now in the midst of the depression which began in 1930. From the last year's Land Revenue Administration Report it appears that the prices of paddy rose slightly in certain places but there was no appreciable improvement in those of other commodities. The prices of fish and milk remained fairly constant. Wages continued low and there was no dearth of labour. There was very little appreciable change in the material condition of the people. Food was plentiful everywhere but ready cash was still scarce. The position of the raiyat is no worse but recovery is slow and will take time. Land in the villages has by no means recovered its correct value and either fetches low offers or none at all with the result that the credit of the cultivating class is low and money hard to obtain.

Sir, such things are still prevailing in many districts and if progressive enhancement of land revenue is now enforced it will be very difficult for the poor people to pay it. Sir, that the condition of the raiyats has not yet improved will be apparent from the reply to a question which was put by my hon. friend Srijut Rajendra Nath Barua the day before yesterday. It appears from the answer that the number of warrants for attachments and the number of estates notified for sale were still increasing in some districts. Of course, Sir, we are now concerned with two districts—I mean the districts of Darrang and Nowgong. In Darrang in 1928-29, 3,358 warrants for attachments were issued but in 1933-34 the number rose to 7,579 ; in 1934-35 it was 7,699 and in 1935-36 it rose to 8,103. Again the number of estates for sale in 1928-29 was 34 in 1933-34 it came to 1,215 and in 1934-35 it rose to 3,666 ; in 1935-36 it was 8,650. Similarly, Sir, in Nowgong the number of estates notified for sale in 1928-29 was only 85 ; the number of estates notified for sale in 1928-29 was 2,230 ; in 1933-34 it was 1,615 ; in 1934-35 it again rose to 2,986. Sir, if the conditions of the people had improved, certainly there would have been a definite fall in the number of warrants for attachments and in the number of estates for sale.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: On a point of information Sir, which district the hon. member means ?

SRIJUT SARVESWAR BARUA: I mean the districts of Darrang and Nowgong.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I am not aware whether the progressive enhancement of land revenue will come into operation in the districts of Darrang and Nowgong.

SRIJUT SARVESWAR BARUA: I think we have heard from the Hon'ble Revenue Minister that progressive enhancement of land revenue is going to be introduced in the districts of Darrang and Nowgong.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: No, Sir. It is only in case of Lakhimpur district.

SRIJUT SARVESWAR BARUA: I am sorry Sir, if it is our turn, Sir, I will deal with figures for that district. In Lakhimpur district the number of estates notified for sale in 1928-29 was 250 ; in 1933-34 it rose to 1,223 ; in 1934-35 it was 1,427 and in 1935-36 it was 1,680. It was rising gradually. There is no signs of economic depression coming down ; rather it is going up year from year.

Now, Sir, the number of warrants for attachments issued in 1928-29 was only 3,697; in 1933-34 it was 8,655; in 1934-35 it was 6,409; in 1935-36 it was 9,329. This shows, Sir, that in the districts the condition of the people is not getting better and so it is not possible for the poor people to be able to pay the enhanced land revenue. Moreover it is also not justifiable on the part of Government in the present condition to make demand on the people to pay land revenue at an enhanced rate. It may be argued, Sir, that the progressive enhancement of land revenue will continue in those districts where it has been already introduced. Sir, I feel pity for the people of those districts and I cannot but sympathise with their condition. So, Sir, I would request this House as well as the Government to reduce the land revenue in Kamrup and Sibsagar districts to the level that was obtaining in 1930 and in Nowgong and Darrang districts to the level that was obtaining before 1934.

Sir, as the hon. members are aware, only the other day we discussed on the floor of this House that these are not the days for the enhancement of taxes and the majority of the hon. members including us here voted for the reduction of the local rate in the discussion of the Local Rates Bill. So, Sir, I think the hon. members would also support this motion to-day.

THE HON'BLE THE SPEAKER: The motion moved is that the provision of Rs.4,37,452 under grant No.1, major head—7.—Land revenue, minor head—Charges of Administration (total), at page 27 of the budget be reduced by Rs.2.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Here again I am constrained to raise a point of order. You will be pleased to remember that on an objection raised by us as regards the admissibility of certain motions, you said that such objections shall be discussed and decided on the floor of this House, and therefore Sir, I have got to bring to your notice that this motion is entirely out of order. The motion intends to urge the stay of progressive enhancement of land revenue falling due in certain districts.

Now, Sir, progressive enhancement of land revenue is made under the provisions of certain law, and it is impossible for this Government to arrest the process of that law. I would refer the hon. member to section 12 of the Assam Land Revenue Re-assessment Act, 1936. Now, Sir, under section 12 of the said Act the enhancement which is made is to be graduated by some progressive method, and it is impossible for Government, even if it wants to do, to arrest that progress.

SRIJUT SARVESWAR BARUA: Not even by amendment of the Act?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: That is another matter. This Act came into operation only last year. The provisions of this Act are absolutely clear. If this motion aimed at particular amount of remission in Lakhimpur district on the ground of economic condition there, it would have been in order. But it does not want any particular remission; it wants that the provisions of the Act should be stayed. Section 12 of the Act reads thus:—

“12 (1) If the total revenue assessed under this part on all the estates held by the same owner or set of co-owners within any assessment group exceeds the former revenue on the same area and the revenue as thus enhanced exceeds Rs.12, then subject as hereinafter provided:

- (a) in any case in which the enhancement exceeds 25 per cent. but does not exceed 100 per cent. of the old revenue, it shall be effected gradually by quinquennial increments each not exceeding 25 per cent. of the old revenue;

(b) in any case in which the enhancement exceeds 100 per cent. of the old revenue, the case shall be referred to the Local Government for orders.

(2) When the old revenue is less than Rs.12 and the enhanced revenue exceeds Rs.12 the old revenue shall be taken to be Rs.12 for the purpose of applying sub-section (1).

(3) It shall be the duty of the Settlement Officer, at the time of offering settlement, to endeavour to give effect to the concession mentioned in sub-section (1) and in case of omission, it shall be open to the settlement-holder to apply for it to the Settlement Officer within one year of the offer of settlement."

Now, Sir, to this law we are bound to give effect ; we cannot stop giving effect to it. The only thing we can do is that we can grant additional remission to the district of Lakhimpur on the ground of any peculiar circumstances there, which may be brought forward, but the recommendation made by this notice it goes contrary to the provisions of the Act and, therefore, the motion is out of order.

THE HON'BLE THE SPEAKER: I think the point of order wanted to be raised should have been raised before the motion was moved. However as it has been raised now I will allow a discussion over it.

SRIJUT SARVESWAR BARUA: I have to point out one thing, Sir. The Hon'ble Revenue Minister has rather misread the law. The law does not say that there shall be increments. Increments shall not exceed certain percentage ; that is what is provided in the Act. And even, if it is deemed necessary, the Act can be amended by Government if they so wish.

Sir, here the maximum limit has been fixed at 25 per cent. and the minimum has not been fixed by that provision of the Land Revenue Re-assessment Act. Therefore, Sir, I think he has taken advantage of his own misreading of the law.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: On a point of information, Sir. Did not the hon. member agree to the passing of this law ?

SRIJUT SARVESWAR BARUA: Yes, I agreed to the passing of that law. But I see that the interpretation put by the Hon'ble Revenue Minister is not correct.

MAULAVI ADDUL MATIN CHAUDHURY: May I point out, Sir, that the motion is perfectly in order, because progressive enhancement of land revenue, is in operation and the only way in which the House can record its disapproval of the policy is by a cut motion. The hon. member has adopted quite a parliamentary procedure to give expression of the House to the disapproval of the policy. I think the motion is in order.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, this motion does not say anything about realization of land revenue. This motion only wants—hon. members will please mark the words—"to urge the stay of progressive enhancement of land revenue due". There is no question of realization of land revenue here. It only aims at qualifying the provisions of the Land Revenue Re-assessment Act.

THE HON'BLE THE SPEAKER: It is a well-known parliamentary practice that when there is a grievance, that grievance can be brought forward by a cut motion on the relevant demand.

The Hon'ble Revenue Minister says that there is a procedure laid down in the law which prevents them from giving effect to the proposal, which has been brought forward by this cut motion and, therefore, the motion is out of order.

Now, the object of this cut motion is, as stated in the list, "to urge the stay of progressive enhancement of land revenue falling due in certain districts". The hon. mover of this motion has made it quite clear what his real object is. Now, if the Government find that they are unable to give effect to the matter that has been pressed on their attention on the ground that there is a law, it is up to the Government to come forward with a proposal to change the law. Now, that is a matter which the Hon'ble Minister can say in reply to the arguments put forward—"Well, we cannot do it", or "we can do it only by changing the law". But that does not show that the cut motion should be held to be out of order. So I think, when the object of the motion is to press upon the attention of the Government a certain procedure, if Government find that procedure cannot be adopted according to the existing law, it is up to Government to come forward and say "we cannot give effect to it". On the other hand if Government find that there is some reason behind the matter, that has been pressed upon their attention, it is up to them to say "we are going to do it". If they are not going to do it, they can give arguments, but they cannot say that the motion is not in order. The object really is to press upon the attention of Government that there is the necessity of changing the law in order to give the relief asked for.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I bow down to your ruling, Sir. There is one thing which I wish to make clear for my future guidance. As far as I know, Sir, there is a motion for abolition of capital sentence in this Province. The law is there and so long as it is in force, we can do nothing.

THE HON'BLE THE SPEAKER: But there is an agitation in the country for the abolition of capital sentence. If any hon. member wants to discuss about it and press upon the attention of the Government the desirability of abolishing capital sentence he is entitled to do so.

SRIJUT RAJENDRA NATH BARUA: Sir, I rise to support the motion of Mr. Barua on two grounds. I would only say that during the last three years in the district of Lakhimpur two Mauzadars have been dismissed for being unable to realise heavy arrears. This will show that the people of that district were absolutely economically deficient, and they are very poor in that part of the district.

Secondly, if we take the price of paddy per maund, we find, Sir, that decrease. It was Rs. 2-12 per maund in 1934, in 1935 it was Rs. 2, and the same figure holds good for 1936.

KHAN BAHADUR MAULAVI KERAMAT ALI: What about Jorhat?
SRIJUT RAJENDRA NATH BARUA: I am speaking of Lakhimpur. I find also that the price of pulse in 1934 was Rs. 3 per maund in 1935 it went up to Rs. 3-10 per maund, but in 1936 it again came down to Rs. 3-9 per maund. So, here also there is a gradual tendency of decrease in prices. Taking these two things into consideration I think, Sir, that the condition of the people in that district has not improved. So they deserve to be helped. With these few words I support the motion.

[The House then adjourned for lunch.]

[After lunch.]

POINT OF ORDER RAISED BY THE HON'BLE CHIEF MINISTER REGARDING THE LEGALITY OF CERTAIN CUT MOTIONS

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, before we carry on the discussions now going in the House I would like to raise a point of order on a very important matter. The point is not free

from difficulty but we have gone into the matter very carefully and also consulted legal opinion, and I would like to place my point of order before you.

In the demands for grants, we see a large number of cut motions, both symbolical and for total refusal, are being tabled on individual items of Demands for Grants. My submission to you is that such cut motions are *ultra vires* of the law. Hon. members are aware that in the Government of India Act, 1919, there was a difference as regards cut motions on demands for grants between the Central Assembly and the Provincial Councils. I place before the House the relevant section, 67A(6). "The Legislative Assembly may assent or refuse its assent to any demand or may reduce the amount referred to in any demand by a reduction of the whole grant". I will emphasize the word *whole*. The then Legislative Assembly was not given the power to move cut motions in each individual item of any demand, but section which applied to the local Councils is 72D(2) which runs as follows:—"The estimated annual expenditure and revenue of the province shall be laid in the form of a statement before the Council in each year, and the proposals of the Local Government for the appropriation of provincial revenues and other moneys in any year shall be submitted to the vote of the Council in the form of Demands for Grants. The Council may assent, or refuse to assent, to a demand, or may reduce the amount therein referred to either by a reduction of the whole grant or by the omission or reduction of any of the items of expenditure of which the grant is composed".

By that section the present procedure.....

THE HON'BLE THE SPEAKER: What section is that?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Section 72D, sub-section (2). Under that section cut motions for each item of expenditure of which a grant is composed was allowed. But under the Government of India Act, 1935, the legislators seem to have intentionally withdrawn that power. I refer to Section 79(2) which reads as follows: "So much of the said estimates as relates to other expenditure shall be submitted, in the form of demands for grants to the Legislative Assembly and the Legislative Assembly shall have power to assent, or to refuse to assent to any demand or to assent to a demand subject to a reduction of amount specified therein". The procedure in vogue before for making a cut on items of expenditure has been withdrawn under this section. I find corroboration of this view from our Legislative Assembly Rules also. Our rule, the Assam Legislative Assembly Rules, Part II, rule 91, sub-rule (2) says that motions may be moved at this stage to refuse or reduce the total amount of any demand for grant. This clearly shows that cut motions on individual items of expenditure are not allowed according to present law. I find, Sir, that this was the procedure in the Central Assembly. There the House is allowed only to indicate its wish on particular questions of policy but the House is not allowed to attack each individual item of expenditure. For example, they cannot say whether a clerk should be retrenched here or a choukidar appointed there. I am told, Sir, that a similar procedure obtains in the House of Parliament.

My submission, therefore, is that this question requires very careful consideration from you and also the careful consideration of the Hon'ble House. If I am correct in my contention that the cut motions as have been tabled now are not within the purview of the Government of India Act, 1935, I do not ask for a ruling at once, but I hope, Sir, you will take your time to consider and give your considered verdict. So far as the

proceedings of to-day are concerned, where there is a minor cut of a small amount raised in order to bring to the pointed attention of Government any grievance, I will not object. If there is a cut motion for the total abolition of any particular item, then I will request for a ruling on the point.

MR BAIDYANATH MOOKHERJEE: Then, Sir, what is the meaning of all these specifications here, in the cut motion form. Major Heads, Minor Heads, Sub-heads and so forth? These are all misleading things then. Of course I am ready to be corrected, Sir.

SRIJUT GOPINATH BARDOLOI: If it is the intention of the Leader of the House that the matter should be discussed at length, I think, Sir, it is much better if you fix an hour when this matter may be discussed unless a ruling can be given now.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I have already suggested that, Sir.

THE HON'BLE THE SPEAKER: If the hon. members are not ready to discuss that now, that may be done to-morrow. What I understand from the Hon'ble the Finance Minister is this. His contention is that the House is quite entitled to reduce the main demand by any amount they like. As for instance, the House agreed the other day to a reduction of Rs.78 thousand odd. His contention is that that reduction can be allowed but the House is not entitled to say that this Rs.78,000 odd should be reduced in this way or that, as in this case by abolishing the establishment of the Commissioners. His point is that this reduction will stand, but the desire of the House that this reduction is intended for the purpose of refusing the staff or abolishing the staff of the Commissioners is not to be heeded to. The procedure adopted being against sub-section (2) of section 79 of the Government of India Act the whole thing is *ultra vires*. I think that is the point raised.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Yes, Sir. We cannot raise a cut on each individual item but we can reduce the total grant by a particular motion.

THE HON'BLE THE SPEAKER: I think his further point is that when the House proposed to reduce the main demand by a big sum as for instance by Rs.78,000, the reduction that was effected the other day, the House was also entitled to discuss that such and such item should be reduced; but that is not binding on Government: this is the point of order he has raised. That is a very important one and should be looked into. If the hon. House wants that it should be discussed now, then the House may do so. If the House wants time, I think to-morrow morning may be given for the purpose. I shall also think over the matter and give my ruling.

KHAN BAHADUR MAULAVI KERAMAT ALI: I think we shall take it to-morrow afternoon.

THE HON'BLE THE SPEAKER: Yes, to-morrow is Friday and we shall take it up after questions.

RAI BAHADUR PROMODE CHANDRA DUTTA: It seems that the Government have realised their position now. We would like to have some time to discuss this question. All these days we have been discussing the motions. But all of a sudden as soon as we have effected a big cut, Government have thought that they must have power in their hands.

THE HON'BLE THE SPEAKER: That is the instinct of self-preservation and Government must be prepared to protect their own clerks from extinction.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I quite admit that this point did not strike me so forcibly originally. But when a major cut was made the other day, although I was doubtful about

the legal position, I had no time to give my full consideration to it and refer to the relevant sections. Luckily the Auditor General also was here yesterday and we discussed the point, as I thought it was a very important matter which needs looking into and we consulted the Government of India. Therefore, my hon. friend who once occupied a place in the Cabinet and who knows well that we have to consult various matters before coming to a decision, is not justified in saying that it is because of an instinct of self-preservation that we have risen to-day to draw the attention of the House to this important question.

RAI BAHADUR PROMODE CHANDRA DATTA: That remark has fallen from you, Sir, not from me. However, it comes to this. We can make a lump reduction within a demand but we cannot point out what that reduction should be. That seems to be *reductio ad absurdum*.

DEMANDS FOR GRANTS 7.—LAND REVENUE

SRIJUT LAKHESVAR BAROOAH: Sir, I shall be failing in my duty if I do not speak a few words on this important motion. Sir, the temporarily-settled districts of Assam are subject to successive enhancements of revenue along with successive settlements and for this the policy has received well merited condemnation for the last ten years on the floor of this House from many hon. members. The other day the Hon'ble the Revenue Minister pointed out to the House the conditions under which enhancements of rent are justified. The main conditions are, first, the comparative increased value of the agricultural products, second, the increased productive capacity of the soil resulting in the increased output from the soil and thirdly the increased facilities given to the agriculturists for marketing their agricultural products. These are the three conditions under which enhancement of land revenue may be made. These I think are provided for in the Resettlement Manual—I am open to correction, Sir. So far as Assam Valley is concerned, not a single one of these conditions existed at the time of the last settlement. On the contrary the price of agricultural produce was found to be reduced by 50 per cent. all over the province. Paddy is the only commodity by selling which agriculturists get some money. The price of paddy has been reduced by 50 per cent. Rice that was sold at 10 seers per rupee in 1912, i.e., at the time of settlement before last was sold at 16 to 20 seers for a rupee at the time of the last settlement. The productive capacity of the soil has decreased considerably. Not a single pie from the provincial coffers has been applied for increasing the productive capacity of the soil. Not a single pie from the provincial coffers has been spent for improving village communications. In spite of these patent facts the revenue was enhanced by 25 per cent. and in some centres it was enhanced by a thousand per cent. So far as Tinsukia is concerned, the revenue was enhanced from Rs.10 to Rs.220 per bigha.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Is that in the town area or in the rural area?

SRIJUT LAKHESVAR BAROOAH: It is a town area.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: And that in the market place?

SRIJUT LAKHESVAR BAROOAH: It may be, Sir.

Sir, I understand from the Hon'ble Revenue Minister that he is going to apply the progressive enhancement in Lakhimpur, which I think is the poorest district in the whole province. Financially, educationally and in other respects it is the most backward district in the whole province. Opium has eaten into very marrow of the people of the Lakhimpur district. Lakhimpur consumes the largest amount of opium purchased by Hon'ble the Minister for Excise. In view of these facts my humble request

to the House is that they will consider the motion very carefully and stay the application of the realisation of enhanced revenue in this poor district. With these words I appeal to the hon. members to support the motion of my friend Srijut Sarveswar Barua.

Srijut MAHI CHANDRA BORA: Sir, I should like to add only a few words to what has already been spoken by my hon. friend from Lakhimpur, especially with reference to the town of Nowgong, where the realisation of land revenue at an enhanced rate has been going on. Sir, during the last re-settlement operations which ended in 1932 in the town of Nowgong, classification for assessment of land revenue was based upon the rental and selling values of land, and the result was that the lands in the town were divided into ten classes and the progressive enhanced rates of land revenue were introduced in the following manner. The rate for the trade class I for the first four years is Rs.100 per bigha, for the second four years, Rs.150 per bigha and afterwards Rs.200 per bigha. The trade class II rate is Rs.45 per bigha for the first 4 years, Rs.70 for the second four years and afterwards Rs.90. For the trade class III it is Rs.20 per bigha for the first four years Rs.35 for the second four years and afterwards Rs.45. For the trade class IV and for unutilised trade sites it is Rs.6 for the first four years, Rs.6 for the next four years and afterwards Rs.6 per bigha. For the residential first class Rs.8 per bigha for the first four years, Rs.12 for the second four years and afterwards Rs.12. For the second class residential it is Rs.6 per bigha for the first four years, Rs.9 for the second four years and Rs.9 afterwards. For third class residential it is Rs.4-8 per bigha for the first four years, Rs.6 for the second four years and afterwards Rs.6. For the fourth class it is Rs.2-8 for the first four years, Rs.2-8 for the second four years and afterwards. For unutilised land it is Rs.2 per bigha for the first four years, Rs.2 for the second four years and afterwards.

Now, Sir, at that time there was also a standing order from the Government that the Deputy Commissioner should examine the position after four years and if the slump in values continues, he should make recommendation if necessary for variations the scale of rates. Now, Sir, in spite of the protest from the public of Nowgong town, the Deputy Commissioner has failed to make an enquiry into this matter, and the realisation of land revenue at the graduated enhanced rates has been going on without any enquiry whether the slump in values continues or not.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: On a point of information, Sir. When was that enhanced rate brought into force in Nowgong?

SRIJUT MAHI CHANDRA BORA: This year which is the second four-year period. The Deputy Commissioner did not examine the situation in terms of the orders from Government. A representation was submitted to the Deputy Commissioner on the 8th of May by the public of Nowgong town. It was not heeded to or enquired into as far as my information goes. My submission is that the slump in values of town lands of Nowgong is still continuing and the Government report I think will bear me out in this matter. Therefore, Sir, Government stand guilty of the charge of breach of their own rules. And this attitude of Government deserves our emphatic condemnation. I therefore, Sir, pray that the hon. members of the House will come to the help and rescue of the town people of Nowgong. With these words, Sir, I support the motion.

MAULANA ABDUL HAMID KHAN: Sir, জমির উৎসাহ শক্তি বৃদ্ধি হইলে খাজনা বৃদ্ধি হয় এবং কৃষিজাত ফসলের মূল্য বৃদ্ধি হইলে খাজানা বৃদ্ধি হয়—ইহাই

এ যাবৎ শু্যম এসে ছিনাম। জানিনি আমাদের কি দুর্ভাগ্য যে গত বৎসর পর্যন্ত আমাদের মাননীয় রাজস্ব সচিব মহোদয় যখন এই গ্যাণেরীতে বসেন তখন দেশের অবস্থা অত্যন্ত খারাপ ছিল বলিয়া খাজানা হ্রাস করিবার আবশ্যকতা ছিল। এবৎসর আমাদের দুর্ভাগ্য যে sit পরিবর্তন করিয়া অন্য জায়গায় গিয়াছেন বলিয়া তিনি আর খাজানা হ্রাসের আবশ্যকতা বোধ করেন নাই (hear, hear)। আমাদের দুর্ভাগ্য এবং কৃষকদের অদৃষ্টে দোষ বলিয়া মনে করিতে হইবে যে এরূপ যোগ্যতম প্রজাবন্ধু নেতা অপর sit এ চলিয়া গিয়াছেন। দেশের আর্থিক অবস্থা অত্যন্ত খারাপ হইয়াছে। কৃষিকার্ত্ত জিনিষের মূল্য মোটেই বৃদ্ধি হয় নাই। বরপেটা, গৌধাটা, ধুবড়ী এ সব জায়গায় ধানের দর এখন মণ প্রতি ১০ পাঁচ শিকা ১।০ টাকা। কৃষকেরা সাধারণতঃ মদ্য হইতে ২০।২৫ মাইল দূরে বাস করে বলিয়া তাহারা ধানের দ্রুদ মণ প্রতি ১১ টাকার বেশী পায় না। রপ্তানির সুবিধা আছ বলিয়া মদ্যবাসী বৃদ্ধি দর পাইতে পারে। কিন্তু কৃষকগণ ধান, পাট, সরিষা বা কিছু বিক্রি করে সমস্তই রাত্তা ঘাটের অসুবিধার জন্য কম দামে বিক্রি করিতেছে। জমির উর্বরাশক্তি মোটেই বৃদ্ধি হয় নাই এবং তাহার উপর অনাবৃষ্টি, অতিবৃষ্টি ও অস্বাভাবিক বর্ষার জন্য প্রত্যেক বৎসর ২০ বিঘা জমি চাষ করিলে মাত্র ১০ বিঘা জমির জিনিষ উৎপন্ন হয়। যদি মাননীয় রাজস্ব সচিব মহোদয় বুঝিয়া থাকেন যে বাস্তবিকই জিনিষের মূল্য বৃদ্ধি হইয়াছে তাহা হইলে আমি বলি যে প্রজাবন্ধু রাজস্ব সচিব মহোদয় জমিদার বন্ধু হইয়া যে ভাবে জমিদার দিগকে রক্ষা করিবার জন্য rate of Wards আইন সংশোধন করিয়াছেন বা মহাজনদের কবণ হইতে জমিদার দিগকে রক্ষা করিবার জন্য ধেরূপ ব্যবস্থা করিয়াছেন ঠিক সেরূপ ভাবে গরীব প্রজাদিগকে রক্ষা করিবার জন্য কোন একটি গ্রামকে Court of Wards এ নিয়ম একজন কৃষি কর্মসূচীর দ্বারা একবৎসর কৃষিক্ষেত্রে ফসল জন্মানো হউক। তাহার পর দেখা পাইবে যে কৃষকদের অবস্থা কিরূপ পরিবর্তন হইয়াছে। তাহার চয় মোটা ভাত এবং মোটা কাপড় ইগা বাদে বাধা ফসল জন্মাইবে সমস্তই গবর্ণমেন্টের ভাণ্ডারে জমা হউক; মাটা ভাত মোটা কাপড় ও ঋণের কবল হইতে মুক্তি পাওয়া ব্যতীত কখনও তাহারা অন্য কিছু চাননা (hear, hear)। কৃষকেরা এমন অবস্থায় পড়িয়াছে যে তাহারা মানুষ কুলে জন্ম নিয়েছে মত কিছু তাহাদের কর্তব্য কি তাহা শিক্ষার অভাবে মোটেই বুঝতে পারেনা। দিবারাত্র অনাহারে কালযাপন করিতেছে—দিনের পর দিন চিত্তা করিতেছে—মৃত্যু আসেনা কেন। তাহাদের ছেলে মেয়েরা ছুখ কাতর—শেটে ভাত নাই—পড়নে কাপড় নাই—বোগে ঔষধ নাই না দেনা পরিপোষের উপায় নাই এই সমস্ত অভাবের দরুন সর্বদাই হাহাকার করিতেছে। এই গুণময়ে যদি খাজানা বৃদ্ধি করা হয় তাহা হইলে আমাদের মাননীয় রাজস্ব সচিব মহোদয় সম্বন্ধে কেণে রাগতের বন্ধু বলিয়া যে খ্যাতি আছে তাহা চলিয়া যাইবে। তিনি যে নিঃসহায় গরীবের বন্ধু প্রজাহিতৈষী তাহার এই নাম লুপ্ত হইয়া যাইবে এবং সমস্ত রাগতেরা বলিবে যে যার লজ্জার সেই হয় রাবণ। (laughter)।

SRIJUT KRISHNA NATH SARMA: In supporting this cut motion I beg to draw the attention of this House to the fact that I had the privilege of making an inquiry into the condition of the people of my district. Sir, we have found that the productive capacity of the land is gradually decreasing year after year. It has been calculated that the yield per acre of paddy is about 44 *puras* which is valued at Rs.22 and the cost of cultivation per acre is found to be above Rs.32, and the Hon'ble Minister told us the other day that the tax per acre is Rs.8. According to this calculation the income is Rs.22 whereas the total cost comes to Rs.40. So there is a net loss on paddy cultivation of Rs.18 per acre or say Rs.6 per bigha.

Sir, the last resettlement has increased the land revenue by means of an artificial classification of lands and villages from 25 to 70 per cent. and the authorities based their argument in favour of increment upon the price of paddy, valuation of land and upon the few luxuries such as use of umbrella, a decent dress in ceremonial occasions that any high officials specially Europeans observe and the vaunted talk of good communication, railways and motor bus and the alleged use of gold ornaments and brass utensils by our village people. Now the same argument applies when we find that the price of paddy has gone down, value of land has been estimated as Rs.2 to Rs.5 per bigha; the principle of assessment as based on increase in the price of agricultural produce and increased prosperity of the people falls to the ground. I also submit that at that time Government servants especially the highly paid servants wanted increment because the price of food stuff increased and as a matter of fact they were given increased salary. Now that the price of food stuff has gone down, have these officers' standard of comfort and their pay been reduced? That cannot be done, because it will mean loss of prestige. Whereas in the case of the poor raiyats although the value of land and the price of agricultural produce has considerably fallen, Government will not pay heed to that. There is a cry for relief but the Government wants that the progressive enhancement must be realised as more money is required to meet the additional expenditure in connection with the Public Service Commission, Revenue Tribunal and the Upper Chamber, etc. The mauzadars are given more commission, land revenue collection by oppressive methods are considered as a sign of prosperity of the people. We want that on the basis of old argument the assessment must revert to the pre-resettlement days and the enhancement must be stayed until the price of agricultural produce goes up. With these words I support this cut motion.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: As regards the point raised by my hon. friend from Nowgong, I may inform the House that the attention of the Government was drawn to the complaint which he has lodged only recently by a question and we have asked the Deputy Commissioner to report on it. If we find that the facts are as stated by the hon. member in this House, we shall try to find the remedy for it.

Now, I come to the question of Lakhimpur. If I have understood the hon. member aright, what he wants is this: that although in other districts the deferred enhancements have already been in progress and have been collected, he desires that special treatment should be accorded to the district from which he hails. I would ask the House if it would be fair to accept his demand considering that if Government grants any general reduction of revenue the district of Lakhimpur will share the profit equally.

SRIJUT SARVESWAR BARUA: It is not the question of granting equal or unequal reduction of land revenues. It is a question of foregoing

the amount which Government would be entitled to in the course of progressive enhancement in addition to the reduction now given.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Then he would not say that in the district of Lakhimpur the rate of reduction should be lower than in the other districts. If the hon. members hear how the enhancement has taken place in other districts they will agree with me that the district of Lakhimpur has been very lightly dealt with. As a result of the last resettlement there was enhancement of 29 per cent. in the district of Nowgong; 27.98 per cent. in Sibsagar, in Kamrup 22.4 per cent. in Darrang 18.87 per cent. and in Lakhimpur 18.35 per cent. So Lakhimpur has been lightly dealt with in this respect. Therefore the hon. members have to consider whether they desire that the enhanced rate should not operate in the district of Lakhimpur alone.

As to the allegation that has been put in this House that Lakhimpur is the poorest in this province, I think, this House will never agree because Lakhimpur has the best tea gardens in the whole of the province, Lakhimpur has also the best oil fields and coal fields and also.....(Interruptions from all sides of the House), Sir, patience is a great virtue.

RAI BAHADUR PROMODE CHANDRA DATTA: That virtue one learns when one sits on the other side.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: You should have already learnt it. Certain members of this House have acquired new habits and when new habits are acquired they lean fondly towards these habits.

My point was this. In the district of Kamrup we have been very hard hit. Their only source of income is agriculture, and when agriculture does not produce the desired return then people have to suffer, because there is no subsidiary income in that district. In Lakhimpur the agriculturists have other means of supplementing their income. They have these oil fields, they have tea gardens, they can work there. Their business, at any rate, is far more brisk than in any other districts in this province. So I say, Lakhimpur is not the poorest district in the province. In Kamrup they could work previously in gardens and they were classed as *Cachari* labour. That system has been stopped now. There people have absolutely no other source of income than agriculture; they have no means to supplement their income. In Lakhimpur middle class men can be employed as *hazira mohurri* in Tea Estate, in the coal and oil fields.

Let us come to the question, who will be hard hit by this enhancement? It is not that this benefit of this deferred enhancement will be available to all—to each and every person. The benefit will be largely derived by the mercantile people.

Again, for instance in the town of Tinsukia under the old settlement the revenue was Rs.10 or 8 per bigha, but now in Tinsukia, Doom dooma and Digboi revenue in these new towns have increased to such an extent that now it is Rs.200 or Rs.150 per bigha. There the benefit was given to these people and if Government accept the wishes expressed by the hon. members, greatest benefit will be derived by these people. In the town of Tinsukia according to the old settlement the value of the land was not more than Rs.20 or 25 per bigha but now I find in one place it rose up to ten thousand rupees. Why this increased enhancement? Because these people actually take from the tenants some two or three hundred rupees per bigha. Therefore Government has assessed town lands in this town at a much higher rate, considering the market value of the land.

Then as regards deferred enhancement my friends from Dibrugarh and North Lakhimpur did not point out a single instance of it. By so many commitments they accept land revenue, that in some cases the rate has been assessed at a much higher rate than in the past. In some cases where some lands which were lying waste were taken for cultivation towards the close of the period the rate was of course increased. Naturally there was a great difference between the old rate and the new rate. Lands which were fallow at the time of the last resettlement were brought under cultivation towards the end of the settlement and naturally the value of the lands was rising and the assessment must have increased in these cases.

Now the whole point is this. Government has been given the benefit of deferred enhancement. Government could have realised if it liked the whole enhancement at one time. The law lays down that the enhancement should be realised in a particular manner. Therefore according to law we have realised in that particular manner. The process of that law cannot be diverted by Government.

One thing I should like to place before the House and it is that at the time of consideration of remission of land revenue if a case can be made out that the district of Lakhimpur is much worse off than any other district, then at the time of granting remission, that particular district may get benefit. If in the Lakhimpur district the economic condition is much worse then Government may consider whether in view of this enhancement they should get enhanced remission. Beyond this Government cannot commit itself. I repeat that if we find that the economic condition of Lakhimpur is worse than Government thinks, at the time of granting remission the case of Lakhimpur will receive particular consideration.

SRIJUT SARVESWAR BARUA: On a point of information, Sir. The Hon'ble Minister says that when a land lies fallow the land revenue is less, but when it is taken under cultivation the land revenue is assessed at a higher rate. Is that the correct position, Sir?

MAULAVI ABDUR RAHMAN: I want to know from the hon. mover if he is going to move the motion only for a particular district. Here I find that the word 'districts' is mentioned.

SRIJUT SARVESWAR BARUA: I have made it clear in my speech that if progressive enhancement is stayed for Lakhimpur, in that case that will be a strong argument for every district to ask the House to cancel the enhancement, and I can say that a resolution to that effect may be brought in the next session of the Assembly and it will have our whole-hearted support.

THE HON'BLE THE SPEAKER: Will the Hon'ble Minister please reply?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, as far as I know, if a plot of land is lying waste or uncultivated that land would be classified accordingly. If in the meantime under the principal clause of the Bill, a land is converted into a beel or into a high class cultivable land, rate on that land will be increased.

MAULAVI ABDUL AZIZ: On a point of information, Sir. What will be the revenue per bigha if the enhanced rate is enforced in Lakhimpur?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I cannot exactly say, Sir. Of course, it will not exceed 18.35 in the Lakhimpur district. In other districts the enhancement has taken place by 29 per cent.

SRIJUT DEBESWAR SARMAH: On a point of order, Sir. May I have a ruling on a point, Sir? The motion reads thus 'to urge the stay of progressive enhancement of land revenue falling due in certain districts,

How can the question of Lakhimpur and Kamrup arise? Is the hon. mover correct or proper in distinguishing one district from another, I have another word to say.....

THE HON'BLE THE SPEAKER: This question does not arise after what the hon. mover has himself said.

SRIJUT DEBESWAR SHARMA: I have another word to say, Sir. Are we correct in understanding that the cut motion involves the principle of not enhancing the land revenue where it is due? Is that the principle involved in the motion?

THE HON'BLE THE SPEAKER: The principle may be involved in the motion; but having regard to what the hon. mover has himself said, I think, this question also does not arise. He has said that if Lakhimpur be given remission then this will make a strong case for the remission to be granted to other districts.

THE HON'BLE THE SPEAKER: Now the question is that that the provision of Rs.3,40,076 under grant No.1, Major head—7.—Land Revenue, Minor head—charges of administration (total), at page 27 of the Budget be reduced by Rs.2

The House divided with the following result :—

AYES—59

1. Babu Akshay Kumar Das.
2. Mr. Arun Kumar Chanda.
3. Mr Baidyanath Mookerjee.
4. Srijut Beliram Das.
5. Srijut Bhuban Chandra Gogoi.
6. Babu Bipin Behari Das.
7. Srijut Bipin Chandra Medhi.
8. Babu Dakshina Ranjan Gupta Chaudhuri.
9. Srijut Debeswar Sharma.
10. Srijut Ghanashyam Das.
11. Srijut Gaurikanta Talukdar.
12. Srijut Gopinath Bardoloi.
13. Srijut Haladhar Bhuyan.
14. Babu Harendra Narayan Chaudhuri.
15. Babu Hirendra Chandra Chakravarty.
16. Srijut Jadav Prosad Chaliha.
17. Srijut Jogendra Chandra Nath.
18. Srijut Jogendra Nath Barua.
19. Srijut Jogeschandra Gohain.
20. Babu Kalachand Roy.
21. Srijut Kameswar Das.
22. Babu Kamini Kumar Sen.
23. Babu Karuna Sindhu Roy.
24. Mr. Kedarmal Brahmin.
25. Srijut Krishna Nath Sarma.
26. Babu Rabindra Nath Aditya.
27. Srijut Lakhesvar Borooah.
28. Babu Lalit Mohon Kar.
29. Srijut Mahadev Sarma.

NOES—41

1. Kumar Ajit Narayan Dev.
2. Srijut Jogendra Narayan Mandal.
3. Dr. Mahendra Nath Saikia.
4. Srijut Purandar Sarma.
5. Srijut Ram Nath Das.
6. The Hon'ble Srijut Rohini Kumar Chaudhuri.
7. Maulavi Abdul Aziz.
8. Khan Bahadur Hazi Abdul Majid Chaudhuri.
9. Maulavi Md. Abdus Salam.
10. The Hon'ble Maulavi Md. Ali Haicar Khan.
11. Maulavi Badaruddin Ahmed.
12. Maulavi Jahanuddin Ahmed.
13. Khan Bahadur Maulavi Keramat Ali.
14. Khan Bahadur Maulavi Mahmud Ali.
15. Khan Bahadur Maulavi Mufizur Rahman.
16. Maulavi Naziruddin Ahmed.
17. The Hon'ble Maulavi Saiyid Sir Muhammad Saadulla.
18. The Hon'ble Shams-ul-Ulama Maulana Abu Nasr Md. Wahced.
19. Col. A. B. Beddow.
20. Mr. A. F. Bendall.
21. Mr. J. R. Clayton.
22. Mr. W. R. Faull.

- | | |
|--|--|
| 30. Srijut Mahi Chandra Bora. | 23. Mr. W. Fleming. |
| 31. Mr. Naba Kumar Dutta. | 24. Mr. B. I. Barry. |
| 32. Srijut Omeo Kumar Das. | 25. Mr. F. W. Hockenhull. |
| 33. Srijut Paramananda Das. | 26. Mr. D. B. H. Moore. |
| 34. Rai Bahadur Promode Chandra Dutt. | 27. Mr. R. A. Palmer. |
| 35. Srijut Purna Chandra Sarma. | 28. Miss Mavis Dunn. |
| 36. Srijut Rajani Kanta Barooah. | 29. Mr. Benjamin Ch. Momin. |
| 37. Srijut Rajendra Nath Barua. | 30. Srijut Bhairab Chandra Das. |
| 38. Srijut Sankar Chandra Barua. | 31. Srijut Bideshi Pan Tanti. |
| 39. Srijut Sarveswar Barua. | 32. Srijut Binode Kumar J. Sarwan. |
| 40. Babu Shibendra Chandra Biswas. | 33. Srijut Dirsingh Deuri. |
| 41. Srijut Siddhi Nath Sarma. | 34. Rev. L. Gathphoh. |
| 42. Maulavi Abul Bari Chaudhuri. | 35. Mr. C. Goldsmith. |
| 43. Maulana Abdul Hamid Khan. | 36. Mr. Jobang D. Marak. |
| 44. Maulavi Abdul Matin Chaudhury. | 37. The Hon'ble Rev. J. J. M. Nichols-Roy. |
| 45. Maulavi Abdur Rahman. | 38. Srijut Khorsing Terang. |
| 46. Maulavi Syed Abdur Rouf. | 39. Mr. P. Parida. |
| 47. Maulavi Dewan Muhammad Ahbab Choudhuri. | 40. Srijut Rabi Chandra Kachari. |
| 48. Maulavi Muhammad Amiruddin. | 41. Srijut Rupnath Brahma. |
| 49. Maulavi Muhammad Amjad Ali. | |
| 50. Mr. Fakhruddin Ali Ahmed. | |
| 51. Maulavi Muhammad Maqbul Hussain Chowdhury. | |
| 52. Maulavi Matior Rahman Mia. | |
| 53. Khan Sahib Maulavi Mudabbir Hussain Chaudhuri. | |
| 54. Maulavi Munawwarali. | |
| 55. Maulavi Muzarrof Ali Laskar. | |
| 56. Maulavi Namwar Ali Barbhuiya. | |
| 57. Maulavi Sheikh Osman Ali Sadagar. | |
| 58. Khan Sahib Maulavi Sayidur Rahman. | |
| 59. Srijut Karka Dalay Miri. | |

Ayes being 59 and Noes 41, the motion was carried.

BABU SHIBENDRA CHANDRA BISWAS: Sir, I beg to move that the provision of Rs.2,18,000 under Grant No.1, Major head—7.— Land Revenue, Minor head—A.—General Establishment, Sub-head—1.—Pay of Officers, Detailed head—Sub-Deputy Collectors at page 29 of the Budget, be reduced by Re.1.

Sir, in moving this motion I want to raise a discussion regarding the oppression of collection staff in connection with the realisation of Agricultural loans.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: On a point of order, Sir. Should not the motion regarding realisation of agricultural loans come more appropriately under Demand No.31 on the loans and advances?

SRIJUT GOPINATH BARDOLOI: Sir, I beg to differ from the views expressed by the Hon'ble Revenue Minister. This is a motion in which we raise a discussion on the subject of oppression of Sub-Deputy Collectors in realising agricultural loans. So it must come under this head.

THE HON'BLE THE SPEAKER: The point of order raised is that this motion should come more appropriately under Grant No. 31. Now, this objection is raised on the ground that Grant No. 31 relates to "Loans and Advances" by the Provincial Government. The motion is intended to raise a discussion regarding the oppression of collection staff employed in connection with the realisation of agricultural loans.

Now, the object of the motion therefore is to criticise the conduct of the agency that is employed for the collection of the loans. Further the loans are granted from the revenues of the province, and I think that this cut can appropriately come under this Grant. Of course it might also appropriately come under Grant No. 31, but I think that hon. members are entitled to move the cut motions under this Grant also.

BABU SHIBENDRA CHANDRA BISWAS: Sir, I beg to move that the provision of Rs. 2,18,000 under Grant No. 1, Major head 7—Land Revenue, Minor head—A.—General Establishment, Sub-head 1—Pay of officers, Detailed head—Sub-Deputy Collectors, at page 29 of the Budget be reduced by Re. 1. My object in moving this motion is to raise a discussion regarding oppression of the collection staff in connection with the realisation of agricultural loans.

Sir, several cases of oppression by the loan realising staff have come to our notice, and I am going to cite one or two of them to show how these people are being oppressed and that even when they appeal to the Superiors they do not get any redress. Sheikh Thanda and others of Jirunda submitted a petition to the Subdivisional Officer on 8th March 1937, i.e., on the day following the oppression. The Sub-divisional Officer did not take any step, nor did he hold any sort of enquiry on the allegations made. In the meanwhile the offending Sub-Deputy Collector sent a report to the Subdivisional Officer alleging that the Jirunda people had obstructed his peon in the discharge of his duty. The Subdivisional Officer however did not take any steps either on the allegations of Sheikh Thanda or on the allegations made by the Sub-Deputy Collector against the people of Jirunda regarding obstruction of a public servant in the discharge of his duty, presumably for the reason that any step taken against the people would reveal many ugly things regarding the doings of the Sub-Deputy Collector. So he kept silent. On the 14th March 1937 Sheikh Thanda's Muktear wrote to the Subdivisional Officer enquiring as to what steps had been taken, praying at the same time to hold an open enquiry. In reply to this the Subdivisional Officer wrote to the Muktear under his letter No. 2601-R, dated 22nd March 1937, that the story of the *zulum* is "grossly exaggerated". As a matter of fact he made no enquiries at all before he wrote this letter. Practically there was no material before him to hold that the allegations were exaggerated. It may be noted that no proceedings were drawn up against the persons who were alleged to have obstructed the peon. This is significant. However his Muktear Babu, on receipt of the said reply, verbally moved the Subdivisional Officer to hold a local enquiry either personally or by some other officer, and he agreed to do so personally on the 2nd April 1937. The parties concerned were accordingly informed to be ready on that date. But the

Subdivisional Officer did not go there on the date fixed. But on the 5th or 6th April the Subdivisional Officer went to the spot with the Sub-Deputy Collector concerned without giving previous intimation to the parties concerned. As the parties were not prepared for the visit, they could not produce their witnesses. What report the Subdivisional Officer gave, or what further steps were taken by him, is not known. Sheikh Thanda then moved the Local Government for sanction to prosecute the Sub-Deputy Collector through the Subdivisional Officer. Some of the allegations against the Sub-Deputy Collector were:— that on 7th March 1937 while the petitioner No. 1, who was never a debtor, was away from home, the loan realising officer with a large number of persons including sepoy, chaukidars and villagers, Sadai, Abdul Gafur, Sk. Lala and others with whom the petitioners had a long-standing enmity, raided the houses of the petitioners and ordered his men to dismantle their houses. That thereupon their houses were indiscriminately broken down, the walls of the houses were thrown down, the roofs of the houses were badly damaged. The female inmates of the *baris* were driven away from the house. All the articles of the houses were either scattered to and fro and some were taken away. The petitioner No. 3 has got a shop of miscellaneous goods which were also scattered through and damaged.

Sir, the Subdivisional Officer wrote to the aggrieved persons' muktear that the alleged *zulum* was grossly exaggerated, and now from the answers to questions brought in this House we find that the Subdivisional Officer reported to the Government that the allegations on enquiry were found to be untrue and baseless. Sir, how the so-called enquiry has been made is stated above. Sir, this sort of allegations sometimes come to the notice of the public against the police, but the public do never expect such allegations against a Sub-Deputy Collector. The police commit *zulum* in arresting the suspected thieves and dacoits, but the alleged oppression is said to have been committed by a Sub-Deputy Collector in realising agricultural loans from harmless cultivators. So, Sir, there has been a great *zulum* in this case. And it has come to our notice that in the Barpeta Subdivision also in some cases there has been double realisation, distress warrants were issued before due date, and lapsed revenue was realised. These are things that are always being done by the collecting officers in collecting agricultural loans, and I am sure several hon. members of the House will bear me out in this.

MAULAVI ABDUL BARI CHAUDHURY: Sir, an identical motion stands in my name, so I take this occasion of speaking a few words in support of this motion. Sir, my idea in bringing forward that motion is to criticise the high-handed policy adopted by the Sub-Deputy Collectors in the districts of Sylhet and Cachar in realising the agricultural loans.

Probably, Sir, I am repeating an old story. The matter had been brought before the authorities times without number. It had been discussed on the floor of the old Legislative Council. But all these could not bring any relief to the poor agriculturists. The reign of terror in the villages went on unchecked and unmolested. Government did not think it necessary to hold an enquiry about the allegations made against the loan collectors.

Sir, the loans were advanced at a time when great scarcity and hardship prevailed in the districts. Since then the economic condition of the people had not improved. When the time for realisation came, it had

gone from bad to worse. But the Government did not care to ascertain the true financial condition of the people. They set up a band of young enthusiastic officers who were more eager to earn the favour and good opinion of their masters than to realise the distress of the people.

They carried their expensive raids from village to village. In many places the villagers were assaulted and insulted and their petty belongings seized as they could not produce any money. The only assets they had were a few heads of cattle and these were not spared in any place.

Sir, I was a member of a non-official enquiry Committee set up by the Sylhet Krisak Samiti a few years ago. During our investigation, I had the opportunity of visiting as many as 30 villages in a particular area. In every village, we found traces of the *zulum* and illegal activities performed and perpetrated by the Sub-Deputy Collector. The specific instances are too many to be narrated here.

Sir, I still remember that the tears of an old man who told us how his two cows were taken away to the thana leaving behind the newly born calves. In spite of his entreaties the calves were not allowed to accompany the mother. The next day the old man carried the calves to the thana over a distance of five miles and threw it at the feet of the Sub-Deputy Collector. But the officer was too high for all these small mercies. He bluntly refused to allow the calves to go to the mother. The calves died.

In another place, an elderly woman narrated how she was detained in a country boat for several hours at a stretch with her small baby on her back for not being able to tell the officer where her husband had gone.

In one village, Sir, we came across a strange instance of oppression. An old man was dying and the Sub-Deputy Collector was there ready to fall upon the house for seizing the domestic articles. The son entreated not to disturb the dying father. This interference was too much for the lordly officer. The insolent lad was beaten and handcuffed and taken to another village.

MAULAVI NAZIRUDDIN AHMED: Sir, on a point of information may I know the name of that person?

MAULAVI ABDUL BARI CHAUDHURY: I do not intend to disclose the name just now.

KHAN BAHADUR MAULAVI KERAMAT ALI: Was this fact brought to the notice of the Government?

MAULAVI ABDUL BARI CHAUDHURY: Yes, Sir.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: On a point of information, Sir, when was it brought to the notice of the Government and how?

MAULAVI ABDUL BARI CHAUDHURY: Three years ago I think.

MAULAVI MUNAWWAR ALI: And on a motion which was supported by the Hon'ble the Revenue Minister.

MAULAVI ABDUL BARI CHAUDHURY: Sir, such are the ways in which loans are realised by our civil officers in the villages. The officers are out for striking terror into the hearts of the people for obtaining an easy realisation. They were successful inasmuch as the villagers mortgaged their future prospect of at harvest nominal price to the moneylender to satisfy these demi-gods. Sir, the poor villagers did not realise the implications of a joint bond and they were harrassed again and again though their portion of the debt was satisfied.

Sir, Government should have deputed more seasoned officers instead of these young enthusiasts for the realisation of the agricultural loan. Sir, an impartial enquiry will reveal the nature of the extortions and the high-handed

policy adopted by the Sub-Deputy Collectors in realising the agricultural loans. It will also reveal the corrupt practices that have crept in, in the process of realisation. With these words, Sir, I support the motion.

MAULAVI NAMWAR ALI BARBHUIYA: Sir, there is an identical motion standing in my name, the motion No.45* in the list. And, therefore, I wish to support the motion that has been placed before the House by my hon. friend Babu Shibendra Chandra Biswas.

THE HON'BLE THE SPEAKER: I find that the motion is to raise a discussion for remission of agricultural loans. I think it does not come in under the scope of the motion that has been moved. The hon. member will get his opportunity later.

KHAN BAHADUR DEWAN EKLIMUR ROZA CHAUDHURY: সভাপতি মহোদয়, অনার বাবু শিবেন্দ্র চন্দ্র বিস্বাস মহোদয় যে cut motion আনিয়াছেন, আমিও ত্রুপ একটা cut motion দিয়াছিলাম। আমার cut motion টা move করিতে সমর্থ হুইবে না। সে জন্য এই cut motion এই কিছু বলিতে চাই।

THE HON'BLE THE SPEAKER: That motion also is to raise a discussion "on the outstanding agricultural loans not written off which is deplored." Now does the hon. member want that the agricultural loans should be written off? আপন কি চান যে এই cut motion সম্বন্ধে কিছু বলিবেন?

KHAN BAHADUR DEWAN EKLIMUR ROZA CHAUDHURY: হ্যাঁ, আমি এই সম্বন্ধে কিছু বলিতে চাই।

THE HON'BLE THE SPEAKER: বর্তমান যে motion আমাদের সামনে আছে তাগতে অত্যাচার বিষয় আলোচনা হচ্ছে। তাহার মধ্যে কোন loan মার্ক দেওয়ার জন্য কোন প্রস্তাব আছে।

KHAN BAHADUR DEWAN EKLIMUR ROZA CHAUDHURY: আমি অত্যাচার সম্বন্ধেই বলিব—খণের জন্য যে মাল ক্রোক করা হইয়া থাকে সে সম্বন্ধে বলিব।

মাননীয় সভাপতি মহোদয়, যাহারা নিতান্ত দুর্ভাগ্য, দুখার্ভ, হীন অবস্থা সম্পন্ন, তাহারা হইতে কৃষি ঋণ গ্রহণ করিয়া থাকে এবং গবর্ণমেন্টও নিতান্ত শিশু, ক্ষতিগ্রস্ত ব্যক্তি না হইলে কখনও কৃষি ঋণ দান করেন না। এবং পরবর্তী সময়ে অবস্থা বিবেচনায় কথিত ঋণ আদায় করা হইয়া থাকে। কিন্তু উল্লিখিত ঋণ আদায় কালে অনেক স্থলেই যে অমানুষিক জুলুমবাজি করা হয় তাহার প্রমাণের অপূরণতা হইবে না।

বিগত বস্তার সময় শ্রীহট্ট জেলায় দরিদ্র ক্ষতিগ্রস্ত জনগণকে যে সমস্ত কৃষি ঋণ দেওয়া হইয়াছিল তাহা আদায় করিতে যাইয়া মর্ত্যের ঘন স্বরূপ পান্দা, পুনিশ এমন কি উচ্চপদস্থ রাজ কর্মচারী যে সমস্ত অকথিত অত্যাচার করিয়াছে তাহার দৃষ্টান্ত বিবরণ নহে। আমি জানি কোন কোন স্থল বিশেষে কথিত কৃষি ঋণ আদায় কালে বিপদগ্রস্ত দায়িত্বগণের গুরু, বাজুর বিক্রি করিয়া লোটা বাটি ইত্যাদি তৈজসপত্র নিলাম করিয়া কথিত ঋণ আদায়

* That the total provision of Rs.15,92,700 under grant No.1, major head—7.—Land Revenue at page 31 of the Budget be reduced by Re.1 (To raise a discussion for remission of agricultural loans in the district of Cachar).

করিতে কোন প্রকার কসুর করা হয় নাই। এমন কি উল্লিখিত কৃষকগণ আদায় করিতে বাটয়া ব্যক্তি বিশেষের ষাণা ফাটাইয়া দওয়া হইয়াছে এবং উক্ত নির্ঘাতিত ব্যক্তির মাথা হটতে রক্তশ্রোত প্রবাহিত হইয়াছে; তথাপি তাহার গৃহ হইতে একটি মাত্র কপর্দকও বাহির হইয়া আসে নাই। সুতরাং আমার কথা এই যে এত অত্যাচার এত উৎপীড়নের পরও এখন পর্য্যন্ত যে সমস্ত কৃষকগণ আদায় করা সম্ভবপর হয় নাই তাহা অধিকতর উৎপীড়ন করিয়া যদি পুনরায় আদায় করা হয় কিম্বা আদায় করার চেষ্টাও করা হয় তাহা হইলে ইহা হইতে অমানুষিক অত্যাচার, অবিচার, জুলুমবাজি আর কি হইতে পারে?

আমি জিজ্ঞাসা করি দুর্ভিক্ষ পীড়িত, বত্বাকাতর সম্বলহীন জনগণকে রক্ষা করা গবর্ণ-মেন্টের কর্তব্য কি তাহাদিগকে নিপীড়ন করিয়া তাহাদের সর্বস্ব হরণ করিয়া মরার উপর বাড়াইয়া বা মারা গবর্ণমেন্টের কর্তব্য? আমি মনে করি এই আড়ম্বরপূর্ণ রক্ষণ শুধু অভিনয় করার মাগনে সৃষ্ট করা হয় নাই; বরং দরিদ্র বৃহৎ পীড়িত জনসাধারণের সেবা করার জন্তই অল্প অর্থাদি ব্যয় করিয়া এই কাংসিন গৃহ স্থাপন করা হইয়াছে এবং জনগণের স্ব-শাস্তি দান করার পরিকল্পনা নইয়াই বর্তমান গবর্ণমেন্টের প্রতিষ্ঠা করা হইয়াছে। সুতরাং আমি আমাদের গবর্ণমেন্টকে গণসেবা কার্যে আত্মন করিতেছি এবং এই সমস্ত দরিদ্র কৃষক যাহারা একান্ত ব্যয় তৈকিয়া নিত্য অপারগ হইয়া পূর্বকৃত কৃষকগণ এখন পর্য্যন্ত পরিশোধ করিতে সমর্থ হয় নাই তাহাদিগকে অবশিষ্ট কৃষকগণ হইতে মুক্তি দিয়া তাহাদের অণেষ কল্যাণ সাধন করিতে সর্বিনয় অনুরোধ করিতেছি।

অবগু উগরোক্ত ঘটনা বর্তমান Reformed গবর্ণমেন্টের আলে ঘটে নাই।

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: May I know, Sir, when the incident to which he referred took place?

BABU SHIBENDRA CHANDRA BISWAS: On the 7th of April last year, Sir.

SRIJUT MAHI CHANDRA BORA: Sir, Government as well as the hon. members of this House are aware that the district of Nowgong has been the victim of successive floods. Now, Sir, agricultural loans had been advanced to the people by Government from 1929 to 1934. But in spite of these recurring floods, special officers were engaged for the collection of these loans every year. The campaign of collection Sir, which began in September of last year, was conducted so furiously, that it can only be compared with the fury of the floods. I may say, Sir, that this campaign is nothing less than one of regular loot and robbery. The Houses of several debtors were invaded, their boxes were forcibly opened and the contents removed. To show the severity of the oppression in the matter of realisations of agricultural loans that the people have been subjected to I shall only quote one instance. On the 3rd April of this year the utensils and even the drinking cups of the children of one Masmat Fulokchandi Mudai of Hariamukh, Roha mauza were forcibly seized for realisation of outstanding loans of her deceased husband in spite of her entreaty. At that time, Sir, the copious tears which rolled down the eyes of that helpless and hapless widow failed to move the heart of the collecting staff she was driven to utter despair and was about to put an end to her life and the lives of her children by setting fire to her house. Again, Sir, there were several

cases of women whose houses were invaded during the absence of their husbands and boxes were taken outside and opened forcibly and all the contents in cash amounting to two or three rupees were removed presumably without legal warrants. The attention of the authorities were drawn to those instances, but it was to no effect. Even, Sir, handlooms and weaving threads were not spared. I drew the attention of the Hon'ble Revenue Minister to these matters. Sir, this barbarous system of realisation of agricultural loans must be stopped and the collecting staff should not be encouraged to do things which are illegal in the eye of law. I support the motion of the hon. mover.

BABU SHIBENDRA CHANDRA BISWAS : Sir, may I correct the date which I gave a little while ago. It is the 7th day of March.

MAULAVI NASIRUDDIN AHMED : Sir, I rise to support this motion, Sir, the oppression of the loan collecting officers is not restricted to any particular area, but it is wide-spread throughout the districts of Sylhet and Cachar. Allegations against these officers were made very often to the heads of the districts. But they did not consider it worthwhile to make any enquiry or to take any step. On the other hand, I think, they have intentionally allowed these officers to go on in their own way, so that more loans could be collected. The other day one hon. member compared these ruthless raids of the officers with those of the Bargis during the days of Nawab Alibardi. It is high time, Sir, that Government should initiate an enquiry into these allegations and take drastic action against the offending officers.

MAULAVI ABDUR RAHMAN : Sir, I beg to support the motion that has been brought forward by my hon. friend opposite. The motion that has been moved is mainly confined to the manner in which the officers generally realised agricultural loans from the poor raiyats. I shall cite only a few specific instances which occurred before my very eyes and which I had to refer to the authorities, without getting any relief. I have said, and most emphatically too, in my budget speech that the agriculturists of the province are the main source of revenue of this province. From a portion of that revenue sometimes, that is to say, during times of distress, Government give loans to the people under the pretence of helping them. But the methods by which these amounts are realised afterwards are most oppressive, as some of my hon friends have already described pathetically. I shall mention one specific instance which occurred some 15 days prior to the last April session of this Assembly. One depressed class widow appeared in the town one morning with bleeding injuries on her head and her body besmeared with blood. She came before some gentlemen and on being questioned what was the matter, said that she had been beaten by one of the collecting persons in connection with the recovery of some agricultural loan advanced to her husband. As the women could not give the name of the assistant no complaint could be lodged. Again what happened? She was sent to my hon. friend Bipin Babu, because she told that she was acquainted with him. She was directed to ask Bipin Babu to find out the culprit. What happened afterwards I did not enquire because she did not come back to us. Another thing which happened in the last part of March was that the whole house of a man was burnt to ashes.

RAI BAHADUR PROMODE CHANDRA DATTA : Burnt by whom?

MAULAVI ABDUR RAHMAN : It was accidentally burnt. Then what was the position of this man? He had no house to live in and he had to take shelter in the house of one of his co-villagers and he had no paddy and nothing of the sort, because everything was burnt to ashes. After some days of this occurrence the man complained to me that the Sub-Deputy

Collector had been to his locality and demanded the agricultural loan. Failing to pay all his cattle were attached and brought before the Court compound. I wrote a slip to the Sub-Deputy Collector particularly mentioning the fact that I myself had seen the miseries of the man. I think hon. members of this House will agree with me that by these two instances alone it has been sufficiently described the way in which Government officials—even the village Choukidars—oppress the people in the matter of realisation of agricultural loans.

MAULANA ABDUL HAMID KHAN: Sir, কৃষিঋণ আদায় করিতে গিয়া সরকারী কৃষিঋণীরা যেভাবে অত্যাচার করেন তাহার প্রতি লক্ষ্য রাখিয়া আমি ইহাই বুঝিতে পারিয়াছি যে এই অত্যাচারের মূল কারণ হইয়াছে ঋণ গ্রহণকারীদের অক্ষমতা। যখন টাকা দেওয়া হয় তখন বিশেষ বিবেচনা করে দেওয়া হয় নাই। তজ্জন্মই তাহারা অত্যাচার করিতেছে। যে দেশীর কৃষকদিগকে টাকা দেওয়া হইয়াছে তাহাদের নিকট হইতে টাকা আদায় করিতে হইলে ঘটা, বাটা বা হালের গরু বিক্রি ছাড়া টাকা আদায় হওয়ার আর কোন উপায় নাই। তাহাদের এত ধারণা অবস্থা যে অত্যাচার করিয়া হালের গরু বিক্রয় না করাইলে টাকা আদায় হয় না। যথা ১ অত্যন্ত দরিদ্র, নিঃসহায় তাহাদিগকেই ৫, ১০, ১৫ টাকা পর্য্যন্ত ধার দেওয়া হইয়াছে। মা. ডপুটী কালেক্টার যখন গ্রামে যান তখন তিনি দেখেন যে শুধু দুইটা গরু, দুইটা ঘটা বা বাটা ঘরে আছে; তাহা ছাড়া তাহার আর কিছুই নাই। গবর্ণমেন্টের বেতন ধাওয়া নিজ দায়িত্ব পালনের জন্ত তখন তিনি সর্বপ্রকার চেষ্টা করিতে আশ্রয় করেন, তখন কৃষকেরা বাধ্য হইয়া সর্বস্ব বিক্রি করিয়া কোন প্রকারে টাকা আদায় করিয়া থাকে। আমাদের South Salmara থানার বলদ গ্রামের একটি লোক কয়েক বৎসর পূর্বে কৃষিঋণ লইয়া কৃষি করিয়াছিল। সে কিছুদিন পরে মারা যায়। তাহার তিনটি নাবালক ছেলে, দুইটি মেয়ে এবং বিধবা স্ত্রী বর্তমান আছে। তাহার বিধবা স্ত্রীর একটি মাত্র গাভী আছে এবং সেই গাভীর দুধ বিক্রি করিয়া ছেলেরা সৎকারে কোন রকমে জীবন ধারণ করিতেছে। উক্ত বিধবার মৃত স্বামীর কৃষি ঋণের জন্ত প্রায় ৪০ বার তাহার বাড়ীতে ক্রোক করিতে পেমাদা গিয়াছে এবং প্রত্যেক বার রিপোর্ট দেওয়া হইয়াছে যে ঋণ গ্রহণকারী মারা যাওয়ায় টাকা দিবার ক্ষমতা নিঃসহায় বিধবার নাই এবং পেমাদা বিনায় করিতে বিধবাকে প্রায় ২০ টাকা ২০ টাকা নজরানা দিতে হইয়াছে। টাকা আদায় করিবার জন্তই সরকারী অফিসার নিযুক্ত করা হয়—শুধু বেড়াইবার জন্তও নয়; ঘুরিবার জন্তও নয়; তাহাদের কর্তব্য টাকা আদায় করা। কিন্তু অত্যাচার ব্যতীত টাকা আদায় হইবার কোন উপায় নাই। সুতরাং সরকারী অফিসার যোগ্যতম ব্যক্তি হইলেও কনেষ্টবল অথবা চৌকিদার দ্বারা অত্যাচার করিয়া কোন প্রকারে হউক টাকা আদায় করিয়া থাকেন। যতদিন কৃষি লোন মাফ দেওয়া না হইবে, অত্যাচার থাকিবেই; নতুবা টাকা আদায় হইবার কোন সম্ভাবনা নাই। আমি এই প্রস্তাব সমর্থন করিয়া ইহাই বলিতে চাই যে

গৰ্বমেট নিজেই সব কাৰী কৰ্ম্ম সৱীগণকে অত্যাচাৰ কৰিবাব সুযোগ দিয়াছেন যেহেতু তাহাৰা কৃষিক্ষেত্ৰৰ টাকা মাফ দেন নাই। অসি সৱীগণ বাধা হইয়াই অত্যাচাৰ কৰে; তাহাৰা নিজেই ইচ্ছাকৃত ভাবে অত্যাচাৰ কৰেন।

SRIJUT DEBESWAR SARMA: Sir, I shall be failing in my duty if I do not join with the hon. mover and supporters of this cut motion and say that the same oppression more or less has been perpetrated in our district, particularly in Majuli and Simaluguri. I understand that there is an outstanding of Rs. 74,600 and odd to be realised from our district. Sir, the instances of oppression are too numerous to be detailed and that can be better imagined than described. The question arises how the agency of the Government can dare do such illegal and highhanded acts! We find that, on the one hand, to acquit themselves, the officers have to show their work and unless money can be realised their work is not realised by their superior officers. Secondly we find (at any rate in the past and let us hope it will not recur in the future) that whenever any allegation is made against a Government servant, Government take it as a question of prestige and try to shield him. The Hon'ble Ministers may take it from us that the Government will not lose in the estimation of the people but they will rise certainly in the eyes of the people if they concede when they find that what their officers did is not right and try to redress the grievances of the people. Simply finding fault with the officers of Government will not take us far. So it is hoped the Hon'ble Minister will consider the desirability of instituting an inquiry about the capacity of the people to repay the loan they took at the time of their distress and see whether they can pay or not; if they really cannot pay, what should be done in the matter? The loan cannot be made a circumstance to completely ruin the unfortunate debtor. It should be written off.

KHAN BAHADUR MAULAVI KERAMAT ALI: Sir, the hon. mover of this motion does not say that agricultural loans granted to peasants should not be realised even from those who can pay them back. What he wants is to stop the oppressive way in which loans are being realised. Now, Sir, Assembly members are accused of indulging in exaggeration, but I submit that if one-fourth of the story that has been told by some members of this House as to how these loans are being realised is true, then it is up to the popular Government to take drastic measures and punish those officers who have been committing all these atrocities amongst the people. I would therefore appeal to the Hon'ble Minister to see that these things do not recur and that if any complaint is made against any officer for doing such things and if that complaint is found to be true, immediate steps should be taken to take them to task.

SRIJUT HALADHAR BHUYAN: মাননীয় সভাপতি ডাঙৰীয়া, নগাঁৱৰ যি সনষ্টিব প্ৰশ্ন মই আঁহছো, সেই সনষ্টিটোক বাস্তবিকতে বানপানীৰ ঘূল বুলিব লাগে; অৰ্থাৎ বানপানীয়ে সদায় সেইবিলাক ঠাইত ৰে অনিষ্ট কৰে। সেই সনষ্টিটো agricultural loan অৰ্থাৎ কৃষিক্ষেত্ৰৰ ঋণ। ১৯২৯ চনত যেতিয়া বানপানীয়ে গৰু মছ মাৰি উটাই নিয়ে তেতিয়া তাক কৃষিক্ষেত্ৰ দিয়া হৈছিল। সেই ঋণ সাধিবৰ নিমিত্তে তাৰ পিচত ১৯৩০ চনত হুজুৰ সামান্য পিয়াদা গাঁৱটলৈ গৈ এনেভাবে ক্ৰোক কৰি সেই টকা আদায়

কৰিছিল যে তাক কৰিবলৈ গলেও বৰ বেজাৰ লাগে। কেনেকৈ সেই টকা আদায় কৰিছিল? মহ দৰত বন্ধা আছে। সিহঁতে কৈছে “আমি মহ হাল ক্ৰোক কৰিলোঁ।” আকৌ কাৰোবৰে হয়তো পকা ধানটো উৰা দেখি কলে—“আমি এই ধানটো উৰা ক্ৰোক কৰিলোঁ।” তেতিয়া গৰ্ভাণীয়া মানুহে চৰকাৰৰ ধৰা মাৰিবলৈ বুলি মহাজনৰ ওচৰলৈ গৈ এপুৰা গাটিৰ পকা ধান পথাৰতে ১২ টকাত বেচি, চৰকাৰী ধৰাৰ টকা কোনো মতে আদায় কৰিছিল। সেই সময়ত নগৰত খান বাহাজৰ মঃমুদ চৌবুৰী ডিপুটী কমিছনাৰ আছিল। এটবিলাক দেখি শুন মহ তেওঁক বিপোর্ট দিছিলে। কিন্তু তেওঁ সেই বিষয়ে কোনো ধানপাৰ নকৰিলে। তাৰ পিচত ২৩ কি ১৫ নবেম্বৰত মহ গবৰ্ণৰটো টেলি-গ্রাম কৰিলোঁ যে এনেটক পিয়াদা আহি গাৰ্ভাণীয়া মানুহৰ ওপৰত অত্যাচাৰ কৰিলে যে সিহঁতে এপুৰা গাটিৰ পকা ধান ১২ টকাত বিক্ৰি কৰিছে—তাৰ মান ধানৰ মোনে ১০ অনাটক বিক্ৰি কৰিব লগীয়া হৈছে; যাতে সুদটো সম্প্ৰতি আদায় কৰি মুক্ত আদায় নকৰে তাৰ ব্যবস্থা কৰা হয়। সেই টেলিগ্রাম কমিছনাৰলৈ পঠিয়াই দিয়াত বেধকৰে পিয়াদা লগাই ক্ৰোক কৰা বন্ধ কৰা হয়। তাৰ পিচত—সেই ধাৰ আৰু পাচত দিয়া কৃষিক্ষণ বিলাক High official অৰ্থাৎ উচ্চ কৰ্মচাৰী সকলে লগত পিয়াদা লৈ ক্ৰোক কৰিবলৈ যায়। শ্ৰীযুত মহাচক্ৰ বৰা ডাঙৰায়াই কৈ গৈছে তেওঁ বিলাকে কেনেকৈ ক্ৰোক কৰি নিজে কৃষিক্ষণৰ টকা আদায় কৰিছিল। বহুত ডিপুটী কমিছনাৰ নিজেই উপস্থিত আছিল; তেনেকুৱা High official অৰ্থাৎ উচ্চ কৰ্মচাৰী থাকোঁতেও যি অৱস্থা, — পিয়াদাই ক্ৰোক কৰোঁতেও সেই একে অৱস্থা। আৰু এটা কথা — জিলাৰ বৰ চাহাব বা অস্থানী সকলো বিলাক কৰ্মচাৰীৰ এনে কুৰা এটা impression (ধাৰণা) আছে যে No collection no promotion অৰ্থাৎ টকা আদায় নহলে প্ৰমোছনো নহয় (Laughter)। সেই কাৰণে টকা আদায় কৰিবলৈ গৈ তেওঁ বিলাকে প্ৰজাৰ ওপৰত জুলু কৰে। মহ বাস্তবিকতে বৰ অচৰিত হৈছে যে আমাৰ ১০৮ জন মেম্বাৰৰ ভিতৰত হেতে agricultural loan realisation অৰ্থাৎ কৃষিক্ষণ আদায় সম্পৰ্কে হেত প্ৰস্তাব দিয়া স্বত্বেও আৰু agricultural loan সম্পৰ্কে অনেক প্ৰশ্ন কৰা স্বত্বেও মিনিষ্টাৰ সকলে এই বিলাক কথা এৰুৱাৰেই কোনো বিবেচনাৰ ভিতৰত লোৱা নাই। এইটো বৰ দুখৰ বিষয়। তেখেত সকলে বাজেট দাঙি ধৰোঁতে কৈছিল যে “Enquiry (বিচাৰ) কৰিবৰ নিমিত্তে ব্যৱস্থা কৰা হৈছে, যদি real hardship অৰ্থাৎ যদি সচাটকয়ে অসমৰ্থ হয় তেন্তে আমি বিবেচনা কৰিম।” কিন্তু real hardshipৰ (প্ৰকৃত দুৰৱস্থাৰ) বিপোর্ট কোনে দিব? যি staffএ (কৰ্মচাৰীয়ে) ক্ৰোক কৰা টকা আদায় কৰিছে সেই staff এই (কৰ্মচাৰী) সেই বিপোর্ট দিব। গতিকে এনেকুৱা enquiry (বিচাৰ) কৰিলে যে কিবা ভাল হব তাক আমি আশা কৰিব নোৱাৰোঁ।

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: কোনে বিপোর্ট দিলে নো ভাল পায় তেখেতে?

SRIJUT HALADHAR BHUYAN : সকলে ঠাইতে enquiry (বিচার) কৰিব লগীয়া হলে ননু অফিছিয়েল মেম্বাৰ লৈ কমিট গঠন কৰাই শ্ৰেয় । এই বিলাক বিচার কৰিবলৈ তেনেকুৱা কমিটি চেক্ৰেটাৰী এজন চৰকাৰী বিষয়া দি গঠন কৰিব লাগে । অৰ্থাৎ মোৰ ওপৰত দৰখাস্ত দিলে, মোকে যদি তাৰ enquiry (বিচার কৰিবলৈ দিয়া হয়, তেনেহলে একো ভাগ বিচার নহব । যেন্তে no collection no promotion অৰ্থাৎ টকা আদায় কৰিব নোৱাৰিলে প্ৰমোছন নহয় এই notion বা ধাৰণা কেইবলাকৰ লাগি আছেই । (laughter) গতিকে এই cut motion (ছাটিনি প্ৰস্তাৱটি) নই সৰ্ব্বান্তঃ- কৰণে সমৰ্থন কৰেই ।

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Sir, the Government Bench is much obliged to the hon. members who have placed before the House the various incidents of alleged oppression by Government servants. We, Sir, are unable to take responsibility for what happened long long ago, for instance the incident which my friend just now stated took place in 1931. The incident my friend from Sunamganj referred to took place 3 or 4 years ago. As regards these incidents it is impossible to expect from us that further light could be thrown. So, we shall not attempt to enquire into these. But incidents which are of recent occurrence and which have been brought to the notice of Government shall receive our most careful consideration. If the House knows what this Government has done in this matter, I think the House will never agree to support this motion. As soon as we received information and representations from some members of this House as regards the incapacity or alleged incapacity, and as soon as they addressed a letter to the Hon'ble Chief Minister, the Hon'ble the Chief Minister forthwith passed an order that realisation of agricultural loans should be suspended up to the 30th September next. In the meantime a careful enquiry is being made as to the capacity of the people to pay their agricultural loans. Hon. members will be interested to hear that we have already remitted a sum of Rs.12,000 for agricultural loans from the Sunamganj subdivision and that subdivision has not to pay anything more. Recently, Sir, after receipt of some result of enquiries we have placed a sum of Rs.30,000 at the disposal of the Commissioner, Surma Valley Division so that he may wipe out loans to that extent. Enquiry is still proceeding to see how far it will be necessary to remit these loans.

SRIJUT GOPINATH BARDOLOI : What is the total amount of agricultural loans now outstanding ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : About 7 lakhs.

One thing, I should have expected the House to express its views upon. That is that agricultural loans are after all loans and an honest man should be able to repay them. Should we or should we not insist on repayment of agricultural loans from those persons who are capable of repaying and are still not paying ? If so, Sir, what are the methods to be applied ? There are honest as well as dishonest people ; there are persons who can pay, but still they would not pay ; there are persons who are afraid of process servers and officers who go to attach properties. If hon. members would insist that all agricultural loans should be wiped out, then it is a matter to consider whether it will be advisable not to issue agricultural loans in future at all ? Maulana Abdul Hamid Khan has stated that so long as

there is realisation of agricultural loans there is bound to be some sort of oppression. So the point which I should ask the House to consider at a later stage is that whether it is not advisable to discontinue agricultural loans which are so difficult to realise and to substitute it by a system of gratuitous relief in deserving cases. I think I have said enough to convince hon. members that in this matter Government are not at all to blame. I must say that Government have done their best and are prepared to do their best to avoid oppression to the people.

SRIJUT DEBESWAR SHARMA : On a point of information, Sir. We have heard from the Hon'ble Minister that some districts have been given relief. May we know what is he going to do for the other districts ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Final orders, Sir, have not yet been passed. Inquiries are still proceeding and we have not yet received the report.

SRIJUT DEBESWAR SHARMA : On a point of information, Sir. Who is the inquiring officer at Majuli ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I cannot say, Sir. (*A voice.*—I think the Deputy Commissioner is enquiring.)

SRIJUT MAHI CHANDRA BORA : Up till now we have not heard of any enquiry.

THE HON'BLE THE SPEAKER : The question is that the provision of Rs.2,18,000 under Grant No.1, Major head—7.—Land Revenue, Minor head—A.—General Establishment, Sub-head—3.—Allowances and Honoraria, Detailed head—Travelling Allowance of Officers, at page 29 of the Budget be reduced by Re.1

The motion was adopted.

MR. ARUN KUMAR CHANDA : Sir, I beg to move that the provision of Rs.18,000 under Grant No.1, Major head—7.—Land Revenue, Minor head—A.—General Establishment, Sub-head—3.—Allowances and Honoraria, Detailed head—Travelling Allowance of Officers, at page 29 of the Budget be reduced by Re.1.

Sir, I have tabled this motion to criticise the failure of Sub-Deputy Collectors to travel to Mofussil in order to institute enquiries into the capacity of the people of Cachar to repay agricultural loans. Sir, for years the district of Cachar has been the favoured scene of various acts of God. Cachar has been called upon to meet the alternative menace of floods and drought from year to year. I realise, Sir, there is no sense in raising a grouse against acts of God. I desire therefore to bring to the notice of this House certain cruel acts of men and to hear the House give its verdict thereon today. Sir, it may be recalled that after the devastating flood of 1929, Government were graciously pleased to grant some agricultural loans in the district of Cachar. Although the hopes of the return of the prosperity of Cachar have been deferred—I must say—have been dashed to the ground—the vigour and rigours of realisation of loans still continue unabated. Sir, a few months ago the situation grew so critical that we were persuaded to lead a deputation to the Deputy Commissioner and we placed before him the cruel facts that plough cattle of the poor agriculturists were being seized and sold, and that the principle of joint liability was being stretched to scandalous lengths. The Hon'ble Minister in charge may opine that this is not an illegality. But certainly, Sir, it is an instance of inhumanity in the circumstances under which the people of Cachar are living for the last few years. I do not desire to repeat what I said on the last occasion about the panic which is created by the peons and the Collecting Officers in the villages of Cachar. I would only say that the methods adopted by these Collecting Officers would put to shame the time honoured methods of 'Kabuli's

Zoolum'. In reply to a question by my hon. friend from Cachar the Revenue Minister was pleased to state that no complaints about the plough cattle being seized had been received. I can state before the House on my personal authority as having direct acquaintance with facts that not only in one case, but in many many cases this cruel method of realisation was adopted by Realisation Officers.....

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Is the hon. member in order, Sir ? We are to discuss not as regards the method of realisation but as regards the failure of the Sub-Deputy Collectors to travel to mofussil in order to institute enquiries into the capacity of the people of Cachar to repay agricultural loans.

MR. ARUN KUMAR CHANDA : I sympathize with my hon. friend if it is a subterfuge which he is seeking to stifle the discussion.

THE HON'BLE THE SPEAKER : I think, the hon. member intends to speak about the oppression by the Sub-Deputy Collectors in the matter of realisation of loans, but he is limited to the discussion of the failure of the Sub-Deputy Collectors to travel to mofussil in order to institute enquiry into the capacity of the people of Cachar to repay the agricultural loans. The hon. member will therefore, confine himself to the object of his motion.

MR. ARUN KUMAR CHANDA : I submit Sir, it is a relevant discussion because these oppressions were being committed even after the travels of Sub-Deputies on loan-realisation mission.

I would also bring to the notice of this House that people who had paid up their debts were being called upon to pay for those who had left the district or were untraced. Government are not sparing the people who have already paid up their debts, but on the other hand insisting upon the realisation of debts incurred by others from them. In this connection, Sir, I would like to submit to the House that people who have any paying capacity have already paid up. Sir, in answer to a question which was referred to before we saw the serried phalanx of officers and men drafted for the purpose of realisation of loans in Cachar. Sir, the cost of collection is absolutely out of proportion to the collections made and grossly extravagant. It may not be the opinion of the Government but it is the considered opinion of the public. And what about the sufferings and hardships which this process of collection has subjected the poor masses in Cachar ? Why add to their burden which is hard enough to bear ?

Sir, only last year we had the privilege to witness the Jubilee celebrations of His Majesty King George V's reign and since then we also had the privilege to witness two accessions of two British Monarchs to the throne. People have often come to me and asked why is it that Government did not feel inclined to remit arrears of agricultural loans on happy occasions like these. Of course, Sir, they had heard what the Nizam and the Gaekwar had done for their subjects upon similar happy occasions during their reign. In reply I had to tell them, most painfully I admit, that the traditions of the British Government are slightly different. If a British King dies, we have to pay—voluntarily of course—for the commemoration of his memorable reign and on the accession of a monarch to the throne we have to rejoice by paying ! (*laughter*). The collecting officers, Sir, ought to have taken advantage of great occasions like these and recommended to the authorities concerned that the arrears of loans should be wiped out in view of the poverty of the people and their incapacity to pay.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : On a point of information, Sir. Does the hon. member mean to say that no further inquiry should be held ?

MR. ARUN KUMAR CHANDA: Why not? Sir, I am of course grateful to the Hon'ble Minister for suspending the realisation of loans for sometime, but is it too much to hope that if the British Monarchs fail their subjects, the Ministers will not fail them? Let us hope, Sir, that relief to the poor and amelioration of their condition should synchronize with the advent of our popular Ministers to power. (*laughter*). With these words, Sir, I commend my motion to the acceptance of the House.

THE HON'BLE THE SPEAKER: The motion moved is that the provision of Rs.18,000 under grant No.1, Major head—7.—Land Revenue, Minor head.—A.—General Establishment, sub-head 3.—Allowances and honoraria, detailed head—travelling allowance of officers, at page 29 of the budget be reduced by Re.1.

The Hon'ble Revenue Minister will please reply.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, on behalf of this House I would like to congratulate the hon. mover of this motion for his oration which we have very carefully listened. But the pity of the whole matter is that most of his speeches which he delivered was outside the mark. We are only concerned in this motion to the fact that the Sub-Deputy Collectors have failed to travel to mofussil in order to institute enquiries into the capacities of the people of Cachar to repay agricultural loans. In support of that no fact was actually brought before this House. The hon. mover has practically thrown on us no light. If I had known that a particular Sub-Deputy Collector had at a particular time failed to make inquiry and that he had submitted a false report, then we could do something. I am as anxious as any body in this House to see that real and proper enquiries are made to find out those people who are unable to pay the agricultural loans, so that the gift of the Government may go to the deserving people, and not to all and sundry, who are capable of paying the debt, and who according to all moral principles ought to pay the debt.

There is one important principle which the hon. mover raised in course of his speech. The most unsatisfactory part of issuing agricultural loans is that a loan is not granted to 1 man alone. By way of security the loan is given jointly to 2 or 3 persons. Sometimes it happens that the more honest man pays his debt, but the dishonest or the poor man is unable to pay it. In that case loan is to be realised from the man who can pay it. This is the most unsatisfactory feature about issue and realisation of agricultural loans. So I think if we are required to issue agricultural loans in future, we must examine the question whether we should not amend the existing rules.

As I said, I was very much handicapped because the hon. mover forgot to give us details in support of his motion. I would ask the hon. mover to withdraw the motion. I give him fullest assurance that real and proper enquiry will be made.

MR. ARUN KUMAR CHANDA: I am grateful to the Hon'ble Minister for the assurance that real and proper enquiry will be made. My only request is that he will not rely entirely upon the reports of the officials. They are exactly the people against whom we are making charges, and if a little confidence is extended to us—we have been returned by our constituencies as their representatives—it will not only be flattering us but it will also enable Government to obtain proper information.

THE HON'BLE THE SPEAKER: The hon. member has not said anything about the request made to him by the Hon'ble Minister.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: On a point of information, Sir. Would the hon. member like to go so far as to take the responsibility of revising the list, if we send to him the list of persons who are reported to be entitled or eligible for remission.

MR. ARUN KUMAR CHANDA: I would like to be associated with Government in every possible manner in this matter.

THE HON'BLE THE SPEAKER: The hon. member should say what he will do with his motion.

MR. ARUN KUMAR CHANDA: After this assurance—I take it that it is not the usual official assurance, but an assurance which springs from the heart—I beg leave to withdraw my motion.

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

KHAN BAHADUR MAULAVI MAHMUD ALI: Sir, I beg to move that the provision of Rs.49,550 under Grant No. 1, Major head—7.—Land Revenue, Minor head—Charges of Administration, Sub-head A.—General Administration, Detailed Head—3.—Allowance and Honoraria (total), at page 29 of the Budget, be reduced by Re.1.

Sir, by this motion I want to criticise the policy of Government for not taking steps to effect increase in the land revenue of the Province. Sir, we have enough land at our disposal, but we cannot enjoy it, we cannot use it and at the same time we have no money, no revenue for the administration of the Province. Sir, we have enough land for our own use and utility, but for want of food, Sir, our people are dying, leaving their homes, migrating to Assam, where they have no homes for themselves, or in the hill Tipperah beyond the limits of the British Empire. At the same time we have enough land to give them in settlement to these people and we can get revenue for the administration of our province. Sir, is it fair that our people should die for food, for subsistence though God has granted them land, enough opportunities for their own affairs of life so that they can live well. But, Sir, even then we are in want of money for the administration of our Province, We have no money for our work here and there, for this item of business and that item of business, and for that cause what we are doing? We are taxing the people by this way or that way. Sir, are we justified in enhancing the rate in this way or that way? Well, we have land, we have everything before us but we do not know how to make use of it; Government do not give us the opportunity of using it. Sir, I may cite before the House an instance. Imagine a hungry man sees a dish before him and if the owner of the dish does not allow him to take it, what will be his plight? You can well understand that. He shall have to go elsewhere for his subsistence and to satisfy his hunger. Sir, our people are hungry for want of cultivable land and we want money, Sir. I think the best way will be for the Government to settle the land with these people soon, and in return, we shall get revenue from these people when they utilize the land. In that case our people may not come to Assam to incur the displeasure of our Assamese friends, they may not go to hill Tipperah and thereby decrease the strength of population in the districts of Surma Valley. Sir, I may cite another instance if you say there is no land for cultivation to give settlement with the people. In Cachar District there are 3 *haors*; one is Jamura, which is quite cultivable and another is Kalar haor which is available for cultivation. In the subdivision of Karimganj in the district of Sylhet in Patharkandi thana there is a vast tract of land in Manikbond and again in Ratabari thana, Balirbund. These vast tracts of land are lying fallow to be infested by pests. But people are leaving their homes for want of land; can they not easily live if those waste lands are settled with them?

Is it not pitiable, Sir? Sir, I do not want to waste the time of the House. I only submit that these lands could be settled with these people. Land is for cultivation, for the use of the people. As a poet said, we are going beyond that Divine Law or Law of nature. Sir, that the land is created for the living and residence of the people, where they can live and enjoy without any distinction of caste or creed, enemy or friend. Sir, is Government justified in restricting those lands? Should they not allow people to cultivate and enjoy it by its proper use. I appeal to the House and the members of the Government—I mean the popular Government—to consider these things, and thereby they will be saved from this unpopular measure of Line System. There will be no necessity for this measure, and they will have also increase in the revenue and thereby have a balanced or surplus budget. There may then be no necessity for retrenchment and for the appointment of a Retrenchment Committee at all. And the income will be substantial and permanent. But to my utter disappointment I find that the Government never think of this source of income of the province.

MAULANA ABDUL HAMID KHAN: Sir, গোয়ালপাড়া জমিদার-গণ গবর্ণমেন্টকে নামমাত্র খাজানা দিয়া লক্ষ লক্ষ টাকা প্রকৃতির নিকট হইতে আদায় করিগা নিজেদের ভোগ বিলাস চরিতার্থ করিতেছেন। কিন্তু গবর্ণমেন্ট বলিয়া থাকেন তাহাদের উপর খাজানা বৃদ্ধি করিবার কোন অধিকার নাই। এবং ইহাই বলিয়া প্রজাদিগকে সন্তুষ্ট না দিতেছেন। যদি জমিদারের উপর খাজানা বৃদ্ধি করিবার অধিকার না থাকে তবুও তাহাদের উপর Education cess বসাইবার ক্ষমতা গবর্ণমেন্টের আছে—Agricultural cess বসাইবার ক্ষমতা গবর্ণমেন্টের আছে। যে সমস্ত জমিদার নিজ নিজ ভোগ বিলাসের জন্য সরাবজীর হোটেলে, বাইজীর দোকানে বা নানা প্রমোদ-বিলাস বাবদ লক্ষ লক্ষ টাকা ব্যয় করেন, গবর্ণমেন্ট কেন যে তাহাদিগকে প্রজাদের নিকট হইতে এত টাকা আদায় করিতে দিতেছেন তাহা আমি বুঝিতে অক্ষম। গোয়ালপাড়ার বহু জমি বিনা বন্দোবস্তে জমিদারগণ ভোগ করিতেছেন। আমি দেখিয়াছি যে মোহনপুর চর দীর্ঘকাল যাবৎ বিজনী ষ্টেট ভোগ করিয়াছিল। কিছুদিন পূর্বে গবর্ণমেন্টের পক্ষ হইতে enquiry করিয়া আমাদের মাননীয় ডেপুটী কমিশনার I. Majid সাহেব যখন রিপোর্ট দিলেন তখন বহুদিন পর গবর্ণমেন্ট সেই চর উদ্ধার করিয়াছেন। আরও ২৫২৬টা গ্রাম যাহা গৌরাপুরের জমিদার অধিকার পূর্বেক দখল করিতেছিলেন, তৎক্ষণে রংপুর জেলায় settlement হইবার পর দেখিতে পাঠিতেছি যে ঐ সমস্ত জমির মানিক এখন মহামান্ত্র ভারত সম্রাট। কিন্তু এককাল গৌরাপুরের জমিদার ঐ সমস্ত জমি বিনা বন্দোবস্তে ভোগ দখল করিয়াছেন—গবর্ণমেন্টের পক্ষে কোন আপত্তি করা হয় নাই। নদীতে যে সমস্ত চর আছে জমিদারদিগকে চিরস্থায়ী বন্দোবস্ত দিবার সময় যে boundary টিক করিয়া দেওয়া হইয়াছিল তাহা মিলাইয়া survey করিবে আবার বিশ্বাস সমস্ত চর জমি গবর্ণমেন্টের খাস হইবে। দুই হাজার টাকা আয় হইলেই মহাজন ও ব্যবসায়ীদের উপর

Income-tax ধার্যা করা হয়। জমিদারদের উপর ও সেরকম ভাবে Income-tax ধার্যা করা হউক। পূর্বে কামরূপ ডিষ্ট্রিক্টে প্রজারা বিবা প্রতি ১০ আনা খাজানা দিত। দেশের অবস্থা খারাপ হওয়ার জন্ত সেখানে খাজনার টাকা প্রতি ১০ কম হইয়াছে। বর্তমানে আরও কম হইবার ব্যবস্থা হইতেছে। কিন্তু গোয়ালপাড়ার জমিদারীর এলাকার প্রজাগণ আজ পর্যন্ত এক আনাও কম পায় নাই, যদিও সেখানে প্রজারা বিবা প্রতি ১০ আনা হইতে ৭ টাকা পর্যন্ত খাজানা দিয়া থাকে এবং প্রবল ভূমিকম্পে অধিকাংশ জমি আবাদের অযোগ্য হইয়াছে। এরূপ অতিরিক্ত খাজানা আদায় করিয়া জমিদারগণ লক্ষ লক্ষ টাকা উর্জ্জন করেন এবং সেই টাকা দ্বারা মাটির চাড়া খাওয়া খাইয়া মাংসাশয়্যে ব্যয় করেন এবং কলিকাতায় বোড়দৌড়ে ব্যয় করেন।

এই রকম বিন্যাসিতা পরামণ প্রজার প্রতি কর্তব্যাহারা ধনিক জমিদারদের উপর এতদিন পর্যন্ত গবর্ণমেন্ট দয়া পরিপোষণ করিয়া কোন বন্ধিত কর ধার্যা করেন নাই কেন তাহার কারণ বুঝা কঠিন।

THE HON'BLE THE SPEAKER: মৌলানা সাহেব যে বক্তৃতা করিতেছেন সেই বক্তৃতার মধ্যে এমন ভাবে কথা বলা উচিত যাহাতে আমাদের সাক্ষাতে যে বিষয় উপস্থিত করা হইয়াছে তাহার সহিত যেন সম্পর্ক থাকে। তাহার বক্তৃতার কোন অংশ যেন অপ্রাসঙ্গিক না হয়।

MAULANA ABDUL HAMID KHAN: আমি আশা করি যে অতি সত্বর গোয়ালপাড়া বা সিলেট জেলার যে সমস্ত জমিদারের বাৎসরিক আয় দুই হাজারের উপর তাহাদের উপর অন্ততঃ টাকা প্রতি ১০ চারী আনা হিসাবে agricultural cess ধার্যা করিয়া গবর্ণমেন্টের আয় বৃদ্ধি করা হউক।

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, Government ought to be thankful to the hon. mover of this motion for the kind thought which he has given for the increase of their resources, but we regret that we cannot support him, because there is already a great demand for available land in the Assam Valley not only from the settlers but also from the indigenous people, and we are, as the House knows, going into the whole question carefully and it is impossible for me to throw open all available land immediately. As regards certain *haors*, of which mention has been made by my hon. friend, in the Sylhet district, I do not know whether they are in the permanently settled area or whether they are khas property of the Government, but if really there are such lands available in the district of Sylhet there would have been no migration of the Sylhet people to the Assam Valley at all and there would have been no necessity to give to the Sylhet people a whole block there. So I am unable to accept this motion, but as I have already said, we are going to enquire into the whole question as to the availability of land and to the reservation for indigenous people. As I have already said in reply to a question all land is not fit for profitable cultivation. Therefore I oppose this motion.

KHAN BAHADUR MAULAVI MAHMUD ALI: On the assurance given that a Committee of enquiry will be appointed I beg leave of the House to withdraw my motion.

The motion was withdrawn by leave of the House.

SRIJUT SARVESWAR BARUA: Sir, I beg to move—

That the provision of Rs. 78,167 under Grant No. 1, Major Head—7.—Land Revenue, Minor head.—Charges of Administration, Sub-head B—Tahsil and other establishments, Detailed Head 1.—Pay of establishment (total), at page 30 of the budget, be reduced by Rs. 2.

I bring this motion to raise a discussion about the desirability of the extension of the Tahsil system to replace the Mouzadari system.

Government are making experiments by introducing the tahsildari system and they have done so in two districts, Goalpara and Sibsagar. The old Mouzadari system is getting out of date and it has already caused a havoc in the ancient families of Assam. It has ruined many a family in Assam and I think it is time to replace it by another system which is I thought at the bottom of the idea of the experiment that Government is making in these two places. My intention in tabling this motion is merely to know what the opinion of Government in this matter is and whether they find the experiment successful or not. I would like to hear the Government on this matter.

The motion was put by the Hon'ble Speaker.

SRIJUT SARVESWAR BARUA: Sir, I have been asked by some hon. members to explain what is the difference between the two systems. If you permit me I can even now explain.

THE HON'BLE THE SPEAKER: It was upto the hon. member to have explained it in his speech. He can do so now.

SRIJUT SARVESWAR BARUA: Sir, these systems are familiar in our parts of the province, namely, in the Assam Valley. But if other hon. members are not familiar with them, it may be necessary for me to explain. In the Mauzadari system the man who takes his appointment as a Mouzadar has to enter into a contract with Government that by a certain date he will collect and remit into Government treasury the entire demand of the mouza. If he fails to do so by the given date, the amount will be realised by Government from his properties and also from the properties of his friends and relatives who stood his sureties and who had to undertake liability for the realisation of the land revenue from that mouza. In the tahsildari system, the tahsildar is an ordinary Government servant. He is given his staff to realise the revenue from the *raiya*t and if the tahsildar fails to realise the land revenue within the Government revenue year in that case he has not to pay it from his own pocket or from the properties of any sureties because he has no such liability.

In the old days the Mouzadar commanded a great deal of influence in the localities where they owned mouzas and they realised land revenues easily. He was not required to go from house to house or from village to village, but the *raiya*t brought the land revenue to the mouzadar's house and paid it in time and the mouzadar in his turn was in a position to pay the Government demand in time. Now-a-days, times have changed and the mouzadar has to go from village to village. He has to engage his mohurers and peons to go from house to house and very often he himself has to go from house to house making collections. Even then he fails to

realise the entire demand by the stipulated date and as a result his properties are sold, his sureties' properties are sold and in some cases he is dismissed from office on account of his inability to collect land revenue. In this way many a mouzadar has run into heavy debts and many a mouzadar's family has been ruined. But in the other system, *i.e.*, the tahsildari system, if there is any loss and if the tahsildar fails to make collections by the prescribed date, that is within the revenue year, it is not recoverable from the tahsildar and it stands over to be collected from the *raiya*t in the next year by the same tahsildar or if he is deemed inefficient, in that case he may be removed or transferred to some other capacity and another man posted by Government, there will collect the arrears.

MR: F. W. HOCKENHULL: What happens to the arrears ?

SRIJIT SARVESWAR BARUA: That is recoverable next year and it stands over. The difference between the two systems is that in the tahsildari system the tahsildar is a Government servant and in the mauzadari system the mouzadar is some sort of contractor. He is not merely a contractor but he has other duties to do without any separate remuneration ; he simply gets his commission upon the collections.

Recently an allurement has been held out to the mouzadar by which he is to get a higher commission if he is able to pay the Government demand by the 31st May and that allurement has only put people in a greater difficulty because the mouzadars on account of such allurements try all sorts of coercive measures to realise land revenue from the *raiya*t in a most relentless manner to get them pay before the 31st May. That is another evil which has resulted in this mouzadari system.

Therefore, I ask Government whether they find it more convenient or a better method of collecting land revenue by introducing this tahsildari system. It is admitted in the last annual report by the Commissioner of the Assam Valley that this system is working better than the mouzadari system in the two places in which they are being applied.

THE HON'BLE SRIJIT ROHINI KUMAR CHAUDHURI: Sir, as this Hon'ble House knows, the tahsildari system existed in this province up till the year 1905 and since then the mouzadari system was introduced. We examined the whole question in the last Retrenchment Committee and the Committee came to the conclusion that although the mouzadari system cost a little more to the Government the percentage of collection was higher than that in the places where the tahsildari system was in vogue. That was the finding arrived at by the Retrenchment Committee in 1931. But we find now that since the economic depression had set in the mouzadars had lagged behind in their collection and so far as collection is concerned there is a higher percentage of collection under the tahsildari system. So from the point of view of collections the Government may prefer the tahsildari system to mouzadari system. There is one item of expenditure which the Government cannot immediately launch upon and it is as regards buildings. A rough sort of estimate was made some time ago. The opinion of the Commissioners was invited, and it appeared that an expenditure of about 4 to 5 lakhs will be necessary if the Tahsildari system was all at once introduced. There is another aspect of the matter to which I must draw the attention of the House. What exactly is the feeling of the *raiya*t in this matter ? I think, Sir, they get more relief in places where the mauzadari system is in vogue than where the tahsildari system is in vogue. Because the mauzadar after all belongs to the locality, say to one of the villages in the mouza and the mohurers and peons are mostly from the mauza itself. Therefore, I think they show a great deal more of leniency

than Government servants in the position of a Tahsildar. What is more, we find that the mauzadars actually pay a good deal of the Government demand from their own coffers at the required time and realise the money gradually from the *rai-yats*. Some of the mauzadars who are well off pay from their own coffers...

SRIJUT SARVESWAR BARUA : By borrowing ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I am not in a position to say, Sir, how they do it. Some mauzadars borrow also. But that is a position, Sir, which the House must also take into consideration. Then, Sir, the mauzadars are generally the natural representatives of the land holding class, and though that class has hardly emerged as a political unit, the abolition of the mauzadars at this time would be definitely against the interests of landlords generally and handicap them in organising themselves. That was the opinion of Mr. Bentinck, Commissioner, and that also ought to be taken into consideration. In this matter, Sir, Government has not come to any definite conclusion. They are now having the mauzadari system as well as the tahsildari system side by side and are watching the whole situation, and if the House comes to a definite conclusion that the tahsildari system should be introduced and the mauzadari system should be gradually abolished, that will surely be taken into consideration by Government. More than that, Sir, I am unable to say.

MR. C. GOLDSMITH : On a point of information, Sir. May I know from the Hon'ble Revenue Minister whether under the tahsildari system more revenue is collected ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : As I have already said, Sir, we have the tahsildari system in Goalpara and the Majuli area in the Sibsagar district. So far as these two areas are concerned, the percentage of collection is higher. The rest of the temporarily-settled districts in Assam are under the mauzadari system.

MR. C. GOLDSMITH : If more revenue is collected under this system, is it not a fact that these Tahsildars are more oppressive in their methods in realising more revenue ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : We have no actual facts before us. I am inclined to think that the Tahsildars will be more strict than the mauzadars in the matter of collection.

THE HON'BLE THE SPEAKER : The motion moved is that the provision of Rs 78,167 under Grant No.1, Major Head 7—Land Revenue, Minor head—Charges of Administration, Sub-head—Tahsil and other Establishments, 1.—Tahsil Establishment, Detailed head—1.—Pay of establishment (total), at page 30 of the Budget, be reduced by Rs.2.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Sir, in this case my hon. friend who has moved the motion has not given his definite opinion that the Tahsildari system should be introduced as against the Mauzadari system. I do not know what is the implication of this motion.

SRIJUT SARVESWAR BARUA : We are not satisfied, Sir, with the reply of Government.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : The motion, Sir, is to raise a discussion about the desirability of the extension of the Tahsildari system to replace the mauzadari system. The object is to raise a discussion and the discussion has been raised. Government have replied that they are going to examine the whole question. I fail to see what else is to be done.

KHAN BAHADUR MAULAVI KERAMAT ALI : May I speak one word ? It was about the introduction of the Tahsildari System.

THE HON'BLE THE SPEAKER : It has been replied to by the Hon'ble Minister. If any information is required, the hon. member may ask. That is the rule in regard to cut motions.

In regard to the Hon'ble Mr. Nichols-Roy's question I should say that discussion includes censure also.

The motion was again put by the Chair.

The motion being negatived, a division was claimed. After the division bell rang and members had taken their seats, the motion was again put, no division was claimed and the motion was declared lost.

MAULAVI ASHRAFUDDIN MD. CHAUDHURI : Sir, I beg to move that the provision of Rs.5,239 under Grant No.1, Major head—7.—Land Revenue, Minor head—Charges of Administration, Sub-head B.—Tahsil and other establishments, Detailed head—3.—Management of Private Estate under Act X of 1892 (total), at page 30 of the budget, be reduced by Rs.2.

I bring this motion to criticise the management of Sayida (Majum-dari) Court of Ward's Estate in Sylhet.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : May I raise a point of order at this stage Sir ? I only want to point out that so far as Court of Wards is concerned it is not responsible to Government. The entire income of the Court of Wards comes from the private estate and for this no motion for censure or cut motion can be moved.

THE HON'BLE THE SPEAKER : How does Government manage the Court of Wards ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : By lending their officers. The pay of their officers is met from the income of the Estate.

THE HON'BLE THE SPEAKER : If the Court of Wards mismanage an estate is not Government responsible for that ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : That is entirely a private matter between Government and the ward.

THE HON'BLE THE SPEAKER : Is not Government responsible for that to the people ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : The Court is not responsible to the Government. They may be liable to a Court of law.

THE HON'BLE THE SPEAKER : Is it not a matter of public importance ? Will the Hon'ble Minister please explain the management of private estates under Act X of 1892 ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : What I said is that there is no demand for grant under this head and this is not a provincial revenue.

THE HON'BLE THE SPEAKER : This is included in demand No. I. I think Government incur expenses under Act X of 1892. Will the Hon'ble Minister look into page 30 of the budget ? What is this item "management of private estate under Act X of 1892, for which money has been provided ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I have nothing to say further. I shall bow to the ruling of the Chair.

THE HON'BLE THE SPEAKER : Then the motion is allowed.

MAULAVI ASHRAFUDDIN MD. CHAUDHURY : Sir, first of all I want to mention something about the historical importance of this Estate. During the time of Mr. Dawson as Deputy Commissioner of Sylhet, this Estate was taken over by Government for management, in consideration of the loyal services rendered by the members of this illustrious family in the past to the Government and to the country and one gentleman has been appointed as Manager of the Estate in contravention of rule 30 of the rules framed under the Court of Wards Manual. It lays down that any one who has got some sort of relation with the Estate cannot manage the Estate. But, Sir, in the case of present Manager the provision of the above has not been respected. Ignoring the claims of several superior landlords in payment of their dues, as provided by rule 84 this man has been allowed to act as manager of the estate, and for a number of months even the allowances have not been given to those persons. Most of the wards having no other resources have had to live on the allowance they get from the estate. But unfortunately some of them have been deprived of that and when they want to represent their case before the Collector they are refused to interview even. On several occasions they wanted to represent their grievances but that was also refused by the Collector some time ago. An I.C.S. Collector had not the courtesy to give a hearing to their prayer for allowance. When they deputed a member of the bar to represent their cases to him, even on the occasion of the Id festival when they approached the Collector for some help he remained adamant and did not pay any heed to their grievance. Now these people who come from the Majumdar family are in great distress and they are almost on the point of starvation. Further I should like to say that there has been gross negligence in the management of the estate itself. On one occasion two of the superior landlords, *viz.* Maulavi Abdur Rashid Majumdar and Maulvi Mobarak Majumdar brought this fact to the notice of the Collector and that was on 3rd July 1936. As a result of this the allowance of these two gentlemen has been stopped since that date and for the last 18 months they have not been given any allowance. Here is an instance how the Manager indulges at the cost of the estate, in frivolous litigations. The case went up to the High Court and this is the judgment of the Hon'ble Justice Costello and the Hon'ble Justice Arthur Henderson : "In our opinion these proceedings should not have been brought to this Court. It is obvious that the money due from the Ward to the decree-holder should be paid and that no money should be spent in what may be called frivolous attempts to postpone the date of payment even after this." Again when these people laid their grievance before the Collector the Collector gave them a threat saying "if you come to disturb me by these repeated demands I will advise the Manager not to make any payment at all."

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI : May I know whether the present Manager is a tenant of the estate ?

MAULAVI ASHRAFUDDIN MD. CHAUDHURY : This man has been appointed as Manager in contravention of rule 30 of the Court of Wards Manual and that he has suppressed the fact for over 4 years that he holds some interest in the Baniyachung Mahal.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI : How does he hold land, whether as a tenant or not ?

MAULAVI ASHRAFUDDIN MD. CHAUDHURY : He has got his brother-in-law and father-in-law at Baniyachung and they are regular tenants. Rule 30 provides that in no way he should have connection with the land of the estate. If he has any interest in the estate, he must notify it previous

to his appointment. Further we find that it is rather curious that though the estate has an income of over 40,000 rupees, the gentleman was not even asked to pay security. It is only the other day that he has been asked to furnish a security of Rs.1,000 for an estate which yields an income of over Rs.40,000. The gentleman has been asked to furnish a security of Rs.1,000 and that is after three years of his appointment.

Further we find that after these things were brought to the notice of the Collector, very valuable forest products were sold without the notice of the Collector even. It was not a public sale. Later on we find that only Rs.50 or near about was credited, whereas our information is that if these were openly sold they would have brought Rs.2,000. This is done in the very face of the Collector of the district. Various Forest products are being sold in Uttargach which is only four miles off from the Sylhet town. Even a petition had been filed to the Collector, for his personal inspection but without any purpose. The parties are ready to pay for the conveyance of the Collector, but to no effect. On several occasions there have been repeated prayers made to the Collector, but the Collector refuses to do anything without hearing the Ward Magistrate. The Ward Magistrate is a young man without previous experience of revenue and zamindari works. The Ward Magistrate again leans on the report of the Manager and in this way, the estate is being managed.

I have brought these things to the notice of Government to show that things are very appalling. Recently this Manager has recommended a sum of Rs.18,000 to be remitted as rent from Baniyachong area. We find that some remission is to be granted to Maharatna Hara Krishna too. This man is a millionaire and he is to be granted remission. The Manager along with other tenants has recommended his case too for remission. There was a Court decision over rate of rent of Uttargach property. The tenants fought up to the appellate Court. The Manager in collusion with those tenants is going to reduce the rate of rent of that property, covered by the High Court judgment. This will have disastrous effect on the estate.

All these are due to the fact that the Manager has not been asked to furnish security. The Manager acts as he pleases ; he works merrily and there is no body to check it.

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

THE HON'BLE THE SPEAKER: It is already past five now. The House is adjourned till 2 p.m. to-morrow.

The House was then adjourned till 2 p.m. on Friday, the 20th August, 1937.

Shillong,

24th September 1937. }

A. K. BARUA,

Secretary, Legislative Assembly, Assam.