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REFERENCE

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FIFTH SESSION OF THE ASSAM LEGISLATIVE
ASSEMBLY ASSEMBLED AFTER THE FOURTH
GENERAL ELECTIONS UNDER THE
SOVEREIGN DEMOCRATIC RE-
PUBLICAN CONSTITUTION
OF INDIA

Budget Session

Volume II

No. 15

The 27th April 1970



सत्यमेव जयते

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Debates of the Assam Legislative Assembly 1970

Budget Session

Vol. II No. 15

The 27th April 1970

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Questions and Answers

Swearing in of New Member
Shri Siba Prasad Baidya, the newly elected
Member from the Dholai constituency
was sworn in as a member of the
Assam Legislative Assembly
under Article 188 of the
Constitution of India.

STARRED

Questions and Answers

To which oral answers were given.

Re : Encroachment in Sibsagar and Nagaland Border by
Naga people

Shri Dulal Chandra Barua asked :

- *98. Will the Chief Minister be pleased to state—
- (a) Whether Government is aware about the large scale encroachment on our territory in Sibsagar and Nagaland border by the Naga people at the instance of the Nagaland Government ?
 - (b) If so, what are the steps taken up by the Government to prevent such encroachment ?
 - (c) Whether Government have come to an agreement with the Nagaland Government in respect of boundary dis-

pute between the two States.

(d) If so, in what way ?

Shri Bimala Prasad Chaliha (Chief Minister) replied :

98. (a)—Yes.

(b)—Operation for eviction of such encroachers has been carried out from time to time whenever found necessary. Steps have also been taken to prevent fresh encroachment by posting armed police and by intensifying police patrolling in those areas. In view of the aggressive action continued by the Nagaland Government the intervention of the Government of India has been sought. The seriousness of the problem has also been brought to the personal attention of the Prime Minister.

(c) & (d)—The Assam Government has no dispute of the boundary with the Nagaland Government. The latest notification defining the erstwhile Naga Hill District was of 1925. According to the State of Nagaland Act, 1962 (under which Nagaland was created as a separate State) this is the recognised and constitutional boundary between Assam and Nagaland. What is actually required to be done now is re-fixation of certain boundary pillars according to the boundary as defined in the said notification, which have been removed from their position by Naga villagers. A number of high level meetings between the Deputy Commis-

ioners of the two sides have been held to arrive at an agreed solution. The Chief Secretaries of Assam and Nagaland have also met a number of times. Very recently, i.e., 13th February 1970, the Chief Minister and Finance Minister of Nagaland and the Revenue Minister of Assam met at Jorhat under the auspices of the Governor. The two sides put forth their respective stand on the issue.

Shri Dulal Chandra Barua : Sri, As has been stated by the Chief Minister, that all steps have been taken to evict the encroachers, may I know from him whether from all the areas encroachers have been cleared up ?

Shri Bimala Prasad Chaliha : I can speak of Disoi Hill. Encroachers from Disoi Hill were completely cleared but immediately after that what happened is that they again encroached and this process is now going on because the encroachers are getting patronage of the Nagaland Government.

Shri Dulal Chandra Barua : What is the fate of the ougur-ijan Tea Estate where there was encroachment by the Nagas and the Proprietor was driven out by the Nagas ?

Shri Bimala Prasad Chaliha : The Proprietors have not been driven out. We established a Police post at Ougur-ijan and after sometime Nagaland Government also established a Police Post there and there was some tension there and the Proprietors felt that it was quite

unsafe for them to stay there.

Shri Dulal Chandra Barua : Whether from the Government side any protective measures have been taken ?

Shri Bimala Prasad Chaliha : Police Post is already there. Now the question is that we are trying to avoid exchange of fire between Assam Police and Nagaland Police and that is why we are requesting intervention of the Government of India.

Shri Debeswar Sarma; Is the hon. Chief Minister in a position to state whether the encroachers on our side at Namsoi have been evicted ? They were protected by the C.R.P. there.

Shri Bimala Prasad Chaliha: I will have to look into it.

Shri Dulal Chandra Barua: As the hon. Minister for Revenue was at Delhi to discuss this matter with the Government of India may I know whether the Government of Assam has got any categorical assurance from Government of India, either from the Home Ministry or from the Prime Minister, that 1925 Notification will be accepted by the Government of India since the proposal for appointment of a Boundary Commission has been rejected ?

Shri Mahendra Mohan Chaudhury: The matter was discussed with the Home Minister in Delhi and also at Tura, and as far as I understand he was categorical in not opening the boundary question again;

Shri Dulal Chandra Barua : Though from our side we have pressed the Government of India to instruct the Nagaland Government to remove C.R.P. personnel from the borders, may I know why they are still there ?

Shri Mahendra Mohan Chaudhury : Now the position has been that the Nagaland Government has categorically stated that they are not using C.R.P. personnel in their action in the disputed area. But our information is that there is one check-gate on the Sonari-Mön Road which is guarded by the C.R.P. people, and that point has been referred to the Home Minister. For the information of the House I may state that the Home Minister is having a discussion with the Nagaland Chief Minister either to-day or very soon.

Shri Soneswar Bora—মোৰ এটা প্ৰশ্ন আছিল ?

Mr. Speaker—ইতিমধ্যে ৬টা হৈ গৈছে।

Re : Alleged trespass by Assam Policemen in Tuensang District

Shri Maneswar Boro asked :

*99. Will the Chief Minister be pleased to state—

- (a) Whether it is a fact that the Minister of Nagaland for Veterinary services alleged that about 35 Assam Policemen had trespassed and forcibly occupied five houses in Naginimara Town of Tuensang District bordering Assam ?
- (b) If so, how far the allegation made by the Nagaland

Minister is correct ?

Shri Bimala Prasad Chaliha (Chief Minister) replied :

99. (a) & (b)—We have no information if such allegation had been made. Even if it was made the allegation is not based on facts as our Police personnel never entered Nagaland territory unauthorisedly.

Shri Maneswar Boro—অধ্যক্ষ মহোদয়, এই খন paper ত দিয়া আছে। ইয়াত ১৯৭০ চনৰ মার্চ মাহৰ ৫ তাৰিখৰ paper খনত সকলো খিনি সুন্দৰকৈ লিখা আছে। এইয়া মই পঢ়ি দিছোঁ।

* “Naglaand Minister for Veterinary Services Chingwang Konya today alleged that about 35 Assam Policemen had trespassed and forcibly occupied five houses in Naginimara town of Tuensang district bordering Assam. This is the first incident on the border since Chief Ministers of Assam and Nagaland met at Jorhat last month to discuss the inter-State border problems. The Minister said immediate steps should be taken to reduce tension created by continuous provocation by Assam policemen”.

Mr. Speaker—You hand over this paper to the Chief Minister.

Shri Phani Bora—Mr. Speaker, Sir, I have tabled a motion for discussing this issue of border dispute between the State of Assam and the State of Nagaland. I do not know whether that will come before the House because a number of motions are there. Sir, almost every al-

ternate day, either through a question or a calling-attention motion, this question of Assam-Nagaland border is raised and is answered as if this is some sort of an administrative issue. But, Sir, my information is that the Nagas have been able to mobilise public opinion, not only all over the country but also in England. I have received a letter from England about certain newspaper reports and asking me to apprise them of real facts. According to that report, which has been published in England, a case against India is being made out in newspapers and Mr. Phizo and his organisation, which is functioning there, has been able to create an impression as if the Indian side is only harassing the Naga people. I have studied the the matter and have found that the Nagaland people are basing their claim on the basis of the relationship which they had with the Ahom kings. Their ancestors had matrimonial relations with the Ahoms and their claim on border territories is based on usage. But I find that neither the Government of India nor the Government of Assam have tried to find out what is the correct position, both historically and factually. I have gone through a book named "Nagaland Nightmare", by Mr. Stracey, who was an Englishman and who was an officer in our Forest Department. In that book he has definitely

defended the case of Assam. But unfortunately the case of Assam, and for that matter the case of India, has not been properly represented before world opinion. The Government of India also is not conversant with the full facts. They just view this as a simple border dispute between the two States. Therefore, I feel, Sir, that in the best interests of Assam and Nagaland, it is necessary to come to a final solution of the problem, even if for that some sort of new approach is necessary. But it should be settled in the interest of both Assam and Nagaland. Therefore, I would ask our Government to make out our case properly and press upon the Government of India to take it up as their problem and not to leave it as a problem of this State only. The people of India should also be made conscious about the real issue in dispute. That is my contention.

Shri Bimala Prasad Chaliha—Sir, I quite appreciate the hon. Member's point of view that it is bad for us to allow this problem to hang on. But the fact is that we are finding great difficulty in persuading the Nagaland Government to understand our point of view. They somehow take the stand that their boundaries went upto this and that point. We are satisfied, and have told them, that we are going according to the Constitution, according to the Act made

by Parliament creating the State of Nagaland. They say "our forefathers said that our boundary extended upto this or that area". That is why we are finding great difficulty in solving this problem. We are also pressing the Government of India; we have been sending letters and telegrams. Besides, my colleague the Revenue Minister the other day went to Delhi only for this purpose, to explain to the Government of India our point of view and to urge on them the necessity of bringing about an end to this trouble. The Home Minister told him that so far as the Government of India was concerned, the boundary between Assam and Nagaland is a recognised boundary according to the Act by which Nagaland was created, i.e., on the basis of the 1925 notification.

Shri Phani Bora—1925 Notification was in relation to the creation of the District of Naga Hills. At the time of creation of a separate State of Nagaland, there was an agreement, wherein there was one clause point-18 or point 16, I do not remember—regarding unresolved matters. The Nagaland Government is banking on that

Shri Debeswar Sarmah—Sir, this is very important point. The whole State is deeply involved in this matter. At the same time we want the friendliest of relations with our neighbouring State of Nagaland. But this is question hour and Mr. Bora has raised the most bu-

rning problem of the day. May I, therefore, suggest that the Chief Minister may collect all relevant facts and figures and let us set apart one hour or two hours for thrashing out this matter. If our Government had agreed to anything at the time of creation of Nagaland, let us see what it is. My request is that this question hour should not be encroached upon. By consent among the Leader of the House and the leaders of the opposition parties, we may set apart an hour or two for discussion of this matter.

Shri Dulal Chandra Barua—Sir, I fully support the contention of the hon. Member Mr. Sarma. Both Mr. Sarma and myself are directly concerned with this delicate problem. Now we are to collect all the necessary facts and figures and then we can have a threadbare discussion here, which can lead to some solution of the problem. For a fruitful discussion some guidelines should be laid down. you will be surprised to have said that the Nagaland people are even claiming their boundary up to Dhodorali. Therefore, it is necessary to lay down some guide lines along which the discussion should proceed.

I submit that if the Chief Minister agrees we may have a small committee consisting of members of both sides to find out a line of action, to find out ways and means for solving this vexed problem.

Mr. Speaker—I quite appreciate what Mr. Sarma says. It is not possible to do proper justice to such a burning problem by holding a discussion during zero hour. Therefore, after collection of important information if the Chief Minister makes a statement there can be a discussion on that.

Shri Debeswar Sarmah—In view of the point raised by Shri Phani Bora that our Govt. agreed to certain points (I have never heard about that before) let us have something on that also.

Shri Bimala Prasad Chaliha—On that point I should categorically say that so far Assam Government is concerned, Assam Government at no time agreed to extend the boundary of Nagaland-beyond the 1925 notification. In any case in order to make the position clear I suppose it will be advisable to prepare a brief note for circulation amongst the Hon'ble Members. After that the Hon'ble Members may sit in a Committee if they so like because after all we want a solution to this problem.

Re : Second Oil Refinery

M: Shamsul Huda asked :

- * 100. Will the Minister-in-charge of Industries be pleased to state—
- (a) Whether the Government is aware of the announcement of the Government of India, made on the floor of the

Parliament regarding the Second Public Sector Oil Refinery in Assam ?

- (b) If so, what is the reaction of the Government of Assam to this announcement ?
- (c) The latest position of the Second Public Sector Oil Refinery in Assam ?
- (d) Whether the Government has received any official commitment from the Government of India in this regard ?

Shri Biswadev Sarma (Minister, Industries) replied :

100. (a)—Yes.

(b) & (c)—The Government of Assam is happy with the Prime Minister's announcement in the Parliament. It is also happy with the decision of the Government of India to release 1 million tonne of Assam crude, originally earmarked for Barauni, for processing within Assam itself. The State Government is in the meantime studying the possibilities of Petro-Chemical Industries that can be set up from offtake of such a refinery. A proposal has already been given to Government of India by the State Government giving the State Government's views about the various types of Petro-Chemicals that can be set-up. The reaction of the Government of India has not been made available to us as yet. It is also studying the possibilities of product pattern of the refinery-cum-petro-chemical complex.

(d)—No:

M. Shamsul Huda—May I know from the Hon'ble Minister whether there will be a separate refinery or simply the refining capacity would be increased ?

Shri Biswadev Sarma—I do not know about that. We have not received any information to that effect.

Shri Dulal Chandra Barua—We want to know categorically whether there will be a separate refinery or Government propose to have additional refining capacity.

Shri Biswadev Sarma—I put this same question to the Petroleum Minister myself, and he told me that until the report of the Expert Committee is available it is not possible to say anything. The report is expected by June.

Shri Dulal Chandra Barua—We have heard about so many Expert Committees. We want to know whether Government of India made any categorical commitment ?

Shri Biswadev Sarma—No, This is a Central sector project.

Shri Sadhan Ranjan Sarkar—Whether any time limit has been fixed by the Government of Assam to get the report of the Expert Committee ?

Shri Biswadev Sarma—The Government of Assam cannot give a time limit to the Government of India. They have told us that they will be able to give us the report by June.

M. Shamsul Huda—May I know from the Minister whether the Government of Assam is moving for a separate

refinery or for additional refining capacity.

Shri Biswadev Sarma—This House itself sent a delegation to Delhi for a Second refinery.

Shri Debeswar Sarma—If I heard him right, the Minister Stated that the Government of Assam is happy with the Prime Minister's announcement in the Parliament. I was thinking that I am also sharing the happiness with the Government, but the subsequent replies have confused me. I just want to know how the Government, is happy with the Prime Minister's statement. By what statement of the Prime Minister the happiness in us has been generated.

Shri Biswadev Sarma—I have made that clear in the reply. The first thing is Government of India has decided to release one million tons of crude which is supposed to go to Barauni, for processing within Assam itself.

Shri Debeswar Sarma—When somebody steals our goods and we recover a part of it, we are happy; I have yet to learn.

M. Shamsul Huda—The Minister has stated that this House sent recommendations to the Government of India for a second refinery; at the sametime the Minister has replied that without getting the Expert Committee's report it is difficult for his Government to ascertain the position. We want to have a clear reply as to whether

Assam will get a second refinery or simply additional refining capacity.

Shri Biswadev Sarma—The decision lies with the Government of India not with us.

Shri Dulal Chandra Barua—The movement by the people of Assam was for a second refinery; this House also adopted a resolution for a second refinery. The reply given by the Minister amounts to this: that there is no commitment from the Government of India. The movement of the people was suspended on the basis that there will be a second refinery. Now the reply given by the Minister will frustrate the people of Assam

Mr. Speaker—Mr. Barua, you will have enough time for a general discussion.

Shri Dulal Chandra Barua—Are we to understand from the Minister that there will be no second refinery in Assam?

Shri Bimala Prasad Chaliha—The hon. Petroleum Minister has made the position very clear, (1) he said very clearly that no more crude would go out of Assam beyond 2 million tonnes which is going now. The oil that will be found in Assam will be processed within Assam. What will be the surplus quantity available beyond 2 millions tonnes which is going out of Assam that factor will determine whether there

will be an additional refinery established or by increasing the capacity of the existing refinery. For that purpose the Minister has said that he will be able to say definitely on this point by June, 1970.

Shri Nakul Chandra Das—May I know from the Hon'ble Minister Industries whether during his series of discussions with the union Minister, for Petroleum and Chemicals whether it has been made categorically clear that people of Assam would not rest content without a second refinery in the Public sector ?

Shri Biswadev Sarma—This was made clear not only by me but by the people of Assam.

(Starred Question Nos 101 and 102 were not put and answered to as the Questioners were absent)

Re : Discovery of Mineral Wealth

M. Shamsul Huda asked :

* 103. Will the Minister-in-charge of Power (Electricity), etc, be pleased to state—

- (a) The various mineral wealth discovered in Assam so far since 1949 ? (Names of places of discovery may be shown).
- (b) The names of minerals so far utilized for the purpose of Industries within Assam ?
- (c) The names of minerals which have not been utilised after discovery ?
- (d) The reasons therefor ?

Shri Biswadev Sarma [Minister, Power (Electricity), etc.]
replied :

103. (a)—The important minerals discovered in Assam since 1949 are—

Places of discovery—

- (i) Oil and Natural Gas—At Naharkatiya, Moran, Gujrijan, Rudrasagar, Lakwa, Teok and Dum Duma.
- (ii) Iron Ores—At Chandardinga in Goalpara District.
- (iii) Kaolin—At Mawphlang in U. K. & J. Hills and Sheelvata in Mikir Hill.
- (iv) Glass sand—At Laitryngew in U. K. & J. Hills.
- (v) Feldspar and Quartz—Around Hahim, U. K. & J. Hills and near Tura in Garo Hills.
- (vi) Fuller's Earth—North Kamrup.
- (vii) Phosphate—Siju area in Garo Hills.
- (viii) Base Metals (Copper, Lead and Zinc)—Umpyrtha in U. K. & J. Hills.

(b)—At present the following minerals are utilised for the purposes of industries within Assam—

- (1) Oil and Natural Gas,
- (2) Coal, and
- (3) Limestone.

(c)—The following minerals are yet to be utilised in industries—

- (i) Iron Ores, (ii) Kaolin, (iii) Glass Sand. (iv) Feldspar and Quartz, (v) Fuller's Earth, (vi) Phosphate

and (vii) Base Metals.

(d)—The Mineral deposits which could not be exploited so far are in various stages of investigations. Unless these investigations are completed, the question of utilising these minerals in different industries does not arise.

M. Shamsul Huda—May I know from the hon. Minister whether any copper was discovered in Garo Hills ?

Shri Biswadev Sharma (Minister)—No Sir. In U. K & J Hills copper and Zinc was discovered.

Shri Kandarpa Narayan Banikya—Whether the Govt. has tried to discover any mineral in NEFA, Bhutan and Assam ?

Shri Biswadev Sharma—No Sir.

Shri Kandarpa Narayan Banikya—Whether Govt. has tried to discover any china clay in the Valley of Assam ?

Shri Biswadev Sharma—No Sir.

Shri Sailen Medhi—Proper utilisation of these minerals could not have done due to lack of proper investigation. In this respect I want to know from the Hon'ble Minister, what steps Govt. were taking for proper investigation or assessment of availability and other things by the Minister since 1949 ?

Shri Biswadev Sharma—I shall give reply itemwise. Minerals which were actually discovered after 1949 are mentioned. Coal and limestone being discovered much

earlier than that are not included in the list of minerals discovered after 1949.

2. Minerals other than oil and natural gas, coal and limestone are not so far utilised for any industries in the State. Iron-ore occurrences in Chandradanga in the Goalpara District was first located in 1963-64. Preliminary investigations were taken up in 1964-65 and 1965-66 field seasons. Detailed investigations have been started since 1967-68 and is still current. Evaluation of the qualitative and quantitative assessment of the iron-ore deposits are likely to be over by the end of this field season. Kaolin was first discovered near Mawphlang in 1962-63. Preliminary and detailed investigations by surface mapping etc. were completed in 1963-64 after which testing of the bulk samples were taken up subsequently. For detailed qualitative and quantitative evaluation of the deposits by drilling is yet to be taken up. Only after completion of the detailed proving operations by drilling, utilisation scheme can be drawn up.

3. Deposits of glass sand near Cherrapunjee were also investigated during 1963-64 and 1965-66 field seasons. Detailed assessments of the deposits have been completed only last year. Only on the basis of the glass sand deposits a scheme has been drawn up to set up a glass factory in the State. The glass factory is likely to start functioning

during the current year.

4. Deposits of feldspar and quartz around Hahim were located in 1963-64 but the investigations of these deposits have been completed by 1968-69. Deposits of the felspar and quartz near Tura did not prove to be economically workable.

5. Occurrences of Fuller's earth have been reported during 1962-63 and a part of these deposits were taken up for detailed investigations in 1968-69. Although the field investigation of parts of the deposits were completed, necessary laboratory tests are yet to be completed for finding the industrial suitability of the mineral.

6. Occurrence of the Phosphate rock in the Siju area, in Garo Hills, was reported in 1966-67. Necessary investigations are continuing at present for evaluation of workability of the mineral.

7. Base metals, namely-copper, lead & zinc, have been found in the Umpyrtha area in U. K. & J Hills during 1966-67 and since then intensive exploration work by drilling is being continued till today under the Geological Survey of India.

From the above it appears that as the minerals discovered are at different stages of investigation, it has not been possible to utilise these minerals for any industries based on such minerals. Moreover, the mineral deposits

discovered and investigated so far are located in the interior hilly places where adequate transport facilities are yet to be developed.

Shri Sailen Medhi—I want to know from the hon. Minister that investigations were done the Assam State Mineral Dev. Corporation and recently the Govt. has decided to abandon that organisation small scale industries Dev. corporation could not do. What the corporation would be expected to be done in this respect. We are apprehending that whole project of extracting and development of these minerals which are found in Assam, this whole process, the Govt. want to keep in the cold storage.

Shri Biswadev Sharma—Sir, it is not a fact that the Mineral Development Corporation has undertaken this work. This work is being done by the Geological Survey of India and the geology and mining Department. So the question of Mineral Development Corporation does not arise here.

Shri Dulal Chandra Barua—May I know from the Minister-in-charge since 1959 whether we could undertake any kind of development activities? If so, what are these?

Shri Biswadev Sarma—Sir, I have already made a detailed statement about the matter. We are taking steps for a glass factory and with regard to other minerals the investigations are going on and until and unless the

investigations are completed it is not possible to say anything now.

Shri Prabhat Narayan Choudhury asked :

Re : Forest Utilisation Department

104. Will the Minister-in-charge of Forests be pleased to state—

- (a) What are the functions of the Forest Utilisation Department of Assam and what is the main performance of the Department during the last three years ?
- (b) Whether it is a fact that of late the said Department was requested to supply timber poles to Assam State Electricity Board for execution of some urgent work ?
- (c) Whether it is a fact that the Department had failed to supply the poles required by the Electricity Board and if so, the reasons therefor ?

Shri Mahendra Mohan Choudhury (Minister, Forests) replied—

104. (a)—The Forest Utilisation Division of Assam has commercial and experimental functions.

Under the commercial functions, the Division arranges supply of timber to various Government Departments and other Government sponsored agencies.

In its experimental function the Division has to find out the utility of various kinds of timbers with the help of the Forest Research Institute, Dehradun.

(b)—Yes, in December 1969, a demand from Assam State Electricity Board for supply of 12,700 Nos. of Electric

Transmission poles was received.

(c)—No. The Forest Department after getting some clarification from the Assam State Electricity Board started supply of the poles. So far 653 Nos. of poles have been supplied and action is being taken for supply of the remaining poles as early as possible.

Shri Prabhat Narayan Choudhury—When the Minister has said that the Forest Utilisation Deptt. has two functions one is commercial and the other is research and that research is carried in collaboration with Deradun Research Section. My question is what is the performance of the Forest Utilisation Deptt. during the last three years?

Shri Mahendra Mohan Choudhury—Sir, the performance is good. During the last 3 years (1966-67 to 1968-69) the Forest Utilisation Division of Assam arranged supply of the following—

- (1) Railway sleepers supplied to the Indian Railways:
—98,000 cu.m.
- (2) Timbers supplied to various consignees through the D.G.S. and D.
—17,000 cu.m.
- (3) Match timber supplied to the Assam Match Factory Dhubri and Match Splint Factory, Bijni, Assam.
—40,000 tonnes.
- (4) Electric Transmission poles-supplied to the Assam State Electricity Board.
—15.615 Nos.

(5) Timbers supplied to the State P. W.D.

Piles—2,752 nos

Sawn— 947 Cu. m

For arranging supplies, the Forest Deptt. levies an over head charge of 10% of the value of total supply made to various consignees. This alone accounted for a total revenue of Rs. 59,27,582.00 in the last three years ending 1968-69.

Shri Phani Bora—Is the Govt of Assam aware of the fact that although the forest in Assam as compared to any other States of India occupied more area and yet the per capita income from forest product is the lowest, for example, Kerala, Mysore and U. P. ?

Shri Mahendra Mohan Choudhury—That information at present is not with me. If the hon. Members want the information I can give it afterwards.

Shri Bimala Prasad Chaliha—(Chief Minister) Sir, the forest income as compared to Kerala and any other States of India is much lower in Assam. It is a fact.

Shri Phani Bora - What is the reason for that ? If it is admitted that the income from the Forest resources in Assam is somewhere near Rs. 500 and in Kerala it is beyond Rs. 2000 and in U. P. it is somewhere near Rs. 600 then may we know what is the reason for such low income from forest resources ?

Shri Bimala Prasad Chaliha—That requires a proper study. It appears that it needs more industrialisation, and for

that the transport system should be easier also. These are the various reasons.

Shri Debeswar Sarmah—What about the Birlas? They are taking the plywood depot to Calcutta.

Shri Bimala Prasad Chaliha—Birlas are adding to the forest revenue.

Shri Debeswar Sarmah—The depot has been transferred to Calcutta. We do not get the Sales Tax. How the Chief Minister can say this?

Shri Prabhat Narayan Choudhury—Is it a fact that there was inordinate delay in the matter of supply of timber to the state Electricity Board?

Shri Mahendra Mohan Choudhury—There was no delay because the order was received in the year 1969 and immediately after the receipt of the order and after some negotiations this has been done and the supply is going on now.

Shri Dulal Chandra Barua—May I know from the hon. Minister what steps Govt. has taken to increase the forest revenue through various means.

Shri Mahendra Mohan Choudhury—These things are generally done on competitive basis. Whoever offers highest rate we accept it. (starred Question Nos. 105 and 106 were not put and answered to as the Questioners were absent)

Re : Food position in the State

M. Shamsul Huda asked :

* 107: Will the Minister-in-charge of Supply be pleased to state—

- (a) The present food position of the State ?
- (b) Whether it will continue to be so during the coming 6 months also ?

Shri Ramesh Chandra Barooah (Minister, Supply) replied :

107. (a)—On the whole satisfactory.
- (b)—It is not possible to hazard any prediction. Supply of foodstuff depends on several factors. However, it is expected that the State may not experience any severe scarcity.

M. Shamsul Huda—In view of the fact that the Minister has replied, that the present food position of the State is on the whole satisfactory?—may I know why the paddy is being sold at Rs. 30 ?

Shri Ramesh Chandra Barooah—Sir, from the reports that we have received, from the different district headquarters, there is no report of scarcity of rice except from Cachar; other districts and Subdivisional headquarters have not complained against any scarcity of rice or any abnormal rise in the price of rice. Of course during the last two weeks there might be a rise in price by '05p per kg of rice. About paddy of course we have got no report.

Shri Sadhan Ranjan Sarkar—What is the total quantity

of paddy still now in the stock of the government.
 Shri Ramesh Chandra Barooah—The total quantity of paddy procured so far by our agencies now will be about 11 lakhs quintles.

M. Shamsul Huda—Whether the government is aware of any unauthorised export of rice or paddy from this State?

Shri Ramesh Chandra Barooah—No, we have no information.

Shri Atul Chandra Goswami—অধ্যক্ষ মহোদয়, কাছাৰ জিলাত পেকেজ প্ৰগ্ৰেমৰ কাৰ কৰা হৈছে আৰু এই প্ৰগ্ৰেম কৃতকাৰ্য্য হৈছে বুলি চৰকাৰে ঘোষণা কৰিছে। কিন্তু কাছাৰ জিলাত পেকেজ প্ৰগ্ৰেম থকা স্বত্বেও এনেধৰণে খাদ্যৰ হাঁহাকাৰ হৈছে কিয় ? ইয়াৰ অৰ্থ এয়ে নেকি যে কাছাৰৰ পেকেজ প্ৰগ্ৰেম অকৃত কাৰ্য্য হৈছে ?

Shri Ramesh Chandra Barooah—কাছাৰত পেকেজ প্ৰগ্ৰেমৰ কাৰ্য্যত অকৃতকাৰ্য্য হৈছে বুলি মই নেভাবো। কিন্তু কিবা কাৰণত ধান চাউলৰ মূল্য কিছু বৃদ্ধি হৈছে। (Noise)

Mr. Speaker—I have made note of the names, please have patience.

Shri Nakul Chandra Das—Sir, whether the Government is aware of the various scarcity conditions in respect of rice in the Mizo hills; if so, what steps the government have taken in the matter ?

Shri Ramesh Chandra Barooah—It is a fact that there is some scarcity in the Mizo Hills, and we are taking all possible steps; the moment we get the information about scarcity of rice, the supply of rice is rushed to that place.

Shri Sadhan Ranjan Sarkar—Whether it is a fact that in some pockets or in some areas in Assam, rice is being sold at Rs. 40/- per maund and in some other places in Assam, this particular rice is being sold at Rs.80/- per maund or Rs.90/- per maund ? Is it the symptom of the “on the whole satisfactory” condition regarding the food position. Whether it is due to the mismanagement of the department ?

Shri Ramesh Chandra Barooah—Sir, I have already said— from the headquarters of Districts and Subdivisions, we have not received reports about any abnormal rise in the price of rice. The hon. Member Shri Sarkar has said “some pockets”. To say about some pockets I cannot reply as he did not specify.

Shri Kamini Mohan Sarma—অধ্যক্ষ মহোদয়, আমাৰ মন্ত্ৰী মহোদয়ে এইটো কথা জানেনে যে উত্তৰ কামৰূপত ঠায়ে ঠায়ে এতিয়া ধানৰ মানে ৩৫ টকালৈ উঠিছে আৰু এই ধানৰ খেতিয়ক সকলে পুহ-মাঘ মাহৰ প্ৰথম সপ্তাহতে মানে ১৪/১৫ টকা কৰি বিক্ৰি কৰিছিল। এই কথাটো যদি চৰকাৰে পৰ্যালোচনা কৰি ইয়াৰ প্ৰতিবোধৰ বাবে চেষ্টা নকৰে বা মূল্য বান্ধি দি ইয়াক বন্ধ কৰা নহয় তেন্তে তাত হাঁহাকাৰে দেখা দিব আৰু এতিয়াই হাঁহাকাৰ আৰম্ভ হৈ পৰিছে। ইয়াৰ মূল কাৰণ কি ? এইটো বন্ধ কৰিব লাগে কাৰণ এনে ধৰণৰ চাউল আমাৰ National Highway দি ট্ৰাক ভৰ্ত্তি কৰি দিনে নিশাই লৈ গৈ আছে—ক’লৈ নিছে কব নোৱাৰোঁ আৰু বহুতো পৰিয়ালৰ মাজত খাদ্যৰ হাঁহাকাৰ লাগিছে। গতিকে এইটো বন্ধ কৰাৰ কি ব্যৱস্থা কৰিছে,— মন্ত্ৰী মহোদয়ে আমাক জনাবনে ?

Shri Ramesh Chandra Barooah—ছাৰ, তেখেতে যিটো কথা কৈছে, সেইটো মই লক্ষ্য ৰাখিছোঁ, কিন্তু এতিয়ালৈকে আমাৰ কোনো অঞ্চলতে তেনেধৰণৰ চাউলৰ অভাৱ হোৱা নাই। যদি তেখেতৰ অঞ্চলত কেনেবাকৈ চাউলৰ অভাৱ হয়, তেন্তে আমালৈ খবৰ জনালে আমি তালৈ চাউল পঠাবলৈ চেষ্টা কৰিম।

Shri Jagannath Singh—The Hon. Minister while replying has said that the overall situation in respect of food position is quite alright; when he said that he received information of scarcity of rice in the District of Cachar, may I know from the Hon. Minister what effective steps have been taken by his department uptill now to ease out that situation and what effective steps are being proposed to be taken to ease out the situation?

Shri Ramesh Chandra Barooah—I do not think that scarcity condition prevailed in Cachar but there was some rise in the price of rice in the market but the moment we got the information about this we rushed supply there through the Apex Marketing Society.

Shri Jagannath Singh—Does not the Hon. Minister know in the tea gardens under the membership of the Tea Association of India—instead of 50%, 25% rice is being supplied to the workers, as a result of which a good deal of discontentment is prevailing there.

Shri Ramesh Chandra Barooah—It is upto the Tea Association of India to take rice.

Shri Jagannath Singh—Does the Minister know that the Tea Association of India always complain that they are not getting supply from the government ?

Shri Ramesh Chandra Barooah—I do not think so.

Shri Sadhan Ranjan Sarkar—Whether the government have assessed the requirements and surplus of the production of all the districts this year ?

Shri Ramesh Chandra Barooah—District-wise break-up is not there but the total break-up is there.

M. Shamsul Huda—Whether it is a fact that there is a unauthorised export of rice and paddy from the State ?

Shri Ramesh Chandra Barooah—We have no information.

M. Shamsul Huda—Whether the present rise in the price of rice and paddy in the State is due to unauthorised export of paddy and rice from this State ?

Shri Ramesh Chandra Barooah—It is a matter of opinion, and I cannot agree to that.

Re: Prohibition of Sale of Liquor

Shri Bhadra Kanta Gogoi asked:

* ১০৮ । মাননীয় আৱকাৰী বিভাগৰ মন্ত্ৰী মহোদয়ে অনুগ্ৰহ কৰি জনাব নে—

(ক) লক্ষীমপুৰ আৰু শিৱসাগৰ জিলাৰ মদৰ মহলবিলাকৰ কোন কোন মহলৰ পৰা ৩০ ইউ, পি মদ বিক্ৰি কৰা বন্ধ কৰিছে ?

(খ) কেতিয়াৰ পৰা এই নিয়ম বলবত কৰা হৈছে বা হব ?

(গ) বাকী থকা মহলবোৰত কেতিয়াৰ পৰা এই নিয়ম বা নীত প্ৰযোজ্য হব ?

আৱকাৰী বিভাগৰ মন্ত্ৰী শ্ৰীৰমেশ চন্দ্ৰ বৰুৱাই উত্তৰ দিছে:

১০৮। (ক)—লক্ষীমপুৰ আৰু শিৱসাগৰ জিলাৰ যিবোৰ মহলৰ পৰা ৩০ ইউ, পি মদ বিক্ৰি বন্ধ কৰা হৈছে তাৰ তালিকা এখন তলত দিয়া হ'ল—

লক্ষীমপুৰ—১। চেচা, ২। টিংৰাই, ৩। লেঙেৰী, ৪। বৰবাম, ৫। বামুণবাৰী, ৬। চিঙলীজান, ৭। ফিলোবাৰী, ৮। বগীনদী।
শিৱসাগৰ—১। পানীচকোৱা, ২। গটঙ্গা, ৩। ককিলামুখ, ৪। চেলেঙ, ৫। গেলেকী, ৬। সাপেখাটী, ৭। বৰহাট, ৮। দিলিঘাট, ৯। গবঙ্গা-জান, ১০। বাঙ্গলীটিং, ১১। বুৰালিকচন, ১২। ককোলিয়াল, ১৩। হালোৱাগাওঁ।

(খ)—১৯৭০ চনৰ ১ এপ্ৰিলৰ পৰা।

(গ)—বাকী থকা মহলবিলাকৰ কিছুমানত এই নীতি প্ৰযোজ্য হ'ব ১৯৭১ চনৰ ১ এপ্ৰিলৰ পৰা আৰু অৱশিষ্টবিলাকত ১৯৭২ চনৰ ১ এপ্ৰিলৰ পৰা।
Shri Atul Chandra Goswami :—এই ৩০ ইউপি মানে কি আমি, বুজা নাই ?

Shri Ramesh Chandra Barooah—পাছত বুজি পাব। মই মহলৰ নাম কেইটা আগতে কৈ দিওঁ।

Shri Bhadra Kanta Gogoi—অধ্যক্ষ মহোদয়, উত্তৰ লক্ষীমপুৰ, শিৱসাগৰ আদিত যি কেইটা মদৰ মহলত ৩০ ইউ: পি উঠাই দিছে বুলি কৈছে, কিন্তু তাৰ ওচৰে পাজৰে ৩/৪ মাইলৰ ওচৰা ওচৰিকৈ থকা এই ৩০ ইউ পি মদ বিক্ৰি কৰিয়েই আছে আৰু বেপাৰী সকলে তাত বিক্ৰি কৰি দুগুণ লাভ কৰা কথাটো মন্ত্ৰী মহোদয়ে জানে নে ?

Shri Ramesh Chandra Barooah—কথাটো হল এইটো প্ৰযোজ্য হৈছে মাত্ৰ ১ এপ্ৰিলৰ পৰা আৰু আজি মাত্ৰ ২৭ দিন হৈছে। গতিকে ইয়াৰ ভিতৰত তেনেকৈ আকৌ কৰিছে যদিও আমি খবৰ পোৱা নাই।

Shri Bhadra Kanta Gogoi—এনেকুৱা কথা আমি বহুত দিনৰ পৰাই গম পাই আহিছোঁ।

(No reply)

Re: Local trial of Exise Case

Shri Bhadreswar Gogoi, asked:

* ১০৯। মাননীয় আৱকাৰী বিভাগৰ মন্ত্ৰী মহোদয়ে অনুগ্রহ কৰি জনাবনে—
(ক) কিছুমান আৱকাৰী মৰ্দমা স্থানীয় ঠাইত বিচাৰ (local trial) কৰাৰ ব্যৱস্থা আছে নেকি ?

(খ) ডিব্ৰুগড় মহকুমাত ১৯৬৮-৬৯ চনত এনে স্থানীয় ঠাইত হোৱা বিচাৰ কেইখন হৈছে ?

(গ) কিমানজন লোকক জৰিমনা কিয়া ফাটক দিছে ?

আৱকাৰী বিভাগৰ মন্ত্ৰী শ্ৰীৰমেশ চন্দ্ৰ বৰুৱাই উত্তৰ দিছে :

১০৯। (ক)—হয়। কেৱল মদ প্ৰচলন অঞ্চলসমূহতহে ব্যৱস্থা প্ৰচলন আছে।

(খ)—৪৬২২ খন।

(গ)—মুঠ ৩২১০ জন মানুহক জৰিমনা ও কাৰাদণ্ড দিয়া হৈছিল।

UNSTARRED

QUESTIONS AND ANSWERS

(To which answers were laid on the table)

Re : Drawal of pay, etc., by the Superintendent, Vagrant's Home, Gauhati

Shri Romesh Mohan Kouli asked :

37. Will the Minister-in-charge of Social Welfare be pleased to state.

(a) Whether it is a fact that the Superintendent of Gauhati Vagrant's Home (now Deputy Director, Social Welfare) under the Social Welfare Department drew his full salary as the Superintendent of the said Home thrice on a representation made to the Government praying

for his arrear pay and allowances for the period he worked as the Superintendent of the Home at Gauhati, when he had been temporarily transferred to Shillong as Superintendent of Vagrant's Home ?

- (b) Whether it is a fact that he was detected for drawing the same amount twice in October, 1961 ?
- (c) Whether it is a fact that the said Officer had refunded the money and no Departmental action was taken against him?
- (d) If so, why ?
- (e) Whether it is a fact that Government has promoted him to the rank of Deputy Director ?

Shri Altaf Hossain Mazumder (Minister for Social Welfare) replied:

37. (a)—He drew his salary and allowances as Superintendent of Vagrant's Home while he was posted at Gauhati out of the fund placed at the disposal of the Chairman, Vagrant's Home, as grants-in-aid and not from normal budget as the staff were treated as non-Government.

Government thereafter, decided to treat the staff of the Home as Government servants as such Government asked the Deputy Commissioner, Kumrup to draw his pay from regular budget. Major part of his salary was drawn in the Deputy Commissioner's Office and a small portion from the Office of the Director, Social Welfare.

- (b) It came to the notice of the Department in October, 1961.
- (c) & (d)—Pay and allowances received by the Officer out of the fund placed at the disposal of the Chairman, Vagrant's Home, Gauhati, have been refunded as per direction of the Government. No Departmental action was taken in the instant case for the reasons stated against (a) above.
- (e) —No.

Re: Afforestation of Hills and Hillocks

Shri Mathura Mohan Sinha—(asked):

38. Will the Minister in-charge, Forests be pleased to state—
- (a) Whether there is a proposal for afforestation of the hills and hillocks under Zamindary areas of Goalpara District now acquired by the Government?
- (b) If so, the areas selected for the purpose?
- (c) If not, whether Government propose to consider such a plan in view of the present state of deforestation in those areas?

Shri Mahendra Mohan Choudhury (Minister in-charge, Forests) replied:

38. (a) —Yes.
- (b) The sparsely wooded hillocks of the erstwhile Zamindary Forests falling partly under Abhoyapuri Range of Goalpara Division and partly under Bahalpur Range of Dhubri Division have been selected for the purpose.
- (c) Does not arise.

Roads within Thowra Constituency

Shri Durgeswar Saikia asked:

39. Will the Minister in-charge, P. W. D. (R. & B.) be pleased to state.—

- (a) The names of the roads taken over within Thowra Constituency including the roads taken under Art. 275 during 2nd and 3rd Plan periods including Dhai Ali ?
- (b) What steps Government have taken to gravel the said roads ?

Shri Altaf Hossain Mazumder—Minister of State P.W.D (R. & B) replied :

39. (a)&(b) The following are the roads taken over within Thowra Constituency during 2nd and 3rd Plan including Art. 275 and 3rd Finance Commission Award with the position shown against each and steps taken for gravelling.

Roads taken over under Second and Third Five Years Plan

1. Improving Lakwa Road (Rajgarh) (Third Five Year Plan). The road is being maintained by Oil and Natural Gas Commission to the best P. W. D. standard.
2. Improving Haripara Ali (Remaining length) Second Five Year Plan. Gravelling completed.
3. Improving a road from A. T. road to Desong Siding. Gravelling completed.

(Third Five Year Plan.)

4. Improving Seshua Ali Gravelling completed.
(Second Five Year Plan.)
5. Improving further portion Gravelling completed.
of Haripara Ali (Second
Five Year Plan).
6. Improving Haripara Ali No provisions made for
from Sibsagar Simaluguri gravelling in the sanctioned
in Sonari Subdivison (Third estimate.
Five Year Plan).

Roads taken up during Third Five Year Plan

(Under Third Finance Commission Award)

- | (1) | (2) |
|----------------------------------|--|
| 1. Improving Dhandarmukh Road. | Gravelling in progress. |
| 2. Improving Lowkhowa Ali. | Gravelling being taken up. |
| 3. Improving Bakharbengana Road. | Gravelling for some portions of the road taken up. |

Roads taken up during Second and Third Five Years Plan
(Under Art. 275)

1. Improving Old Netai Ali Gravelling being taken.
(2nd Five Year Plan).

Dhai Ali

(Length 4.75 miles)

All works including gravelling completed for the portion from Desangmukh at 1st mile upto Akhor phutia under 1st Plan.

Re: Peragaon ghat on Sorhbog-Chuliakata P.W.D. Road
Shrimati Pranita Taluk Dar asked :

40. Will the Minister in charge, P.W.D. (R. and B.) be pleased to state—

(a) Why Peragaon ghat on the Sorhbog-Chuliakata P.W.D. road has not been taken over by the P.W.D. ?

(b) When this road was constructed ?

(c) When this ghat will be taken over by P.W.D. ?

Shri Altaf Hossain Mazumder [Minister of State, P.W.D. (R. and B.)] replied :

40. (a), (b) and (c)—Sorhbog-Chuliakata road is still under construction. The construction is expected to be completed shortly. At the time of declaring the road open to traffic the Peragaon ghat will be taken over by P.W.D.

Ruling, by the Speaker

ADJOURNMENT MOTION

Observance of Protest Day by the employees of the Assam co-operative Apex Bank Limited.

Mr. Speaker:—An Adjournment Motion was tabled by Shri Dalal Chandra Barua on 10th April, 1970, to the following effect:

“That the House do now adjourn to discuss the situation arising out of the observance of protest day

today, the 10th April, 1970, by the employees of the Assam Co-operative Apex Bank Limited throughout the State.”

In this connection Shri Barua *inter alia* stated that the employees of the Apex Bank had certain grievances which were not acceded to by the Bank authority and so the employees had gone on strike today which has paralysed the functioning of the Bank and put the public into great inconvenience. So he submitted that Government should take into consideration the grievances of the employees and see that they are redressed.

Minister for Co-operation opposed the motion stating *inter alia* that the Apex Bank was an autonomous body and the subject matter of the motion was not primarily the concern of the State Government and so the motion was not admissible.

I had already held in my previous rulings that Adjournment Motion was an extraordinary procedure which can be invoked only under exceptional circumstances. The matter may be important but it cannot be all important for the entire House to go out of the normal order of the day and take up another subject. I do not think that it fulfils this test. Moreover the purpose of an Adjournment Motion is the discussion

of a matter of urgent public importance. Hon. Members will have enough opportunity to discuss the subject-matter of the motion during general discussion of the budget. "A matter even of very recent occurrence is not urgent if an opportunity for its discussion will arise in the ordinary course of business within a reasonably short time." (Kaul—Page 384) If for every strike, lockout and demonstration the business of the House has to be adjourned, then no business of the House could be transacted.

In view of the fact that hon. Members will have ample opportunity to discuss the subject-matter of the motion during general discussion of the budget, and during voting on demands for grants, I am constrained to disallow the motion.

Shri Dalal Chandra Baruah—Mr. Speaker, Sir, I bow down to your ruling but I would like to know whether the Government is taking any step to intervene in the matter because so far as my information goes the employees are going to resort to continuous strike within a day or two, and before they resort to continuous strike, whether the Government is going to intervene in the matter to bring out an amicable settlement of the disputes?

Shri Bimala Prasad Chaliha (Chief Minister)—Sir, I am enquiring into the matter and I will inform the Hon'-

the member tomorrow.

Adjournment Motion—Kishan satyagraha movement
 Shri Promode Chandra Gogoi—Mr. Speaker, Sir, Under Rule 56 of the Rules of Procedure and Conduct Business in Assam Legislative Assembly I beg to move that the other business of the Assembly be adjourned for the purpose of discussing the situation arising out of the Kishan Satyagraha Movement on the 23rd, 24th and 25th of April in which thousands have courted arrest. This is a matter of public importance. অধ্যক্ষ মহোদয় এই বিষয়টো আপুনি জানে যে যোৱা ২৩/২৪/২৫ এপ্রিল তাৰিখে গোটেই অসম

Mr. Speaker—The hon. Member will speak only about the admissibility of the Motion. I find that by moving an adjournment motion some speeches are made and much of our time is lost. Therefore, I would ask you to speak only about the admissibility of your motion.

Shri Promode Chandra Gogoi—গতিকে এই আন্দোলনৰ কাৰণে আমাৰ Rules and Procedure মতে এই Motion টো—

“For the purpose of discussing a definite matter of public importance”.

“not more than one matter can be discussed on the same motion, and the motion must be restricted to a specific matter of recent occurrence”

এইখিনিতে মই কব খুজিছো যে যোৱা ২৩/২৪/২৫ এপ্রিল তাৰিখে আমাৰ ৰাজ্যত এনেকুৱা এটা ব্যাপক গণ সত্যাগ্ৰহ আন্দোলন হৈছিল, তেনে-

কুৱা আন্দোলন যোৱা কেইবছৰে আমাৰ প্ৰদেশত হোৱা নাই আৰু এইটো কৰ বিচাৰো যে এইটো Definite Issue. এই আন্দোলনৰ এদিনৰ পিচত এই অধিবেশন বহিছে, গতিকে এই বিষয়টো এই অধিবেশনত উত্থাপন কৰাৰ বাহিৰে আন উপায় নাই।

অধ্যক্ষ মহোদয় এই বিষয়টো এটা গুৰুত্ব পূৰ্ণ বিষয়। যিবিলাক সমস্যাৰ ওপৰত সত্যাগ্ৰহ আন্দোলন হৈছিল, সেই আন্দোলন বিলাকে আজি অসমত ডাঙৰ আলোড়নৰ সৃষ্টি কৰিছে। আৰু দেখিবলৈ পাইছো যে গোটেই প্ৰদেশৰ ইমূৰৰ পৰা দিমূৰলৈ এনেকুৱা ঠাই নাই য'ত নেকি জিলাৰ সদৰ, মহকুমা আদিত এই আন্দোলন হোৱা নাছিল। এই আন্দোলনত হাজাৰ হাজাৰ কৃষক, বিধান সভাৰ সদস্যই অংশ গ্ৰহণ কৰিছে।

গতিকে এই সত্যাগ্ৰহ আমি অস্থান্য আন্দোলনৰ লগত তুলনা কৰিব নোৱাৰো। কাৰণ পৰ্বহি দিনা এই আন্দোলন হৈ গৈছে। অসম প্ৰদেশৰ হাজাৰ হাজাৰ মানুহ আৰু বিধান সভাৰ সদস্যকে ধৰি এই আন্দোলনত অংশ গ্ৰহণ কৰিছে। চৰকাৰে এটা কথা কব। বিষয়টোলৈ আলোচনাৰ কাৰণে বিভিন্নস্তৰীৰ বক্তৃতাৰ আলোচনাত শ্ৰেণীগ থাকিব। সেইটো অস্বীকাৰ কৰিব নোৱাৰো। এইটো এটা গুৰুত্ব পূৰ্ণ বিষয় যিহেতুকে ভূমিসংস্কাৰ কৰাৰ কাৰণে বিশেষকৈ যিবিলাক বনাঞ্চলত গৰীবে মাটি দখল কৰি আছে সেই লোক সকলক, চৰকাৰে উচ্ছেদ কৰিছে। গতিকে বিভিন্নস্তৰীৰ বক্তৃতাৰ আলোচনা কৰাৰ কোনো অৰ্থ থাকিব নোৱাৰে। যিহেতুকে এইটো এটা নিৰ্দিষ্ট বিষয় তাৰ ওপৰত আমি আলোচনা কৰিব পাৰো। সেই কাৰণে এই Adjournment Motion টোৱে সভাস্থগিত প্ৰস্তাৱৰ Rule-56 মতে যিবিলাক বিষয়ৰ অন্তৰ্ভুক্ত তাৰ যথার্থতা পূৰণ কৰিছে। সেই কাৰণে আজি সদনৰ অস্থান্য বিষয়বিলাক স্থগিত ৰাখি এই গুৰুত্ব পূৰ্ণ বিষয়টো আলোচনা কৰিব লাগে। সেই কাৰণে মই এই বিষয়টো উত্থাপন কৰিছো আৰু আমাৰ Rule ত এইটো কথা কোৱা আছে।

সেই কাৰণে বিষয়টোৰ সম্পৰ্কত এই প্ৰস্তাৱটো উত্থাপন কৰিছো। যোৱা ১৩/২৪/১৫ এপ্ৰিলত আমাৰ প্ৰদেশত কৃষক সত্যাগ্ৰহ হৈছিল আৰু সেই আন্দোলন উদ্ভৱ হোৱা পৰিস্থিতিৰ বিষয়ে আলোচনা কৰিবৰ বাবে এই প্ৰস্তাৱটো উত্থাপন কৰা হৈছে। মই আগতেই কৈছো যে চৰকাৰ পক্ষই এইটো কথা কব পাৰে যে এই বিষয়টোৰ আলোচনাৰ কাৰণে যথেষ্ট থল আছে আৰু সেইটো বিত্তমন্ত্ৰীৰ বক্তৃতাত আলোচনাৰ কাৰণে থল থাকিব পাৰে। যিহেতুকে এইটো এটা গুৰুত্ব পূৰ্ণ বিষয় যত হাজাৰ হাজাৰ লোক, বিধান সভাৰ সদস্যই আন্দোলনত যোগ দিছিল সেই বিষয়টো আলোচনা কৰাৰ কাৰণে আজি সভাস্থগিত প্ৰস্তাৱটো উত্থাপন কৰিছো।

Shri Mahendra Mohan Choudhury—(Minister, Parliamentary Affairs) অধ্যক্ষ মহোদয়, সভাস্থগিত প্ৰস্তাৱ সাধাৰণতে উত্থাপন কৰা হয় যেতিয়া কোনো এটা বিষয় সদনৰ যিবিলাক কাৰ্যাসূচী আছে সেই কাৰ্যাসূচীৰ অন্তৰ্ভুক্ত নহয় আৰু সেই বিষয়ে আলোচনা সদনে কৰিব নোৱাৰে। ভূমিসংস্কাৰ, বে-দখল আৰু উচ্ছেদ এই তিনিটা বিষয়ে সদনত ইতিমধ্যে বহুবাৰ আলোচনা হৈ গৈছে গৱৰ্ণৰ ভাষণত আলোচনা হৈছে। সেই বিষয়ে বহু সদস্যই মতামত প্ৰকাশ কৰিছে আৰু সেই মতামত বিলাক চৰকাৰে বিবেচনা কৰি চাইছে।

যদি এনেকুৱা আজি এই ভূমিসংস্কাৰ আৰু উচ্ছেদ আৰু মাটি পট্টন সম্পৰ্কে আজি অসমত প্ৰায় ৩ বছৰ ধৰি আন্দোলন চলি আছে, মাজে মাজে সত্যাগ্ৰহ ঘেৰাও, ঠায়ে ঠায়ে ইত্যাদি বিলাক চলি আছে। গতিকে এইবোৰ সচৰাচৰ হৈ থকা ঘটনা ইয়াক নতুন বুলি গ্ৰহণ কৰিব নোৱাৰি। গতিকেই এইটো সভা স্থগিত প্ৰস্তাৱ বুলি আলোচনা কৰাটো নীতি বিৰোধী কথা। তদুপৰি বিত্তমন্ত্ৰী মহোদয়ে বাজেট আলোচনা কৰোতে বিধান সভাত উত্থাপন কৰিছে আৰু এই বিষয়ও আলোচনা কৰিবলৈ

Speech not corrected.

যথেষ্ট সুবিধা পাব। সেইকাৰণে এই বিষয়টো সভা স্থগিত প্ৰস্তাৱ হিচাবে গ্ৰহণ যোগ্য হ'ব নোৱাৰে।

Shri Phani Bora—আমাৰ মন্ত্ৰী মহোদয়ে কৈছে যে বেৰাও আৰু সত্যাগ্ৰহ আৰ্জি ৩ বছৰে চলি আছে এইটো কোনো নতুন কথা নহয়। বেৰাও আৰু সত্যাগ্ৰহ বাদ দি এতিয়া গুলিয়াগুলি হ'ব লাগে বুলিয়েই চৰকাৰে ইঙ্গিত দিছে নেকি ?

* Shri Debeswar Sarmah—অধ্যক্ষ ডাঙৰীয়া, বৰা দেৱৰ কথা শুনি মোৰ এটা বছৰ দিনৰ আগৰ বখালৈ মনত পৰিছে, বছৰ দিনৰ আগতে চাওদাং সম্প্ৰদায়ৰ এজন মানুহে কৈছিল এজন মানুহৰ বিষয়ে। কথাটো কৈছিল বুলিয়েই যে “এ দেৱ তেখেতৰ কথা নক'ব আলিটো কাটি দি আগত বান্ধ দি তেওঁ আগৰ পৰাই খিল খিলাই দিয়ে যাতে মাছবোৰ সোমায় যাব পাৰে। তেখেতৰ কথাটোও তেনেকুৱাই হৈছে। তেওঁলোকে কোনো এটা কথা আগতে বাধ কৰিব আৰু পিছত তেখেতসকলে বিধান সভাত আহি সভা স্থগিত প্ৰস্তাৱ আনিব।

Mr. Speaker—I have heard both the sides and I will give my ruling tomorrow.

Re: Construction of a Bund in the Kusahiara river by Pakistan

Shri Akram Husain:—যোৱা ১১ এপ্ৰিল তাৰিখে দৈনিক অসম আৰু অন্যান্য বাতৰি কাগজত এটা বাতৰি প্ৰকাশ হৈছে বাতৰিটো হ'ল এইটো—মই পঢ়ি দিও “পাকিস্তানৰ বান্ধ নিৰ্মাণৰ বাবে সমগ্ৰ কৰিমগঞ্জ মহকুমা প্লাবিত হোৱাৰ আশঙ্কা।”

অসম পূৱ পাকিস্তান সীমান্তবন্দী কৰিমগঞ্জ মহকুমাৰ বিপৰীতে

Speech not corrected.

থকা কুশিয়াৰা নদীৰ পাৰত পাকিস্তান চৰকাৰে নিৰ্মাণ কৰা ত্ৰিশ কিলোমিটাৰ দৈৰ্ঘ্যৰ বান্ধটোৰ বাবে এই বাৰিষা কালত মহকুমাটো বুব যাব বুলি ইয়াৰ বিশেষজ্ঞ সকলে মত প্ৰকাশ কৰিছে।

আজি কেইবছৰ মানৰ আগতে ইয়াৰ পৰা প্ৰায় পোন্ধৰ কিলো-মিটাৰ আতৰৰ আলামছেদত প্ৰায় চাৰি ফুট ওখকৈ এই বান্ধটো প্ৰথমে নিৰ্মাণ কৰা হৈছিল। কুশিয়াৰা নদীৰ ভয়ানক বানপানীয়ে যাতে মহ-কুমাটোক পুৰুৱৰ ভাৱে ক্ষতিগ্ৰস্ত কৰিব নোৱাৰে সেই কথা চিন্তা কৰিয়েই মীমাংসৰ ভাৰতীয় সীমা অংশতো কুশিয়াৰা নদীত বান্ধ এটা নিৰ্মাণ কৰা হৈছিল।

পাকিস্তান কতৃপক্ষই ১৯৬৯ চনৰ জানুৱাৰী মাহত পাকিস্তানৰ ভিত-বলৈ কুশিয়াৰা নদীৰ পৰা বৈ যোৱা আটাইবোৰ নদী আৰু খালৰ মুখবোৰ বন্ধ কৰি দিয়ে। ফলস্বৰূপেই যোৱা বৰ্ষাকালত কৰিমগঞ্জ মহকুমা আৰু নগৰখন ভয়ানক বানপানীৰ সমুখীন হবলগীয়া হয়।

কিন্তু সম্প্ৰতি পাকিস্তান কতৃপক্ষই যোৱা ৪ সপ্তাহৰ ভিতৰত ডেঙ-লোকৰ ফালে থকা উক্ত বান্ধটো আৰু ওখকৈ নিৰ্মাণ কাৰ্য্যত বাস্তৱৈ পৰিছে আৰু অহা দুই মাহত বাৰিষা হোৱাৰ আগেয়ে সেই বান্ধটো সম্পূৰ্ণ কৰি তোলাৰ আশা কৰা হৈছে বুলি বিশ্বতঃ ভাৱে পোৱা বাতৰিৰ পৰা জনা গৈছে।

এই বাতৰিটো প্ৰকাশ হোৱাৰ লগে লগে গোটেই অঞ্চলত সন্তোষৰ সৃষ্টি হৈছে, ইয়াৰ কাৰণ সকলোৱেই জানে আমাৰ মাননীয় সদস্যসকলে আৰু মুখ্যমন্ত্ৰীয়েও জানে—

Mr Speaker — Mr. Hussain, you know that zero Hour is fixed only for eliciting information, no speeches is allowed. The Minister will reply.

Speech not corrected

Shri A N. Akram Hussain:— পাকিস্তান জনাই আমাৰ বাবে Septic
painত পৰিণত হৈছে। চৰকাৰে কৰিমগঞ্জক বক্ষা কৰিব লাগে।
পাকিস্তানৰ যড়যন্ত্ৰত পৰি যাতে আমাৰ ১ ইঞ্চি মাটিয়ো পাকিস্তানৰ হাতলৈ
নাযায় আৰু কৰিমগঞ্জৰ ১ ইঞ্চি মাটি প্লাবিত হ'ব নোৱাৰে সেই বিষয়ে
চৰকাৰে আমাক আশ্বাস দিব লাগে। চৰকাৰে আৰু আমাক আশ্বাস
দিব লাগিব যে আমাৰ ব্ৰহ্মপুত্ৰৰ ১ বিন্দু পানীয়ো যাতে পাকিস্তানলৈ
যাব নোৱাৰে তাৰ ব্যৱস্থা কৰিব লাগিব আৰু এই বিষয়ে মুখ্যমন্ত্ৰীয়ে
ভাৰত চৰকাৰক দাবীজনাৰ লাগে বুলি মই দাবী কৰো।

* Shri Mahendra Mohan Choudhury (Minister, Parliamen-
tary Affairs) তেখেতে যিটো বান্ধৰ কথা কৈছে সেইটো বান্ধ বন্ধা
হৈছে আৰু এই বিষয়ে ৰাজ্যপালৰ ভাষণতো উল্লেখ হৈছে। কাচাৰৰ
পৰা কৰিমগঞ্জৰ পূৰ্ণ ফালে যি মঠাউৰী বান্ধিছে সেই বিষয়ে আমাৰ
চৰকাৰৰ লগত পাকিস্তান চৰকাৰে আলোচনা কৰা নাছিল। ৰাজ্যপালৰ
ভাষণত কোৱা হৈছে। যে এই বিষয়ে পাকিস্তান চৰকাৰৰ লগত যোগা-
যোগ কৰা হৈছে আজি যিটো কথা কোৱা হৈছে সেই মতে অসমত
বানপানী হোৱাটো আশঙ্কা নিশ্চয় আছে। এইদৰে যোৱা বাবো
কৰিমগঞ্জত বানপানী হৈছিল। এই বানপানী প্ৰতিৰোধ কৰিবৰ কাৰণে
প্ৰতিষেধক কাম লোৱা হৈছে আৰু সেই কাম অতি সোনকালে আৰম্ভ
হ'ব। এই কামৰ বাবে যিটো বান্ধ কৰা হ'ব ১৪ কিঃ মিঃ।

Calling Attention to A Matter of Urgent Public Impor-
tance—Internal affairs of the Assam Govt. Jute Mills

Shri Atul Chandra Goswami—অধ্যক্ষ মহোদয় অসম বিধান সভাৰ
কাৰ্য্য পৰিচালনা নিধি ৫৪ ধাৰা অনুযায়ী যোৱা ৪ মাৰ্চ তাৰিখে
অসম বাতৰিত প্ৰকাশ হোৱা অসম সমবায় মৰাপাৰ্ট কলৰ ভিতৰ চৰাৰ
বিষয়ে যি বাতৰি উলাইছে সেই বিষয়ে সমবায় মন্ত্ৰীৰ দৃষ্টি আকৰ্ষণ কৰিব
বিছাৰিছো। বাতৰিত যিটো প্ৰকাশ হৈছে সেই বিষয়ে মই পঢ়ি দিব

নোখোজো। তাৰ ভিতৰ চৰাৰ নমুনা—বিজুলী আৰু পানীৰ অভাৱ, মৰাপাটৰ ব্যৱস্থা, কাৰখানা এতিয়াও অসম্পূৰ্ণ আদি উপশিতানৰে কাগজত বাতৰি প্ৰকাশ হোৱাত ৰাজ্যত চাঞ্চল্যৰ সৃষ্টি হৈছে এই বিষয়ে মই চৰকাৰৰ দৃষ্টি আকৰ্ষণ কৰিলো।

Shri Bimala Prasad Chaliha (Chief Minister)—Mr. Speaker, Sir, The news item appearing in the Assam Batori dated 4th March, 1970 has come to the notice of Govt. Information on the points to which the attention of Govt. has been drawn is furnished as follows—

Appointment of outsiders to high posts—

The Assam Co-op, Jute Mills has not so far appointed any Manager. This post was advertised twice in January, 1966 and June 1966, but no suitable candidate was available. Being unsuccessful in finding a suitable person through direct advertisement, the Mill authorities requested the assistance of M/S Triparthy Pareek & Co. a firm of consultants; recommended by the Jute Commissioner, Govt. of India, M/S. Tripathy Pareek & Co. advertised in the Statesmen and received five applications in response to the advertisement. This firm selected two names which have been forwarded to the Jute Mills. The Executive Committee of the Jute Mills have decided to call for interview the person given first preference by the Consultants and

the Assistant Manager or the Jute Mills. The interview will be conducted by a Board appointed by the Executive Committee. The Board will consist of the following.

1. The Chairman, Assam Co-op. Jute Mills Ltd.
2. Registrar of Co-operative Societies, Assam.
3. Director of Industries, Assam.
4. Shri I. L. Tripathy, of M/s, Tripathy Pareek & Co,
5. Jute Commissioner, Govt. of India, or his representative.

Appointment of employees:—One Shri Dinonath Kakoty has been appointed as the Store Keeper despite his age, in consideration of his experience and qualifications. The prescribed scale of pay for this post is Rs. 150-8-190-10.240-12-300/-But as Shri Kakoty was reluctant to join at Rs. 150/—in consideration of his experience and the requirements of the Mill he has been appointed temporarily as the Store Keeper at Rs. 200/—. Shri Kakoty was earlier under employment of the Steamer Co. at Rs. 509/—and there after in Sahayika at Rs. 235/—

It is not a fact that the Jute Mill will be purchasing Jute for only two months in one year. Jute may have to be purchased for a longer period according to the capacity of the Mill. Moreover, even

though Jute may not be purchased throughout the year, one person is required at all times for issue of jute from the raw jute godown.

Both the above posts were filled-up without advertisement as it was urgently necessary to fill them up. The Executive Committee at its meeting held on 22.7.69 authorised the Chairman to fill up these posts.

It is a fact that a retired Civil Engineer has been appointed in the Jute Mill. He has been appointed on contract basis for only one year. Once the building of the Jute Mill and the ancilliary buildings are completed there may not be any necessity for such a post. In such circumstances, younger men are usually not available on contract, That is why, this suitable retired person has been appointed. He retired from the State P.W.D as Executive Engineer.

In case of appointment of one L.D.-cum Typist, a test in dictation and typing was taken. The person who has been appointed occupied 4th position as the result of the test. The person who occupied the first position went away without appearing in the interview. The second person refused to go to Silghat. The third person secured appointment in P.W.D. At last, the fourth person was considered suitable.

The Electrical Sub-ordinate Engineer holds first

class diploma from the Calcutta Engineering College. He has worked for 2 years 2 months in the Assam State Electricity board. The Selection Committee for appointment to this post had bracketed three persons. Therefore, it is not a fact that the first three selected persons were disregarded and this person was appointed. Being satisfied with his work the present Asstt. Manager has recommended to the Mill Authorities that he should be promoted to a Supervisor's post. This person had also worked in the Assam Co-operative Sugar Mills early.

Finance and utilisation:—It is not a fact that the Jute Mills have obtained a loan of Rs. 1 crore from the Industrial Finance Corporation. The Industrial Finance Corporation have sanctioned a long term loan of Rs. 78.5 lakh only. But this money has not yet been disbursed to the Jute Mills. The rate of interest for this loan is not 10% as alleged and is 8.5% only. A rebate of 0.5% is admissible for a timely repayment of the loan.

The jute Mills have obtained a loan of Rs. 50 lakh from the United Bank of India for one year only. This loan is to be repaid upon receipt of the loan from the I.F.C. The loan from the United Bank of India has not been disbursed at a time. The Bank,

is paying the two suppliers of machineries to the Jute Mills according to necessity. According to the agreement made with the Bank interest will not be charged on the entire amount of Rs. 50 lakh from the very beginning and interest will have to be paid only on the amounts paid by the banks to the machineries suppliers from time to time.

It has been stated that the Jute Mills are paying unnecessary interest due to delays in the completion of the Mill. It is of course regretted that for various reasons the Jute Mill has not been completed so far, but, the fact is that if the Mills had obtained bigger amounts of loans, the work could perhaps have progressed faster.

Electricity and Water Supply:—Electricity has been supplied to the premises of the Jute Mills. The internal electrification of the Mill is going on now. The arrangements for water supply have not been completed so far. In order to minimise expenditure and to get better quality water, attempts were made to get water from underground sources, but as those attempts did not prove successful now it has been decided to fetch water from the Brahmaputra. It is expected that the arrangement will be completed within a period of 2 to 3 months.

Weighing Bridge:—It is not a fact that Rs. 55 thousand have been paid for the Weighing Bridge. This machine has been purchased at Rs. 33 thousand (approx.) only. This machine is considered essential for a modern Jute Mills. With the help of this machine, the Jute can be weighed in the trucks accurately and swiftly, and in such a way as to leave no loophole for pilferage.

Appointment of Secretary:—It is not a fact that nearly 2 crore have so far been spent on the Jute mills. Actually only about Rs. 1 crore have been spent so far. In the Jute Mills there is usually one qualified Manager and he is the head of the technical and administrative section of the Jute Mills, perhaps no high ranking officer from the Cooperative deptt, or from the Assam Civil Service will be necessary. Of course, if a request from the Mill Authorities for such an officer comes, the Govt. will consider the request.

The present Secretary joined the Jute Mills as soon as the organisational work of the Mill was started. The Board of directors of the Mill has not taken any decision in any meeting to appoint this person to a higher post upon his retirement.

Location of office:—The Assam Cooperative Jute

Mill is situated at a distance of about 52 k.m. from Nowgong town. It is a fact that the Mill being away from the head office, Officers from the Head Office have to go to the Mill from time to time for various works. But it is not a fact that the Chairman of the Mill or any other officer has drawn any T.A. or D.A. from the Jute Mill for visiting the Mill. The question whether the head office of the Jute Mill should be situated in the Mill premises was considered, but it was seen that the head offices of companies are usually situated away from the factories so that policy decision need not be taken amidst the daily pressures of working of such factories.

Arrangement for purchase of Jute: It is a fact that a Cooperative Institution should transact its business by utilising the cooperative system. With this end in view, the cooperative Marketing societies in the Jute growing areas of Nowgong district were requested to supply Jute, by convening a meeting as well as individually. But perhaps due to the Jute Mill being an infant organisation and those marketing societies not having much experience in the jute trade, that attempt proved to be unsuccessful. The Mill authorities have decided that once the mill is commissioned, the jute that will be purchased will be taken from the cultivators directly according to the class of jute required by the mill. But it is a fact that unless there is an organised system it cannot be expected that the

entire requirements of the mill can be met by purchase from the individual cultivators. It is expected that after the Mill is operated for sometime, the cultivators and the Marketing Societies will come forward to supply jute to the Mill and then there will be no necessity for purchase of jute from traders. The mill has so far purchased 15,318 mounds of jute at an expenditure of Rs. 6,82,805/—

Completion of the Mill building—The mill building is nearly completed and 3 godowns have been completed. Unfortunately, during the progress of construction of the buildings there were two accidents, one each in the Main Mill building and in one of the raw jute godowns which had held up the construction work for a long time. These accidents were enquired into and as a result of the enquiry the design of the Trusse of the raw jute godowns were changed. The extra expenditure due to this change in design has been met by the contractors.

The Assam Ministers, Ministers of State and Deputy Ministers' salaries and Allowances (Amendment) Bill, 1970
Shri Kamakhya Prasad Tripathy, (Minister finance)—Sir, I beg leave to introduce the Assam Ministers; Ministers' of State and Deputy Ministers'. Salaries and Allowances (Amendment) Bill, 1970.

Mr. Speaker : There is a message from the Governor. "I

54. The Assam Deputy Speaker's Salaries and 27 Apr.
Allowances (Amendment) Bill, 1970

recommend under Article 207 (1) of Constitution of India that the Assam Ministers; Ministers' of State and Deputy Ministers' Salaries and Allowances (Amendment) Bill, 1970, be introduced in the Assam Legislative Assembly." (After a pause) The leave is granted.

Shri Kamakhya Prasad Tripathy, : Sir, I beg to introduce the Bill. (The Secretary, L.A. read out the title of the bill)
Mr. Speaker : The Bill is introduced.

The Assam Speaker's Salaries and Allowances
(Amendment) Bill, 1970

Shri Kamakhya Prasad Tripathy (Minister finance) : Sir, I beg leave to introduce the Assam Speaker's Salaries and Allowances (Amendment) Bill, 1970.

Mr. Speaker : The Governor's Message—"I recommend under Article 207 (1) of the Constitution of India that the Assam Speaker's Salaries and Allowances (Amendment) Bill, 1970, be introduced in the Assam Legislative Assembly. (After a pause) The leave is granted.

Shri Kamakhya Prasad Tripathy : Sir, I beg to introduce the bill. (The Secretary, L.A. read out the title of the Bill)

Mr. Speaker : The Bill is introduced.

The Assam Deputy Speaker's Salaries and
Allowances (Amendment) Bill, 1970

Shri Kamakhya Prasad Tripathy, (Minister finance) : Sir, I beg

I leave to introduce the Assam Deputy Speaker's Salaries and Allowances (Amendment) Bill, 1970.

Mr. Speaker : The Governor's Message—"I recommend under Article 207 (1) of the Constitution of India that the Assam Deputy Speaker's Salaries and Allowances (Amendment) Bill, 1970." (After a pause) The leave is granted

Shri Kamakhya Prasad Tripathy : I beg to introduce the Bill. (The Secretary, L.T. read out the title of the Bill)

Mr. Speaker : The Bill is introduced.

The Assam Legislative Assembly Members Salaries and Allowances (Amendment) Bill, 1970

Shri Kamakhya Prasad Tripathy, (Minister finance) : I beg leave to introduce the Assam Legislative Assembly Members' Salaries and Allowances (Amendment) Bill, 1970.

Mr. Speaker : The Governor's Message—"I recommend under Article 207 (1) of the Constitution of India that the Assam Legislative Assembly Members' Salaries and Allowances (Amendment) Bill, 1970, be introduced in the Assam Legislative Assembly." (After a pause) The leave is granted.

Mr. Kamakhya Prasad Tripathy : I beg to introduce the Bill. (The Secretary, L.A. read out the Title of the Bill)

Mr. Speaker : The Bill is introduced.

The Assam Land Revenue and Rent (Surcharge) Bill, 1970

Shri Kamakhya Prasad Tripathy, (Minister finance) : Sir, I beg leave to introduce the Assam Land Revenue Rent (Surcharge) Bill, 1970.

Mr. Speaker—The Governor's message—
"I recommend, under the provision of Article 207 (1) of the Constitution of India, the introduction of the Assam Land Revenue and Rent (Surcharge) Bill, 1970, in the Assam Legislative Assembly."

Shri Phani Bora—Mr. Speaker, Sir, I oppose the Bill for introduction. This Bill is brought to this House for the purpose of augmenting the resources of the State. In the Statement of Objects and Reasons, it is stated that "with a view to augmenting the resources of the State it is proposed to levy surcharge on the land revenue or rent at a flat rate of 30 percent of the land revenue or rent." Sir, I would not have opposed the introduction of the Bill had there been a guarantee for producing more food grains and getting fair price for the products. Now, I understand that Government wants to augment the resources for the developmental programmes to be carried out in the State, but I find that this surcharge on land revenue is sought to be levied only on land holding of 10 or more Bighas. It seems to me that the Government wants to exempt those who are holding only 10 or less than ten Bighas of land through this Bill. It is good so

far as the exemption is concerned. What I feel is that this exemption limit should have been raised up to 14 or 15 Bighas of land. Because, I find that in the most backward areas of the State, cultivators having even 14 or 15 Bighas of land are hardly able to maintain themselves. These cultivators are not having economic holdings, because of the absence of irrigation and other facilities to increase the production capacity of their holdings. Sir, in the State of Assam, most of the areas, specially in the upper Assam and tribal areas, irrigation and other facilities required for the purpose of raising production by resorting to multi-cropping system are absent. Cultivators are not holding economic holding even though they might have been holding 14 or 15 Bighas of land. I, therefore, request the Government to raise the exemption limit upto 15 Bighas. Now, the Government while trying to extract resources from the common people, particularly, the poor middle class peasants of the State, fail to raise the production capacity and also the price of their produce. It is a ruthless exploitation of the Government of our backward people, and it is quite uncalled for on the ground that under the existing background our poor peasants are not able to accumulate anything. Under the circumstances, if the Government is going to levy surcharge on the land holding, it will be a ruthless

system and the middle and lower class people of the State will be hard-hit. Therefore, I oppose this Bill.

(Shri Dulal Barua rose to speak)

Mr. Speaker—No, no, you cannot speak. The rule is clear on this point. Rule 70 (1) says—"If a motion for leave to introduce a Bill is opposed, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion, may, without further debate, put the question thereon:"

Shri Dulal Chandra Barua—Even at the introduction stage we can oppose the Bill and we can explain our objection.

Mr. Speaker—No, you cannot speak. No debate is allowed.

Shri Dulal Chandra Barua—You are introducing a new system and you are curtailing the rights of the Members. There is no question of debate. At the introduction stage we can oppose it and therefore you cannot curtail the rights of the members. Why we are opposing, we should be allowed a chance to explain; otherwise there is no sense in our remaining here as peoples' representatives.

Shri Kamakhya Prasad Tripathi—Sir, the hon. Member Shri Bora himself has said that he is happy that there is an exemption upto 10 bighas. Therefore, so far as the principle of the Bill is concerned, he does not

oppose it. He said that he would have been happy if the exemption limit would have been raised to 15 bighas. Therefore, it is a question of amendment which could have been moved at the consideration stage. He thinks that the exemption limit should be upto 15 bighas and some others may think that it should be upto 14 bighas. But the Government thought that it should be upto 10 bighas. Therefore, I would have thought that the objection which has been raised is pertinent to the consideration stage rather than to the introduction stage.

The second point he raised is

Shri Dulal Chandra Barua.—Sir, proviso to rule 70 at page 46 says—“Provided that where a motion is opposed on the ground that the Bill initiates legislation outside the legislative competence of the House, the Speaker may permit a full discussion thereon.” Therefore, the rule is not rigid and you can allow a discussion.

Mr. Speaker—I failed to understand how this question can come. I can allow a discussion if the Bill initiates legislation outside the legislative competence of the House which means that the House has no jurisdiction to discuss the Bill. But that is not the question before the House. Shri Bora spoke about an assurance from the Govt., for certain facilities and other things.

Shri Dulal Chandra Barua—My point of view may be different from his but I am also going to oppose the introduction of this Bill on a Constitutional point!

Shri Kamakhya Prasad Tripathi—As I have already said, on principle of the Bill Shri Bora has no difference. His objection is about the exemption limit.

Shri Dulal Chandra Barua—Sir, I raise a point of order and my point of order is that this Bill ought to have come from the Revenue Department. I do not know how this Bill can be moved by the Finance Minister directly. Sir, we frame rules and we are to abide by the rules but we cannot go against the provision of the Constitution.

Mr. Speaker—What are you driving at ?

Shri Dulal Chandra Barua—My objections are firstly, this Bill ought to have been sponsored by the Revenue Minister and not by the Finance Minister, and secondly, this Bill is against the provision of the Constitution because the levy charged is a new thing, and it has not been clearly stated under what provision of the Constitution this Bill has been brought.

Shri Mahendra Mohan Chaudhury—Sir, there is no Constitutional bar for the Finance Minister to move this Bill. The Minister-in-charge of this Bill is the Finance Minister and he has rightly moved it. Therefore, I do not understand how the hon. Member can raise an objection on this score. Secondly, Sir, the hon. Member has said that it is Constitutionally bar but he has not cited the article under which it is bar. It is a

normal course of business and this can be done... If the hon. Member thinks that this Bill cannot be moved according to the Constitution, he should refer to the relevant article. Without that he cannot say that it cannot be moved by the Finance Minister. Therefore, Sir, there is no force in the point of order.

Mr. Speaker—The first point raised by Shri Barua is that the Bill refers to the Revenue Department and it was moved by the Finance Minister. Our rule regarding point of order is very clear. It must refer to the interpretation of the rules and provisions of the Constitution. Whether a particular Minister is competent to pilot a Bill, that does not come within a point of order. Therefore, I rule it out. As regards the point that the Minister has not cited the provision of the Constitution under which the Finance Minister is imposing surcharge on the land revenue, I think it is not necessary. The hon. Member who objects should cite the article. I do not think there is any Constitutional bar to impose a surcharge on land revenue.

Shri Kamakhya Prasad Tripathi:—It is the duty of the person who raises the objection to point out the law, and since he has not cited the article, his argument has no legs to stand on. Sir, Shri Bora has said that it was intended to exploit people. Obviously all taxes and

(Surcharge) Bill, 1970

levies which are levied are for exploitation in the good sense. We raise taxes for the good of the people. We raise taxes to be spent for the good of the people.

(Shri Debeswar Sarma: You raise money to squander)

By giving pay and allowances to the members?

Sir, Shri Bora is quite right when he says that effort should be made to give benefit of double and triple cropping and that can be done by irrigation, and Hon'ble Member himself knows that one of the biggest programmes of this Government is to expand the irrigation facilities, electricity lines and all that. Resources are to be raised from all points of view. Land revenue itself is a resource. The surcharge would be a resource. From one point all the resources necessary cannot be raised. So this surcharge is only an additional resource. The intention of the Government is to utilise all these resources for the good of the people. The amount of surcharge is very nominal, and, I am told, that if a man plants one dozen brinjal or jalakia plants he will be able to pay this without any difficulty. I agree with the Hon'ble Member that until and unless we can give irrigation on a large measure we will not be able to give improved income to the peasantry, and till then the agriculture of Assam will continue to

be in subsistence level; in order to break through it is necessary to go to remunerative agriculture. Hon'ble Member Shri Bora is not opposed in principle to this levy, but he merely says that as regards the exemption limit he differs with me. Shri Bora knows that I am a poor Finance Minister with a big revenue gap and a begging bowl. With utmost effort I have gone to 10. When I am a richer person it may be considered further. In point of fact we are thinking of transferring all the income from land revenue to the panchayats and already a part of this has been transferred to the panchayats. In Shri Sarma's time we transferred 40% to the panchayats. (Some voice) He is not threatening me that is why I am pointing out the good in him. He is an Hon'ble Member of the House and I have no right to browbeat him. (A voice: He is a Congress Member). Congress members in the House have made more bitter speeches than some of the Opposition Members. Therefore, now that is an established fact that Congress Members can make more bitter speeches than hon'ble Members of the other side. So I say that in principle there is no difference. At this stage this point should not be raised, and I shall be much obliged if it is not pressed for a division.

Shri Debeswar Sarmah - অধ্যক্ষ মহোদয়, আপুনি অনুগ্রহ কৰি ২-

মিনিট সময় দিলেই আপোনাৰ জৰিয়তে মই এটা অনুৰোধ কৰিম। মই মোৰ অভিজ্ঞতাৰ পৰাই কৈছো এই বিলখন উঠাই লওক কিয়নো জনকল্যাণ-কামী বাই এখনে দৰিদ্ৰ জনৰ পৰা খাজনা মুঠেই লব নোৱাৰে। তদুপৰি ১০ বিঘা মাটি থকা মানুহ এজনে বেঙেনা, জলকীয়া, লগাই নো আৰু কেনেকে খাজনা দিয়ে। তেওঁলোকে চৰকাৰক খাজনা দিবলৈ হ'লে কেনেকৈ নিজৰ লৰা ছোৱালীক, পঢ়োৱাব, ছোৱালীক বিয়া দিব? তেখেত সকলৰ ভালব কাৰণেই মই কৈছো এই বিলখন উঠাই লওক। শ্ৰীঅতুল গোস্বামী ডাঙৰীয়াই কোৱাৰ দৰে মুখত এক ধৰণে ক'লেও আৰু পেতেপেতে তেওঁলোকৰ ষ্ঠেতিয়কৰ প্ৰতি মৰমো আছে আৰু যদি সেইটোৱে হয় তেনেহলে চৰকাৰে এইটো উঠাই লওক।

Shri Dulal Chandra Barua—অধক্ষ মহোদয় এই বিষয়ত মই শৰ্মা ডাঙৰীয়াৰ লগত একমত। যোবহাটৰ বুলিয়েই নহয়, জনসাধাৰণৰ শোষণযন্ত্ৰ আপোনালোকে প্ৰতিষ্ঠা কৰিছে, সেইটোকে দুৰ কৰিবৰ কাৰণে এই বিলখন উঠাই লবলৈ মই চৰকাৰক অনুৰোধ কৰিছো। যেতিয়া জনকল্যাণ হিতকৰ কাৰণে চৰকাৰে টকা পইচা খৰচ কৰিব লাগে কিন্তু ইমান দিনে বাইজৰ পৰা যিমান tax আদি লোৱা হৈছে সেই হিচাবে বাইজক একো দিব পৰা নাই। ব্ৰিড্ মন্ত্ৰী ডাঙৰীয়াই কৈছে যে Industry কৰিব, পানী যোগানৰ ব্যৱস্থা কৰিব, Electrification কৰিব কিন্তু আজি এই সপোন সপোন হৈয়ে থাকিল, দিঠকত, পৰিণত কৰিব পৰা নগ'ল। কেৱল গৰীব বাইজক আৰু গৰীব কৰিবলৈ চেষ্টা কৰা হৈছে। যদি বাইজেই চৰকাৰক দি থাকে অথচ চৰকাৰে বাইজক একো দিব পৰা নাই। গতিকে চৰকাৰে বাইজৰ মূৰত টাঙোন মাৰি টকা লোৱাৰ কোনো নৈতিক অধিকাৰ নাই। সেইকাৰণে মই কও এই বিলখন উঠাই লব লাগে।

Mr Speaker—Now the question is: Has the hon. Minister

leave of the House to introduce the Bill?

(A voice খাজনা বঢ়াৰলৈ দিব নোৱাৰিব।)

(On voice vote the Speaker announced that the

leave was granted.) The leave is granted.

Shri Dulal Chandra Barua : We are pressing for Division.

Shri Lakshmi Prasad Goswami (Minister : Agriculture) : The

Speaker has already given his ruling. No question of

pressing for division arise.

Mr. Speaker : Then I put the Question again. The question

is that the Minister-in-charge Finance has leave of

the House to introduce the Assam Land revenue and

Rent (Surcharge) Bill, 1970.

Shri Mahendra Mohan Chaudhury

Shri Kamakhya Prasad Tripathy

Shri Chatrasing Terron

Shri J. B. Hagjer

Shri Ramesh Chandra Baruah

Shri Lakshmi Prasad Goswami

Shri Mahendra Nath Hazarika

Shri Abdul Matlib Mazumder

Shri Biswadev Sarmah

Shri Syed Ahmed Ali

Shrimati Padma Kumari Gogain

Shri Prabin Kumar Choudhury

Shri Devendra Nath Hazarika

Shri Altaf Hossain Mazumdar

Shri Dandi Ram Dutta
Shri Chatragopal Karmakar
Shri Abdul Kasem.
Shri Ataur Rahman.
Shri Bahadur Basumatary.
Shri Biswanath Upadhyaya.
Shri Jagannath Sinha.
Shri Siba Prasad Baidya.
Shri Jogen Saikia.
Shri Kandarpa Narayan Banikya.
Shri Karuna Kanta Gogoi.
Shrimati Lily Sen Gupta.
Rani Manjula Devi.
Shri Mathura Mohan Sinha.
Shri Mera Clouba Singha.
Shri Nakul Chandra Das.
Shri Narayan Chandra Bhuyan.
Shri Paramananda Gogoi.
Shri Prabhat Narayan Chaudhury.
Shrimati Pushpalata Das
Shri Pushpadhar Chaliha.
Shri Ratneswar Konwar.
Shri Sadhan Ranjan Sarkar.
Shri Tilok Gogoi.
Shri Upendra Nath Sanatan.

Shri A. N. Akram Hussain.

Shri Atul Chandra Goswami.

Shri Bhubaneswar Barman.

Shri Bhadra Kanta Gogoi.

Shri Dulal Chandra Baruah.

Shri Govinda Kalita.

Shri Jalaluddin Ahamed

Shri Kabir Chandra Roy Pradhani.

Shri Kehoram Hazarika.

Shri Lakshya Dhar Choudhury.

Shri Maneswar Bora.

Shri Matilal Kanoo.

Shri Matilal Nayak.

Shri Phani Bora.

Shri Premadhar Bora.

Shri Promode Chandra Gogoi.

Shri Rothindra Nath Sen.

Jonab Rahimunddin Ahmed.

Shri Sailen Medhi.

Shri M. Shamsul Huda.

Shri Soneswar Bora.

Dr. Surendra Nath Das.

Mr. Speaker—Order, order please.

Ayes—40

Noes—22

(The motion is adopted.)

The leave is granted.

Shri Kamakhya Prasad Tripathi (Minister)—I beg to introduce the Assam Land Revenue and Rent (Surcharge) Bill, 1970.

(The Secretary, L. A. then read out the title of the Bill)
The Assam Land Revenue Reassessment (Amendment) Bill, 1970.

Shri Kamakhya Prasad Tripathi (Minister, Finance)—I beg leave to introduce the Assam Land Revenue Reassessment (Amendment) Bill, 1970,

Mr. Speaker—Motion moved. Has the Minister leave of the House to introduce the Bill?

[Voice—Yes, yes]

Shri Promode Chandra Gogo—I want to oppose it Sir. মাননীয় অধ্যক্ষ মহোদয়। এই The Assam Land Revenue (Amendment) Bill, 1970 খনৰ যিটো clause ত amendment কৰিব বিচাৰিছে, সেইটো ইয়াত আছে—“In Section 21 of the principal Act, below second proviso, the following shall be added as third proviso, namely—

Provided further that in case of higher classification and re-assessment a premium of Rs. 50 for residential site and Rs. 100 for trade site per bigha shall be realised from the settlement holders. অধ্যক্ষ মহোদয়, আচল যি খন Act তাত Section 21 ত আছে—“provided further that in case of higher classification and re-assessment a premium of Rs. 50 for residential site.....”

পূৰ্বৰে পৰা এই Land Revenue Re-assessment টো সম্পৰ্ধৰণতে
 পুনৰ জৰীপ কৰা প্ৰশ্ন আছিল। যদি এটুকুৰা মাটি ব্যৱসায়ী মালুহেৰে
 পৰিণত হয়। এজন্য মালুহেই তাত খাটকা সেই মাটি টুকুৰা সেই মালুহ-
 জনৰ নামত থাকে তেতিয়াহলে পূৰ্বৰ নীতি মতে সেইটো জৰীপ কৰে।
 কিন্তু ইয়াত এই ২১ নং ধাৰাত যিটো সংশোধনী দিয়া আছে সেই
 ধাৰামতে সাধাৰণতে Reassessment টো প্ৰযোজ্য হ'ব আৰু হ'বত
 চৰকাৰে কৰাৰে মূল্য বেছি হ'ব। সেই কাৰণে ইয়াত যিটো Premium
 আছে, সেইটো ব্যৱসায়ী জেগা বুলি ক'লে কথাটো অশুদ্ধ হ'ব।
 তেতিয়া যি বিলাক ঠাই Trade Side বুলি ধৰা হয় সেই বিলাকত
 যদি প্ৰতি বিঘা মাটিত ১০০ টকা Premium লোৱা হয় সেই ক্ষেত্ৰত
 এইটো বিবেচনা যোগ্য হয়। কিন্তু যিবিলাক ঠাইত বা গাঁৱত সৰু-
 সুৰা কেইখনমান দোকান আছে, তেনেকুৱা ঠাইত ১০০ টকা Premium
 আৰু Tradeside কথাটো পৰিষ্কাৰ হোৱা নাই। Trade Side
 বুলিলে কেনেদৰে ব্যাখ্যা হ'ব লাগে। লোৱাটো বিবেচনা যোগ্য নহয়। আৰু
 Trade side বুলিলে কেনেকুৱা ঠাই হ'ব—তাত সৰু সৰু কেইটামান
 দোকানেই আছেনে ডাঙৰ ব্যৱসায়ী কেন্দ্ৰই হ'ব এই কথা Trade side
 বুলি কৈ চৰকাৰে পৰিষ্কাৰ কৈ ব্যাখ্যা কৰা নাই। সেই কাৰণে এইটো
 যদি আমি পুনৰ চাওঁ এজন মালুহৰ এটুকুৰা মাটি যদি থাকে আৰু তেওঁ
 যদি সেই মাটি লৈ বাসস্থান তুলি দিয়া হয়, তেতিয়াহলে প্ৰতি বিঘাত ৫০ টকা
 Premium দিব লাগে কিন্তু ব্যৱসায়ী কেন্দ্ৰ হ'লে ১০০ টকা দিব লাগে।
 যেতিয়া একচনা মাটিক যদি ম্যাদী মাটিলৈ ৰূপান্তৰ কৰোতেও
 ৫ টকাৰ পৰা ৫০ টকালৈ Premium বঢ়াই দিলে তেতিয়াও আমি
 বিবোধীতা কৰিলোঁ কিন্তু ভাৰতবৰ্ষৰ সবভাগ প্ৰদেশতেই আনকি কংগ্ৰেছ
 শাসিত প্ৰদেশ বোৰতো ১৫ বিঘালৈকে খাজনা বেহাই দিয়া হৈছে।
 ভাৰতৰ বহুবিলাক প্ৰদেশ কেৰেলা, পশ্চিমবঙ্গ আদিটো খাজনা তুলি
 দিয়া হৈছে। কিন্তু আমাৰ অসম চৰকাৰে তাৰ বিপৰীতেহে কৰিছে।

এতিয়াও কৈছে। ১৫ বিঘা মাটি যাৰ আছে তাক বেহাই দিব লাগে আৰু ভাৰতৰ বহুতো প্ৰদেশতেই খাজনা বেহাই দিয়া কথাটো চিন্তা কৰিছে। কিন্তু অসম চৰকাৰে আজিও তাৰ ওলোটোটোহে কৰিছে।

গতিকে এতিয়া এইটো Premium কৰিছে যে এটুকুৰা ঘৰৰ মাটিৰ প্ৰতি বিঘাত ৫০ টকা আৰু ব্যৱসায়ী কেন্দ্ৰ হলে ১০০ টকা দিব লাগে। কিন্তু এতিয়াও এই কথা চৰকাৰে ভালকৈ দিয়া নাই যে ইয়াত Trade-side মানেনো কি? এই কথাটো মই বুজা নাই। এই ব্যৱস্থা কৰিলে গাওঁঅঞ্চলত থকা সকলো ব্যৱসায়ী যি সকলে দোকান পোহাৰ দি কোনো মতে জীৱন নিৰ্বাহ কৰি আছে তেওঁলোকৰ অন্তৰত আঘাট দিয়া হ'ব। গতিকে এই Reassessment amendement ৰ বিষয়ে দৃষ্টি আকৰ্ষণ কৰি মই এই Bill খনৰ ঘোৰ বিৰোধিতা কৰিছোঁ।

Shri Dulal Chandra Barua—অধ্যক্ষ মহোদয় Assam Land Revenue Reassessment বিল Introduction ৰ বিৰোধিতা কৰি কেইটামান কথা কব বিচাৰিছোঁ। Statement of objects and Reasons ত দিছে—with a view to augmenting the resources of the State, it is proposed to levy premium and surcharge on the land revenue from landholders and settlement holders and for conversion of agricultural land to homestead and trade site by amending the Assam Land Revenue Re-assessment Act, 1936.

এই সম্পৰ্কত মই কেইটামান কথা কব বিচাৰিছোঁ। এই বিলৰ যোগেদি বাজাৰ আৰ্থিক অৱস্থা উন্নতি কৰাৰ প্ৰচেষ্টা চলাবলৈ বিচৰা হৈছে। কিন্তু এটা কথা বুজিব পৰা নাই সেইটো হৈছে বেলেগ বেলেগ কৰৰ শিতানত ইতিমধ্যে বাইজৰ পৰা যি বিলাক টকা পইচা আদায় কৰা হৈছে এই বিলাকত দাত্তা সকলৰ উপকাৰৰ কাৰণে এতিয়ালৈকে কোনো কাম কৰা হোৱা নাই।

২য়তে এই বিলখন Misnomer, মানে ইয়াত কোনো পৰিষ্কাৰ
 ভাৱে কোনো Defination দিয়া হোৱা নাই। এতিয়া উদাহৰণস্বৰূপে
 যোৰহাটৰ বেলেগ বেলেগ গাওঁ-ভূমি ধৰি Business থাকক বা নাথাকক
 Extended Town Area বুলি ধৰি Revenue বঢ়াইছে।
 এই বিলখন যদি সদনত গ্ৰহণ কৰা হয় তেন্তে গৰীব শ্ৰেণীৰ যি কৃষক মানুহ
 আছে তেওঁলোকৰ অৱস্থা আৰু দুখলগা অৱস্থাত পৰিণত হব। চৰকাৰে
 এই বিষয়ে বিধান সভাত আলোচনা কৰিছিল আৰু আলোচনা প্ৰসঙ্গত
 কৈছিল মাটি Class I, Class II, Class III, ভাগ ভাগ কৰিছে
 আৰু সেইমতে Land Revenue নিৰ্দ্ধাৰণ কৰিছে। আচৰিত কথা
 যিবিলাক Class I ত পৰিব লাগে তাক Class II ত পেলাইছে আৰু
 Class II ৰ যিনি Class I ত পেলাইছে। এই ধৰণে কৰিলে ধনী শ্ৰেণীয়ে
 দিব পাৰে কিন্তু বাকী সকলে নোৱাৰে আৰু এই ধৰণেই ধন বৃদ্ধি কৰিব
 লৈছে। Industrial Area বুলি ভোগদৈ দলঙৰ পৰা কেন্দুগুৰী,
 মাজগাওঁ আদিত Revenue বঢ়াইছে। তাত যিসকল ব্যৱসায়ী আছে
 বা ধনী শ্ৰেণীৰ মানুহ আছে সেই যিনিয়ে দিব পাৰে; কিন্তু মাজে মাজে
 সোমাই থকা গৰীব শ্ৰেণীৰ মানুহে বৰ্দ্ধিত হাৰত Assessment দিব
 নোৱাৰে। ধনী শ্ৰেণীৰ সকলো ফাৰ্মৰ পৰা উপাৰ্জন কৰাৰ ব্যৱস্থা আছে কিন্তু
 গৰীব শ্ৰেণীক Land Revenue বঢ়াই দি Over Burden কৰা
 হৈছে। কাৰণ Business নাই কোনো সা-সুবিধা তেওঁলোকক দিয়া হোৱা
 নাই অথচ Tax দিব লাগে। তাত ঘৰ সজা বা Factory খোলাৰ
 কোনো ব্যৱস্থা নাই। গতিকে নৈতিকতাৰ ফালৰ পৰা Tax বঢ়াই
 দিয়াৰ কোনো যুক্তি নাই। নৈতিক অধিকাৰ নাই। মই এটা কেচ
 কৰি বিচাৰিছো যে আগতে মাটিৰ Premium পাচ টকা আছিল এতিয়া
 ৫০ টকা। ১৯৬১, ১৯৬২ চনত চিলঙৰ কেচ আছে। ১৯৬০,
 ১৯৬১, ১৯৬২, ১৯৬৩ চনত Order পাচ কৰা হৈছে মাটিৰ Settle-
 mant দিয়া আৰু সেই Order টো ১৯৬৮/৬৯ চনত fix কৰি দিয়া

হৈছে। ১৯৬১ চনত এজন মানুহক মাটি দিয়াৰ ব্যৱস্থা কৰিছিল কিন্তু ১৯৬৯ চনলৈকে সেই মানুহজনে বন্ধিত হাৰত Tax দিব লগা হৈছে। মাটিৰ Classification কৰা নাই। মাটিৰ কোনো Classification হোৱা নাই। কোবোঙত M. H. Choudhury ক দিছে। Industrial Development Area যদি হয় সেই বিলাকৰ পৰা লওক। প্রকৃততে দুখীয়াৰ উন্নতিকল্পে আৰ্থিক মানদণ্ড উন্নত কৰাৰ পাছত আনক। Revenue নামত আমাৰ Premium, টকা-পইচা আনি আছে কিন্তু তাৰ পৰিবৰ্ত্তে আমি একো তেওঁলোকক দিব পৰা নাই। নীতিগত ভাবে এটা সিদ্ধান্ত নকৰা পৰ্য্যন্ত এই বিল স্থগিত ৰাখিব লাগে। এনে আইন প্ৰণয়ণ কৰিব লাগে যাতে দুখীয়া সকলক Capitalist ৰ হাতত এৰি দিয়া নহয় আৰু অৰ্থনৈতিক জীৱনৰ মানদণ্ডৰ নিৰাপত্তা থাকিব পাৰে। এইখিনি কৈ বিলখনৰ বিৰোধিতা কৰিছো।

Shri Atul Chandra Goswami—অধ্যক্ষ মহোদয়, The Assam Land Revenue Reassessment বিল খনৰ মই বিৰোধিতা কৰিছো। ইয়াত Statement of objects and reasons ত কৈছে অসমৰ আৰ্থিক অৱস্থা টনকিয়াল কৰাৰ উদ্দেশ্যে এই বিলখন আনিছে। ইয়াৰ আগতে বিত্ত মন্ত্ৰীয়ে বাজেট বক্তৃতাত কৈছে যে অসমত বহুত tax ৰাকী পৰি আছে। Motor vehicle tax, sales tax আদি নিয়ম মতে আদায় কৰিব পৰা নাই। সেইবোৰ আদায় কৰাৰ ব্যৱস্থা নকৰি state ৰ resources বঢ়াবলৈ এইদৰে tax ৰ বোজা জাপি দি জনসাধাৰণক শোষণ কৰাৰ কোনো অধিকাৰ নাই। ৰাইজে land revenue দিয়ে গাৱৰ বাট পহলী কৰিবলৈ, হস্পিতাল পাতিবলৈ, স্কুল পাতিবলৈ। কিছুমান গাঁৱত বাট পহলিৰ নামত একোৱে নাই বুলিব পাৰি। কোনো কোনো গাঁৱত স্কুলৰ অৱস্থা নাই। কোনো ঠাইত হস্পিতাল আছে ডাক্তৰ নাই। Trade site বুলি গাঁৱত কোনো এডোখৰ বিশেষ ঠাই নাই। য'ত বাচ ৰয় তাতে গুমটি এটা বা দুটাত গাৱৰ ডেকা লৰাই পান বিড়িৰ

দোকান দিয়ে আৰু তাকে Trade site বুলি ৫০ টকা Charge কৰিছে। একোখন বাৰীত ৪/৫ জোপা তামোল গছ আছে আৰু তাকে কেৰেক্টাই খাই শেষ কৰে। সেয়ে চৰকাৰৰ মনত ভাল বাৰী আৰু তাৰো খাজনা বৃদ্ধি কৰিছে। এই কেৰেক্টাই মৰাৰ ব্যৱস্থা কৰি চৰকাৰে বাইজক সহায় নকৰে কিয়? এইটো সমাজবাদী নীতি নহয়। মই এই বিলাৰ বিৰোধিতা কৰিছো।

Mr. Speaker: I have heard three different views from this side on this Bill. Usually at the leave stage, there should not be a lengthy debate. The Question is is that the Assam Lead Revenue (Reassessment) Bill, 1970 be introduced (The motion was adopted). The Bill is introduced with the leave of the House.

Adjournment

The House then adjourned for lunch till 2.05 P.M.
Announcement by the Chair—Arrest of three M. L.As.

Mr. Deputy Speaker: Under rule 179, I have to read certain communications.

“Shri Phani Bora M. L. A. of Nowgong constituency arrested under section 151 Cr.P.C. at Eleven Fortyfive hours today to prevent trespass into courts which may kindly be approved. (.) Details follow (.) Addressed to Speaker Assam Assembly Shillong repeat to Assam Shillong and Principal Private Secretary to Chief Minister, Shillong.”

“This is from the Deputy Commissioner, Nowgong, Then Shri Kehuram Hazarika. “Circumstances com-

pelled immediate arrest of Shri Kehuram Hazarika M. L. A. of Borhampur constituency under 151 CRPC at eleven Fifteen hours today to prevent trespass into courts (.) details follow (.) addressed to Speaker Assam Legislative Assembly, Shillong, principal private secretary to Chief Minister, Shillong”

This is from the Deputy Commissioner, Nowgong. There is another message.

At 11.40 hours, hundred Satyagrahis including Shri Promode Gogoi M.L.A. courted arrest (.) Further details awaited.

All the three hon. Members have been released on bail.

Shri Promode Chandra Gogoi : Mr. Deputy Speaker, Sir, may I know whether previous permission of the Speaker has been obtained.

Mr. Deputy Speaker : No previous permission has been obtained.

Shri Kamini Mohan Sarma—এই যে গুৱাহাটীৰ D.C, office ত দুজন M.L.A ক arrest কৰা হৈছিল তাৰে কেইজনক বেইলত দিয়া হৈছিল সেইটো নাজানিলো।

Mr. Dy. Speaker—এইটো কথা ইয়াত উঠিব নোৱাৰে।

The Assam liquor prohibition (Amendment) Bill, 1970

Shri Ramesh Chandra Barobah (Mininster, Supply): Mr.

Deputy Speaker, Sir. I beg leave to introduce the Assam liquor Prohibition (Amendment) Bill. 1970.

Shri Sailen Medhi : Mr. Deputy Speaker, Sir, I want to

raise objection in this Bill. As you know, Sir, Liquor Prohibition Bill passed by this Assembly could not be successful in this State.

Most of the people in industrial areas declared as dry areas, are taking liquor though they are prevented to take liquor, and no action has been taken so far to prevent the same.

This Act provides 5 per cent alcoholic allowed in section 3 for which it should be substituted by Tari. The State Government has accepted the recommendations of the Committee and proposed to introduce the rate of beverage having 5 per cent alcoholic content in the dry areas. In the dry areas it is also proposed to issue permits on health ground on the recommendation by a Board.

Sir, I want to raise objection in most of the medicines we are using.

Here again, by allowing 5%, Government is encouraging people to drink freely. It will also not be possible for the Government to implement this Legislation. It will not be possible to detect whether the alcohol content in a beverage is 5% or 10% or 50%. Therefore, Government is indirectly encouraging drinking in the dry areas. Sir, in this respect I beg to suggest that instead of bringing a Bill like this Government should scrap all the exist-

ting liquor prohibition measures, which have taken away a large amount of Government revenue. Government should totally scrap all the existing Acts to prohibit drinking in this State, which have deprived us of a huge amount of revenue. We have also undermined the health of the people in the dry areas who now are resorting to drinking illicit liquor. Therefore, without bringing this 5% Bill, I request Government to scrap all existing prohibition laws.

With these few words, Sir, I oppose the introduction of this Bill.

Shri Dulal Chandra Barua—Sir, while objecting to the introduction of this Bill, I want to submit a few things. On principle, I have got no objection if prohibition is introduced and enforced effectively. But we have seen that in the name of prohibition we are allowing people to have more drinks day by day. As for instance, the Nowgong district and the Kamrup district have been declared as dry areas, but the sale of liquor has increased by nearly 85% than before. (Shri Kamakshya Prasad Tripathy—Illicit?). Yes. (Shri Kamakshya Prasad Tripathy—Where is that figure from?). I have got these figures with me. The Finance Minister should not think that we are depending only on hearsay. I shall give him all the figures at the time of discussing the budget. As I was saying, Sir, the consu-

mption of illicit liquor has increased by about 85% in those dry areas. So, my contention is that when we are not in a position to enforce any law effectively we should not go in for it. On the other hand, we are losing a huge amount of revenue. This is also not having any moral effect on the society. We should, therefore, seriously think whether we should continue with these measures which have failed in their primary objective and which have not brought any economic or social benefit to the people. Sir, in almost all the areas in Gauhati illicit liquor is produced and sold on a large scale. In paltan Bazar and other areas, in many hotels illicit liquor is being sold. The Study Team might have recommended introduction of prohibition with all good intention and it would have been a good thing if prohibition could be enforced effectively, but the kind of prohibition we see now is not serving any useful purpose. I, therefore, do not find any reason for bringing forward this Bill. It will only create more confusion. In the Statement of Objects and Reasons it has been stated the Study Team has recommended that "in the dry areas the beverages having 5 per cent alcoholic content may be allowed with a view to counteracting the activities of the illicit distillers and to wean away the people from hard drink till suitable grounds for enforcement of total prohibition

are prepared and the people are taught against the evil effect of drinking". Sir, I do not know how far it will be practicable to enforce such theories in these modern days.. Unless people by themselves come forward voluntarily, unless public opinion is created in its favour, there is no use in imposing prohibition from above, We should first of all try to create the proper atmosphere; only then such kind of Bill may serve its purpose. As it is, this kind of excuse-type of Bill will not help. Sir, in Gauhati and Nowgong there is a system of Civil Surgeon certifying consumption of liquor for medicinal and health purposes. You would be surprised to know, Sir, that 90% of the people who were addicted to drinking could get necessary certificates from the Civil Surgeon.

Shri Ramesh Chandra Barooah—That has been changed.
Shri Dulal Chandra Barua—What is the use of such kind of legislation ? You are only giving more scope for corruption. Sir, we know the habits of some of the people of the party in power who are holding high position. If they go and advise the people not to drink I know what will the people say. Example is always better than precept. Some of the Cabinet members are acting vehemently against prohibition, as the Minister of Industries and the Deputy Minister-in-charge of Labour can very well say from their past experience when

their colleagues used to sit by their side. It can, therefore, be very well imagined how this Government can convince the people in favour of the prohibition. Before asking others why can we not set an example ourselves? It is well-known how some of the Cabinet members are following this policy of prohibition. Therefore, Sir, it is no use asking the other people when everybody knows what is going on in the Cabinet itself. So, instead of making this farce it is better to scrap the entire prohibition policy.

Shri Bhadra Kanta Gogoi—এই বিলখনত মই সম্পূৰ্ণ এক মত হব নোৱাৰিলো—আজি যি খন সংশোধনী বিল আনিছে সেই বিলখনত শতকৰা ৫% কৈ দ্বাৰা হৈছে কিন্তু এই খনৰ দ্বাৰা বাতিৰ ভিতৰতে কিছুমান মানুহক ধনী কৰাৰ কথাহে হৈছে দুখীয়া সৰ্বসাধাৰণৰ কাৰণে একো উপকাৰত অহা নাই। আজি কোৱা হৈছে যে Revenue Lost হৈছে ইয়াৰ পৰা কিমান Revenue কমিছে সিও সন্দেহৰ কথা। Prohibition আইন বলৱৎ হোৱাৰ আগতে দুখন বিলত কিমান পৰিমাণৰ মদ বিক্ৰী হৈছিল লক্ষ্মামপুৰ, শিৱসাগৰত। (A voice—কানি) কানিও চলি আছে। আবকাৰী মন্ত্ৰীয়ে যোৱাবাৰ প্ৰশ্নৰ উত্তৰত কৈছিল যে ডিব্ৰুগড়, শিৱসাগৰত Prohibition ৰ আগতে ২০ হাজাৰ গোলন মদ বিক্ৰী হৈছিল। আৰু এতিয়া ১ লাখ গোলনলৈ বৃদ্ধি হৈছে। ১ বছৰৰ ভিতৰতে ২ লাখ বাঢ়িল। আমি ভাবো মিনিষ্ট্ৰৰে কোৱাৰ দৰে যিমান Revenue Lost হৈছে সিমান থিনি হোৱা নাই। ২০ হাজাৰ গোলনৰ ঠাইত ২ লাখ গোলন হ'ল। কিমান Revenue কমিল সেইটো ক'ব নোৱাৰো। ইয়াৰ দ্বাৰা প্ৰকৃত মদ নিবাৰণৰ উদ্দেশ্য সফল হোৱা নাই। নগাওঁ, শিৱসাগৰ

গৰৰ Boundary ত যি বিলাক মদৰ মহল আছে সেই বিলাকত ২ মাহৰ ভিতৰতে ১০ গুণ বাঢ়িছে। আৰু অসমত স্থানে গুৱাহাটী আৰু নগাঁওত যি বিলাক মদ প্ৰচলন হয় সেই বিলাক কৰ পৰা আছে তাত চ'ন্দা—ককোকোলা আদিৰ ব্যৱহাৰ হয়। ইয়াত দুই বকমৰ চ'ন্দা আৰু ককোকোলা বিক্ৰী হয়। এবিধ দামী—দামী বিলাক কিনি খালেই প্ৰমাণ পোৱা যাব ইয়াত কি আছে। ক'ৰ পৰা আমদানী হয় সেইটো নাজানো। দামী বস্তু খাবলৈ বিচাৰিলেই এই বিলাক পোৱা যায়।

(A voice—ককোকোলা ক'ত হয়?) ককোকোলা ক'ত হয় নাজানো। যি সকলে দামী খাবলৈ বিচাৰে সেই সকলক ভিতৰত নি দিয়া হয়; কিন্তু কোন বিধ দিয়া হয় নাজানো। গতিকে এই ৫% ৰ যি বিল আনিছে তাৰ পৰা কিবা ফল হ'ব বুলি নেভাবে। সেইবাবে মই একমত নহয়। মদ নিবাৰণী বন্ধ কৰি দিয়ক। তাকে যদি নকৰে তেন্তে নিবাৰণী আইন উঠাই দিয়ক। এইদৰে ২%, ৫% কৰি ভেকু ভাওনা কৰি নাথাকিব।

Shri Azizur Rahman Chaudhury—এইটো ভাল কথাই হৈছে—

Shri Dulal Chandra Barua—যদি চৰকাৰে মদ নিবাৰণী Principle গ্ৰহণ কৰিছে তেন্তে Co-operative Sugar Mill ত কিয় Distillery কৰিছে। সেইটো বন্ধ কৰক।

Shri Ramesh Chandra Barooah—Mr. Deputy Speaker, Sir the hon. Members who have opposed the introduction of this Bill have advocated for complete scrapping of prohibition. Sir, I am sorry that the Government cannot agree to this proposal for scrapping of prohibition. I do not say that the prohibition programme of the Government has been a complete success I admit that it has not been as successful as it ought

to have been. Sir, therefore this an experimental measure. In order to make prohibition a success this attempt has been made. Sir, in reply to a question of my friend, Shri Bhadra Kanta Gogoi, this morning, the House has come to know that we are going to reduce even the alcoholic content of the country spirit from 30 to 60. So, between 1970—1973 the C.S. shops will be converted to 60 U.P. shops and on phase programme all the country spirit shops will be converted into 82 U.P. in 1976 which is equivalent to 10 per cent alcohol (Shri Debeswar Sarmah—in Assamese.). Therefore, Sir, I would request the House to accept this measure as an experimental measure to make prohibition a success. Sir, Tekchand Committee which went through the whole country and toured the various parts of India was also of the view that perhaps it will not be possible to wean away the people entirely from the habit of drinking. So, it has recommended to give them drinks of lesser alcohol content so that people can be weaned away from the habit of drinking illicit and unhygienic alcohols. Therefore, I would request the House to give this experiment a fair trial, and even after that if prohibition is not a success it is up to the House to come with some new measures.

My friend, Shri Dulal Chandra Barua referred to the system of giving permit by the Civil Surgeons. But I may tell him that the system is no longer there now. In its place we have constituted Boards in Nowgong, Guwahati and Dhubri for the purpose assessing health consisting of Civil Surgeon, Superintendent of Excise and a non official Medical practitioner. Anybody seeking a permit has to appear before the Board, and, I understand in Gauhati the Committee is doing very well because one of the doctors is Dr. K.C. Barua, and young people are very much hesitant of appearing before the Committee.

Shri Dulal Chandra Barua—Whether the members of the Committee are not habituated in drinking ?

Shri Ramesh Chandra Barooah—I know at least Dr. K.C. Barua and Dr. Saikia of Nowgong do not drink. Dr. Haque of Dhubri I am informed by Hon'ble Minister Sayed Ahmed Ali also does not drink. Therefore, my request to the House is to allow introduction of this Bill and give this measure a fair trial.

Shri A.N. Akram Hussain—গুৱাহাটীত পানী পোৱা নাযায় কিন্তু মদ পোৱা যায়।

Mr. Deputy Speaker—Has the hon. Minister leave of the House to introduce the Bill? (After a pause) Leave is granted.

Shri Ramesh Chandra Barooah—Now, I introduce the Bill.
(The Secretary legislative Assembly, then read out the

title of the Bill).

Mr. Speaker—The Bill is introduced.

The Assam (Temporarily settled Areas) Tenancy Bill,
1970.

Shri Mahendra Mohan Choudhury—(Minister, Revenue and
ests) Sir, with your permission, I beg to move that
the Assam (Temporarily Settled Areas) Tenancy Bill,
1970, be referred to a Select Committee, consisting of
the following members:

1. Minister, Revenue
2. Minister of State, Revenue
3. Shri Paramananda Gogoi, M.L.A.
4. Shri Upendra Nath Sanatan, M.L.A.
5. Rani Manjula Devi, M.L.A.
6. Shri B:N. Upadhyaya, M.L.A.
7. Shri Altaf Hussain Mazumdar, M/S., P.W.D(R&B).
8. Shri P.N. Choudhury, M.L.A.
9. Shri Debeswar Sarmah, M.L.A.
10. Shri Benoy Krishna Ghose, M.L.A.
11. Shri Promode Ch. Gogoi, M.L.A.
12. Shri Giasuddin Ahmed, M.L.A.
13. Shri Mohidhar Pegu, M.L.A.
14. Shri Pitsing Konwar, M.L.A.
15. Shri Premadhar Bora, M.L.A.

Seven members will form a quorum. The report should be submitted by 31st July, 1970.

Mr. Deputy Speaker—Motion moved. The question is that the Assam (Temporarily Settled Areas) Tenancy Bill, 1970 be referred to a Select Committee consisting of the following members.

1. Minister, Revenue.
2. Minister of State, Revenue.
3. Shri Paramananda Gogoi, M.L.A.
4. Shri U.N. Sanatan, M.L.A.
5. Rani Manjula Devi, M.L.A.
6. Shri B.N. Upadhyaya, M.L.A.
7. Shri Altaf Hussain Mazumdar, M/S, P.W.D. (R&B).
8. Shri P.N. Choudhury, M.L.A.
9. Shri Debeswar Sarmah, M.L.A.
10. Shri Benoy Krishna Ghose, M.L.A.
11. Shri Promode Ch. Gogoi, M.L.A.
12. Shri Giasuddin Ahmed, M.L.A.
13. Shri Mohidhar Pegu, M.L.A.
14. Shri Pitsing Konwar, M.L.A.
15. Shri Premadhar Bora, M.L.A.

Seven members will form the quorum. Report to be submitted by 30th July, 1970.

This has been accompanied by a Message from the Governor.

(The Motion was adopted)

The Sylhet Tenancy (Amendment) Bill, 1970:

Shri Mahendra Mohan Choudhury (Minister, Revenue)—

Mr. Deputy Speaker, Sir, I beg to move that the Sylhet tenancy (Amendment) Bill, 1970 be taken into consideration.

Mr. Deputy Speaker—Motion moved. There is an amendment.

Shri Biswanath Upahyaya—Mr. Deputy Speaker, Sir, if I get an assurance from the hon. Minister that the Sylhet Tenancy (Amendment) Bill, 1970 would be repealed or that the Assam (Temporarily Settled Areas) Tenancy Bill, 1970 would extend up to Karimganj, I am prepared to withdraw my amendment.

Shri Mahendra Mohan Choudhury—There is a proposal from our side to make the Bill operative by repealing the Bill.

Shri Bishwanath Upadhyaya—I withdraw my amendment.

Mr. Deputy Speaker—The amendment tabled by Shri Upadhyaya stands withdrawn.

The amendment was in sub-clause (I) Clause 1 of the Bill, the word "Sylhet" shall be substituted by the word "Karimganj."

Shri Biswanath Upadhyaya—Mr. Deputy Speaker, Sir, I beg to move following amendments to this Bill—

Clause 2—In Section 1 of the principal Act, the Ex-

planation shall be substituted as follows—

Explanation—Purposes ancillary to special cultivation shall mean the following—

- (i) Land used for factory buildings;
- (ii) Land used for staff buildings including labour lines;
- (iii) Land used for roads, bridges, and drains within the tea estates;
- (iv) Land used for nurseries including shade trees;
- (v) Land used for hospitals, dispensaries, creche and recreation club;
- (vi) Land used for any other buildings made by the management under other law in force;
- (vii) Land used for seed bari.

Mr. Dy. Speaker—The amendments moved.

Shri Mahendra Mohan Choudhury—I accept the amendments suggested by the hon. Member and will try to accommodate them in the Bill.

Mr. Dy. Speaker—Clause 2 as amended do stand a part of the Bill.

Mr. Deputy Speaker—I put the question. The question is that— Clause 2—In Section I of the principal Act the Explanation shall be substituted as follows—

Explanation—Purposes ancillary to special cultivation shall mean the following—

- (i) Land used for factory buildings;
- (ii) Land used for staff buildings including labour lines;
- (iii) Land used for roads, bridges, and drains within the tea estates;
- (iv) Land used for hospitals, dispensaries, Creche and recreation club;
- (v) Land used for any other buildings made by the management under the law in force;
- (vi) Land used for seed bars;

(The motion was adopted).

Clause 2 as amended do stand part of the Bill

Mr. Deputy Speaker—There is an amendment in the name of Shri Giasuddin Ahmed. He has authorised Shri Phani Bora to move the amendment.

Shri Phani Bora :

Mr. Deputy Speaker, Sir, In Clause 3 (1) (b), a second proviso is further provided. The proviso is that—"provided further that labourers employed for personal cultivation shall not be deemed to be tenant." I beg to move that this proviso be deleted. Sir, the actual purpose of this proviso, according to us, is that the persons who are working with the tenant cannot be actually a tenant, but somehow or other he is termed as servant as if he is employed by the landlord for

cultivation and if that plea is accepted then he will be deprived of his right of tenancy. Therefore, if this provision remains then that will only deprive the real tenants from the right of tenancy in the name of employed labour, and so it should be deleted.

Shri Mahendra Mohan Chaudhury:—Sir, I have found it difficult to accept the amendment because a man holding land may not be able to cultivate his entire land and therefore he may have to employ labourers on remuneration, and if the employed labourers are also to be given tenancy right then I think an impossible position would be created. Labourer is one who cultivates land of others on remuneration basis, either cash or in kind. Therefore, if a labourer is to be given tenancy right then I think the whole purpose of this Bill will be frustrated. Sir, this is a Bill for giving tenancy right to persons who cultivate for himself, though the title may not be with him, and if the labourers are also to be included in this Bill then the very purpose of this Bill will be frustrated.

Shri Phani Bora : That is not my point. My point is that a man is actually cultivating the land as tenant but in order to avoid giving him tenancy right he is registered as an employee of the landlord. He is actually working as a share cropper and he is not getting any remuneration from the landlord either in cash or kind.

But in order to deprive this man from the tenancy right he is termed as employee as if he is employed by the landlord on remuneration. Employees fall under a different category; they are not tenants. Now, adhiars are also registered as employees and I can cite thousand and thousand of instances. Therefore this provision will not help these people.

Shri Mahendra Mohan Choudhury - The amendment does not speak of that. It is not the question of adhiars; it is the question of employees who are employed by the landlords on remuneration basis for personal cultivation. For adhiars there is a separate Act. Adhiars are not registered as employees and if they are so registered then it is for them to see that they are not registered as employees. Sir, if the employees employed on remuneration basis are given tenancy right then I think the whole purpose of the Bill will be frustrated because this is a Bill to give right to the Adhiars and tenants who are holding land on rental basis and they are distinct from the paid employees.

Shri Promode Chandra Gogoi—উপাধ্যক্ষ মহোদয়, এই বাজহ মন্ত্রী ডাঙৰীয়াই যিটো বাখ্যা কৰিছে, সেই বাখ্যাব লগত original Clause ৰ বাখ্যাটোৱেই যথেষ্ট। The original Act was sufficient “A person who cultivates the land of another person under the system generally known as “Adhi”, “Bhag” on condition of delivering a share of the produce to

that person is not a tenant.” যদিও আমাৰ বাখ্যাটো sufficient আছিল, কিন্তু আগৰ Act ত যিটো বাখ্যা আছিল সেইটো delete কৰা হৈছে। The explanation was sufficient এতিয়া যিটো তাত বাখ্যা কৰিছে সেইটো হৈছে—The explanation shall be deleted and the following shall be inserted as second proviso, namely—“Provided further that labourers employed for personal cultivation shall not be deemed to be tenant” উপাধ্যক্ষ মহোদয় এই ক্ষেত্ৰত যিবিলাক প্ৰকৃত tenant তেওঁ বিলাকৰ Tenancy অধিকাৰ নাইকিয়া কৰিবৰ কাৰণে মালিক বিলাকে কব আজি তেওঁলোকৰ personal cultivation ৰ কাৰণে লগোৱা হৈছে। ইয়াত যিবিলাক amendment অনা হৈছে—Provided further that the labourers employed for personal cultivation, তাৰদ্বাৰা মালিক সকলে Tenant কো personal cultivation ত লগোৱা বুলি কব পাৰিব। অথচ তেওঁবিলাক Tenant হিচাবেও স্বীকৃত নহব। আগতে আছিল যি বিলাকে আধি খাই আৰু ধানৰ অংশ মালিকক দিয়ে তেওঁলোক Tenant নহয়, আৰু যি বিলাকে দৈনিক হাজিৰাত কাম কৰে তেওঁলোকো Tenant নহয়। সেই হিচাবে থকা হ’লেও পৰিষ্কাৰ আছিল।

কিন্তু এতিয়া যি হিচাবে amendment আহিছে তাৰ দ্বাৰা তেওঁলোকে আইনত থকা অধিকাৰৰ পৰাও বঞ্চিত হয়। কাৰণ যেতিয়া interpretation ৰ কথা আহিব। অধিকাৰৰ ক্ষেত্ৰত Tenant ৰ ক্ষেত্ৰত personal cultivation ত লগোৱা বুলি দেখুৱা হয়। বৰং চিলেট Act ত যি বাখ্যা আছিল তাৰ ঠাইত সেই বাখ্যা Delete কৰি এতিয়া যি সংশোধন আনিছে তাৰ দ্বাৰা বায়তীসকলৰ অধিকাৰ খৰ্ক হোৱাৰ সম্ভাৱনা আছে।

Shri Mahendra Mohan Chaudhury—আগৰ যি Act তাত কোৱা

হৈছিল—“Section 3-(16) “Tenant” means a person who holds land under another person and is, or but for a special contract would be, liable to pay rent for that land to that person and includes a person who holds land of another person under the system known as “Chakran”, “Kiran”, “Non-Kar”, “Etmander”, Bhanderi” or the like on condition of rendering service to that person.

Explanation—A person who cultivates the land of another person under the system generally known as “Adhi”, “Barga”, or “Bhag” on condition of delivering a share of the produce to that person is not a tenant”

এই Expression টো ভুলি দিবলৈ কোৱাৰ কাৰণ আছে। যিহেতু ভাত বিবিলাক মানুহক নিজৰ খেতি-বাতিৰ কাৰণে দৰ্মহা দি বন্দবস্ত কৰে, সেই বিলাকে Tenancy ৰ অধিকাৰ নেপায়।

Shri Promode Chandra Gogoi—সেয়ে যদি হয়, তেন্তে এইদৰে হ’লে—provided further that labourer employed on wages for personal cultivation should not be deemed to be tenants.

তেতিয়া হ’লে wage কথাটো amendment ত থাকিব লাগে।

Shri Mahendra Mohan Choudhury—এইটো act খনত দিয়াই হৈছে আৰু বৰ্তমান যিটো কৰা হৈছে সেইটো Tenancy Right ৰ কাৰণে কৰা হৈছে—যি বিলাক মানুহ দৰ্মহাত বন্দবস্ত কৰা হয়।

Shri Dulal Chandra Barua—The object of the Government is to protect the common people. If this explanation is accepted and if the owner of the land goes to the

court, they can be also termed as daily wage-earners. When there is no amendment, can we not suggest to amend the clause ?

Shri Mahendra Mohan Choudhury—যেনেকৈ এজন মানুহক Tractor চলাবলৈ Driver হিচাপে লোৱা হয়, সেই Driver জনে Tractor খনৰ Tanancy অধিকাৰ পাব নেকি ? তেনেকৈয়ে যি বিলাকে হালোৱা বাখে—টকা-পইচা বা দৰ্মহা দি, সেই বিলাকে Right নেপায় আৰু যি আধিয়াৰ হিচাবে চলায়, তেওঁলোকেহে Right পাব।

Shri Kehoram Hazarika—এই wording ত এটা ভয় আছে। কাৰণ অসমৰ যিটো আধিয়াৰ আইন আছে, সেইটো 'ইন্প্লিমেন্ট' হোৱাৰ ভয়ত আধিয়াৰ বিলাকে এখন কাগজত লিখি দিব লাগে। ইয়াৰ ফলত আধিয়াৰ Right নষ্ট হৈছে। গতিকে এইদৰে সংশোধন আইন খনত থাকিলে, সেই মানুহ বিলাকক দৰ্মহা দি বখা হৈছে বুলি কোৱাৰ সম্ভাৱনা আছে।

Shri Mahendra Mohan Choudhury—কোনো আইনেই মানুহৰ বুদ্ধিক বাধা দিব নোৱাৰে। গতিকে তাতো স্বাৰ্থৰক্ষাৰ ব্যৱস্থাৰ কাৰণে বহুতো উপায় আছে আৰু সেই কাৰণে কেতিয়াবা তেনে উপায় অৱলম্বনো কৰে। আধিয়াৰ সকলক চাকৰ বুলি লিখাই লৈ কাম বৰোৱালে তেওঁলোকৰ Tenancy অধিকাৰ নেপায়। আৰু যদি তেনেকুৱাই হয় তেতিয়াহলে Tenancy Right পোৱাত মালিক হব আৰু অধিক শস্য উৎপাদনত incentive নাইকীয়া হব। সেই কাৰণে মই কব খুজিছোঁ বেলেগ বেলেগ ৰাজনৈতিক দলত যি সকল আছে, তেওঁলোকে যদি এই ৰায়ত সকলৰ স্বাৰ্থ ৰক্ষাৰ কাৰণে ষড় কৰে তেতিয়া হ'লে তেওঁলোকে Right পাব পাৰে।

Mr. Dy. Speaker—I think the position is easy to understand if the hon. Member refers to the definition of

“Personal Cultivation”.

Shri Promode Chandra Gogo:—Personal cultivator বিলাকৰ আপত্তি নাই। কিন্তু আমাৰ সংশোধনত যদি অন্তৰ্ভুক্তি হয় তেতিয়াহলে চৰকাৰে এতিয়া যিটো ব্যাখ্যা দিছে সেইমতে যি বিলাকে wage লৈ কৰিব আৰু যি বিলাকক wage earner বুলি অভিহিত কৰিব—এই দুয়োটা কথাত অলপ confusion হ'ব। গতিকে এই ক্ষেত্ৰত চৰকাৰে যিখিনি ব্যাখ্যা দিলে সেইটোকে ভাল Wording ৰূপে Provided that... বুলি দিলে কথাটো ভাল হয়।

Shri Mahendra Mohan Choudhury—আমাৰ Personal Cultivation ৰ কথাত বৈছে যে—“Personal Cultivation” means cultivation by the person himself, or by members of his family or by his hired labourers on fixed remuneration payable in cash or kind but not in Crop share, under personal supervision of the person himself or any member of his family.”

It is very clear.

Mr. Deputy Speaker—I think that meets your purpose.

Shri Promode Chandra Gogo:—তেতিয়াহলে Labour ক Define কৰিব লাগিব।

Mr. Dy. Speaker—There is a reference to personal cultivation and personal cultivation has been defined later on. Where is the scope for misunderstanding?

Shri Phani Bora—এইটো মই জানিছো—কিহব কাৰণে আনিছে আৰু এইটো আমিও তেখেতসকলক বুজাই দিব নোৱাৰোঁ। আৰু তেখেতসকলেও আমাক বুজাই দিব নোৱাৰে। যি নহওক আচল কথাটো আমি বুজি

পাইছে।

Shri. Debeswar Sarmah—এইটো কি কাৰণত দিছে আমাকো বুজাই
দিয়ক চোন।

Shri Phani Bora—অৰ্থাৎ Land Lord বিলাকক সকলো প্ৰকাৰে
Satisfy কৰিবৰ কাৰণেই এইটো কৰিছে। গতিকে এইটো Voice
ভোটত দিয়ক।

Shri Promode Chandra Gogoi—ভেখত সকলে personal, culti-
vator ব যিটো ব্যাখ্যা দিছে সেইটো hired Labourer দিলে ভাল
হয়।

Shri Mahendra Mohan Choudhury—সেইটো তাত দিয়া আছেই।

Shri Dulal Chandra Barua—ইয়াত যদি Higher Labourer Wor-
ding ই Provision বুলি দিয়া আছে, তেতিয়াহ'লে এইটোত কেনেকৈ
wage টো পৰিষ্কাৰ হয়? Wage টো Labour ব আগত দিব লাগে।

Shri Dulal Chandra Barua—Personal cultivation means culti-
vation by the persons himself, or by member of his
family or by his hired labourers on fixed remuneration
payable in cash or kind but not crop share.

Shri Mahendra Mohan Choudhury—I may agree to intro-
duce the labourer employed on wage basis.

Mr. Deputy Speaker—The amendment stands withdrawn
with the leave of the House.

Shri Dulal Chandra Barua—I like to move my amendment
to 3(2) (b) In Clause 3(2) (b), at the end of the expla-
nation, the following proviso be added—“Provided that
the landlord's share shall not exceed one-fifth of the

principal crop. The Share of the crop will be returned by mutual agreement. Sir, the main object of the Bill is to protect the rights and privileges of the tenants. Sir, here if these things are not given then automatically the tenants will be over-powered by the landlords. These things are always continuing. At the time of taking shares in respect of Adhiars the old system is followed. My friend Mr. Hazarika said that though Adhiars Act is there it has not been followed in many places. For their survival the cultivators or tenants do not care so much about the provision of the Adhiar Act for protection of their rights. Almost 70% cultivators of the State are landless. They have to submit to the whims of the land-lords for their survival. As has been stated by my friend Mr. Hazarika in Jorhat Subdivision those cultivators who have been cultivating the land as tenants even for the last 30 years are not in a position to get their due shares though in the Act provision is there. There cannot be any mutual understanding between a stronger and the weaker section. Mutual understanding and compromise is possible only amongst the people with equal status. It is impossible where the people are hard hit because of economic condition. In fact they are much concerned about earning their livelihood, they are busy for maintaining their family properly. The poor people are always

busy with their daily works and generally they are much perturbed for the well being of their children. And therefore, such a compromise, I mean the mutual understanding between the stronger section and the weaker section of the community is impossible.

Therefore, I think it will be good if the land-lord's share does not exceed one fifth of the total output of the crop. The Acts are there, the provisions are also there, our Chief Minister is perfectly right in saying that the co-operation of people is lacking for successful implementation of such Act for which they themselves i.e. the common cultivators are deprived of their due share and hence it means that their rights are not well protected. At least we must do something for their survival so that these people can live and spend their lives like human beings. But how it could be done? It is only possible if the land-lord's share does not exceed one fifth of the total output. I think the Govt. will do something for protection of the rights and privileges of the poor tenants accepting my amendment.

Shri Sainen Medhi—In support of this statement of objects and reasons of the Adhiars regulation Act I want to say that it is inadequate to protect the provision. Only to protect the tenants of the Karimganj Subdivision in the Cachar District the Govt. has brought this Bill to

bring those tenants with the same status of the tenants of the rest of the areas of the State. In the Adhiars protection Act it has been clearly stated that the share of the land lords should not be exceeded one fifth of the total output of the crops. Here we did not give them that portion. We did not insert that portion. But it has been stated that the share of the crop will be determined by mutual agreement. Especially in Karimganj Subdivision the condition of the peasantry are very poor. The problem of illiteracy is there. By taking that advantage the land lords will make some agreement which will definitely bring them into advantageous footing. Taking all these into consideration of the object and reasons of this Adhiars Regulation Act for which the Bill has been brought to this House I suggest that this amendment should be included. Without giving this the purpose of this Bill will not be served, I want the Minister concerned will include this provision in this Bill.

Shri Phani Bora—Sir, in Article 3 (2) (b) of the Bill in the Explanation it is written that the share of the crop will be determined by mutual agreement between land lord and the tenant subject to the maximum of the one fifth of the principal crop grown in the year. That is maximum share that is to be payable to the land lord that is to be fixed. That is the purpose

of this amendment. If the Govt could not provide that, that will only mean making the tenant a pray of the landlords. After all land lords will definitely say that "if you are prepared to give half of the crop then you are allowed to cultivate my land and if you cannot then you get out. I will employ my own labour or I myself do it". Because one is strong enough and another is weak. The mutual relations always occur between equals. There cannot be mutual understanding unless both are equal. But if the poor people collect together then they become strong and then only strong man might be inclined to come to mutual understanding. In that case the maximum share must be categorically mentioned and that must be within certain limit. And that limit is not more than 1/5th of the principal crop. If the Govt's intention is to help the poor it will not be difficult for the Govt. to accept this amendment. Only there is the question of intention. Now, if the intention is genuine then there is no difficulty in accepting this amendment.

Shri Bishwanath Upadhyaya—Sir, there is one amendment. My amendment is in Clause 3 2) (b), at the end of the explanation, the following shall be added, namely :- "but shall not exceed fair rent". I think there will be no difficulty if we accept this.

Shri Dulal Chandra Barua—Sir, my amendment can also be accepted.

Shri Mahendra Mohan Choudhury—In view of the provision 3 (2) (b) which is being amended, "share shall not exceed fair rent or shall not exceed 1/5 of the principal crop, whichever the House likes may be accepted.

Mr. Deputy Speaker—Do you accept the amendment moved by Shri Barua ?

Shri Mahendra Mohan Choudhury—Yes, but it shall not exceed 1/5 of the principal crop.

Mr. Deputy Speaker—Now, the question is that in clause 3(2) (b), at the end of the explanation the following proviso be added—

“Provided that the landlord's share shall not exceed 1/5 of the principal crop”.

(The motion was adopted)

The amendment is passed.

Shri Dulal Chandra Barua—I beg to move that in clause 3 (3) (31) at the end of the second proviso after the words “personal supervision”, the words “or personal cultivation” shall be inserted. I think there will be no difficulty.

Shri Mahendra Mohan Choudhury—Provided that in the

case of a person who is a widow or a minor, or is subject to any physical or mental disability or is a member of the Defence forces of the Indian Union or is a Student below the age of 21 years of an educational Institution recognised by the State Govt., the land shall be deemed under personal cultivation even in the absence of such personal supervision". There is no scope for such a thing.

Mr. Deputy Speaker—Are you going to withdraw it ?

Shri Dulal Chandra Barua—Yes, I withdraw it.

Shri Bishwanath Upadhyaya—I have got one amendment, Sir, I beg to move that the proviso to clause 3 (3) (29) shall be substituted by the following—

“Provided that where there is no agreement, the principal crop shall be only one agricultural crop grown in each agricultural year in the local area specified as follows—

“In the District of Cachar—Sali or such local name generally used in respect for paddy known as winter paddy, the harvesting of which is done in the months of December, January and February corresponding to Pous, Magh and Phalgun.” This is my amendment.

Mr. Deputy Speaker—Motion moved. The question is : the proviso to clause 3 (3) (29) shall be substituted by the following :-

‘Provided that where there is no agreement, the principal crop shall be only one agricultural crop grown in each agricultural year in the local area specified as follows :- In the District of Cachar—Sali or such local name generally used in respect for paddy known as winter paddy, the harvesting of which is done in the months of December, January and February corresponding to Pous, Magh and Phalgun.’

(The motion was adopted)

The amendment is passed.

Shri B'swanath Upalhyaya—Sir, I beg to move that in Clause 3 (3) (31) the the words “or town” shall be inserted between the words ‘village’ and ‘within’ occurring in the fourth line of the proviso to the said clause.

Mr. Deputy Speaker.—Motion moved. The question is that in Clause 3 (3) (31) the words ‘or town’ shall be inserted between the word ‘village’ and ‘within’.

(The motion was adopted).

The amendment is passed.

Shri Dulal Chandra Barua—Sir, I beg move that in Clause—3 (3) (32) the word “onefourth” appearing in between the words “exceeding” and “of” the word “one-fifth” shall be substituted.

Mr. Deputy Speaker—Motion moved, The question is— in Clause 3 (3) (32) the word—“one-fourth” shall be substituted by “one-fifth”.

(The Motion was adopted)

The amendment is passed. Clause 3 as amended does form part of the Bill. Clause 4 has no amendment.

Shri Phani Bora—Mr. Deputy Speaker, Sir, I beg to move that Section 210 B be substituted with the following:

(1) Notwithstanding anything contained in chapter IX of the principal Act or anything done under provisions of the Assam Adhiars Protection and Regulation Act, 1948, the State Government shall, on commencement of this Act, make an order directing that a survey be made and record-of-right prepared by a Revenue Officer in respect of all lands under occupation Adhiars within the meaning of the Assam Adhiars, Protection and Regulation Act, 1948 in the names of the Adhiars as tenants.

(2) The State Government shall frame rules of procedure for preparation of such record of right and for decision of any dispute that may arise between the landlord and the Adhiars in course of preparation of such record-of-right.

(3) The Adhi Conciliation Board shall be deemed to have been abolished and all proceedings pending before the board shall be disposed of in accordance

with the procedure laid down in sections 5(1) and 5(2) of this Act.

The purpose of this amendment is— as soon as the Assam Adhiars Protection and Regulation Act, 1948 is repealed, automatically these people are left only to the mercy of the civil courts. As you know very well, Sir, that these Adhiars who are generally very poor people, and have no means to go to the court and also to engage lawyers and all kind of things and also huge expenditure which is required for the purpose and to go to the court to establish their right of tenancy is a very difficult job for these poor people. Therefore, by leaving them in that state of affairs, the amendment seeks to give them some protection on behalf of the Government to really find out record of right and establish it so that they may be protected under the provisions of this Act on the basis of that. But in the meantime, when we leave them to the courts, most of these people will not actually get their justice, as it was in the case of Goalpara district when the statutory zamindari was abolished. We know what was difficulty the people of Goalpara had faced in establishment of their record of right and uptill today this could not be really done properly and the justice could not be given to the poor people who are there throughout the ages. In

(5) view of this apprehension, I think the Government will be good enough to see that this amendment is accepted and the Adhiars are protected in Goalpara.

Shri Kabir Chandra Ray Pradhani—উপাধ্যক্ষ মহোদয়, আধিয়ার কথাটো এনেকুৱা হৈছে যে আধিকৰা মানুহ বিলাকে আকাশত ভাহি ফুৰিছে কিন্তু আইনখনৰ ধৰণটো অন্য বকমৰ হৈ অছিল। আজি যি বিলাকে কাম কৰে তেওঁলোকক চৰকাৰে ৰাণ দিয়া নাই, কাৰণ অধিকাৰ থাকিলে যোগদাৰ বিলাকে আধিৰ কোনো Record কৰিব নিদিয়ে। সেই কাৰণে amendment টো প্ৰয়োজন হৈ পৰিছে যাতে তেওঁলোকক Protection দিব পাৰি, নহলে তেওঁলোক আকাশতে ভাহি ফুৰা অৱস্থাতে থাকিব লাগিব।

Shri Mahendra Mohan Choudhury—Sir, to prepare the record of rights no authority is required. Already there is order to record the Adhiars in the chitas, Sir, this Act is applicable only in Karimganj Subdivision. I may inform the Hon'ble House that in Karimganj Subdivision records of rights including those of Adhiars have been prepared very recently and as such, the amendment has no necessity. Sir, whatever the implication of the amendment may be, my point is that this is a matter for executive action only—it requires no legislative authority. In spite of all our efforts, I must admit, there are certain lacunae visible in such records but we are not slackening our efforts to see that all Adhiars come to records. It is in pro-

cess and in Karimganj, as the report goes, the record is complete.

Shri Sainen Medhi—Sir, it will be very difficult if to establish the rights of adhiars or they are required to go to Civil Courts in case of any dispute. It should be the executive orders that are required to decide these disputes. And, inspite of the fact that it has already been decided in the Subdivision of Karimganj about the Adhiarship, the disputes are sure to remain. About their real adhiarship, from time to time there will be disputes and to decide those disputes there are to be some agencies and until and unless there is such an agency they are to go to Civil Courts. It will really be hardship to the adhiars if they are required to go to Civil Courts to establish their rights and remove the disputes. For that purpose there should be an order directing the Revenue Officer to make detailed survey in order to set records right so that they can be protected from the exploitation of the landlords.

Shri Mahendra Mohan Choudhury—Sir, there is no question of giving protection to the landlords by this provision. The provision envisages that record of rights for adhiars be prepared. The possession of the adhiars should be established and for establishing possession of the adhiars record of rights is essential. I appre-

ciate the points raised by Shri Bora. He said that unless the records are prepared and the adhiars' claims are registered in the chitas as tenants it will be very difficult for them to get remedy in any court. Sir, for that reason not only today but since sometime past we are trying to prepare a perfect list of the adhiars whether occupancy or non-occupancy. I have already said that we are doing it by executive instructions and so far as report goes now the record of adhiars in Karimganj is complete. No adhiar outside the record of the Revenue Department—they have come in the record. Therefore, Sir, this provision is not necessary.

Shri Sailen Medhi—What about the second provision. ?

Shri Mahendra Mohan Choudhury—Sir, the point is this. By this Act the accrue the right of occupancy. Their remedy lies in the Court and not in the Adhiars' Board and therefore, Sir, the Adhiar Tribunal has been abolished. After the tenancy right having acquired they have got the right to go to the Civil Court hence Tribunals have been proposed to be abolished.

(The amendment was with the leave of the House withdrawn).

Mr. Deputy Speaker—The question is that Clause 5 shall form part of the Bill.

(The Motion was adopted)

The question is that the long title, preamble and the enacting formula do stand part of the Bill.

(The Motion was adopted)

Shri Mahendra Mohan Choudhury—(Minister, Revenue) Sir, I beg to move that the Sylhet Tenancy Bill, as amended, be passed.

Mr. Deputy Speaker—The question is that the Sylhet Tenancy Bill, 1970 as amended be passed.

(The motion was adopted)

The Goalpara Tenancy (Amendment) Bill, 1970

Shri Mahendra Mohan Choudhury—(Minister, Revenue) Sir, I beg to move that the Goalpara Tenancy (Amendment) Bill, 1970 be taken into consideration.

Mr. Deputy Speaker - Motion moved. The question is that the Goalpara Tenancy (Amendment) Bill, 1970 be taken into consideration.

(The motion was adopted)

Phani Bora—Sir, I beg to move that the second paragraph of sub-clause (1) (c) of clause 2 of the Bill shall be substituted by the following :—

“Share of crop shall mean the share of the prin-

principal crop grown in each agricultural year and will be determined by mutual agreement between the landlord and the tenant, subject to the maximum of one fifth of the produce of the principal crop grown in each agricultural year.”

Sir, the same type of amendment was moved in the Sylhet Tenancy Act and it was accepted.

Shri Mahendra Mohan Choudhury—I accept it.

Mr. Deputy Speaker—Motion moved. I put the question that the second paragraph of sub-clause (1) (c) of clause 2 of the Bill shall be substituted by the following :—

“Share of crop shall mean the share of the principal crop grown in each agricultural year and will be determined by mutual agreement between the landlord and the tenant, subject to the maximum of one fifth of the produce of the principal crop grown in each agricultural year.”

(The motion was adopted)

Shri Rathindra Nath Sen—Sir, I think this covers the other amendments tabled by other Members.

Shri Bishwanath Upadhyaya—Mr. Deputy Speaker, Sir, I beg to move that at the end of the second paragraph of sub-clause (1) (c) of clause 2 of the Bill, the following shall be added :

“but shall not exceed fair rent.”

Mr. Deputy Speaker—Amendment moved. The question is that at the end of the second paragraph of sub-clause (1) (c) of clause 2 of the Bill, the following shall be added :

“but shall not exceed fair rent.”

(The motion was adopted).

Shri Bishwanath Upadhyaya—Mr. Deputy Speaker, Sir, I beg to move that in clause 2 (2) (c) of the Bill, the following proviso shall be added :

“Provided that landlord’s share shall not exceed fair rent.”

Mr. Deputy Speaker—Amendment moved. The question is that in clause 2 (2) (c) of the Bill, the following proviso shall be added :

“Provided that landlord’s share shall not exceed fair rent.”

(The motion was adopted).

Shri Bishwanath Upadhyaya—Sir, I beg to move that In sub-clause (3) of clause 2, the 1st paragraph after proviso shall be substituted by the following:—

“In the district of Goalpara—Sali or such local name generally used in respect paddy known as winter

paddy, the harvesting to Pous, Magh and Phalgun”.

Mr. Deputy Speaker—Motion moved. The question is, In sub-clause (2) of clause 2, the 1st paragraph after proviso shall be substituted by the following:—

“In the district Goalpara—Sali or such local name generally used in respect of paddy, the harvesting of which is done in the months of December, January and February corresponding to Pous, Magh and Phalgun”.

(The motion was adopted)

The amendment is accepted.

Mr. Deputy Speaker—Shri Pradhani.

Shri Kabir Chandra Pradhani—Mr. Deputy Speaker. Sir, I beg to move that in clause 2 (3) (24) of the Bill, in the ninth line between the words “village” and “within” the words “or town” shall be inserted.

Shri Mahendra Mohan Choudhury—Sir, we have limited the areas upto the limit of miles and I think the House will agree.

Mr. Deputy Speaker—Mr. Pradhani, will you agree to withdraw ?

Shri K. C. Roy Pradhan—Yes.

Mr. Deputy Speaker—The amendment stands withdrawn with the leave of the House.

Shri Dulal Chandra Barua—Sir, I beg to move that in Clause 2 (3) (25), the word “one fourth” appearing in the second line shall be substituted by the word “one fifth”.

Mr. Deputy Speaker—Motion moved. The question is that :
In Clause 2 (3) (25), the word “one-fourth” appearing in second line shall be substituted by the word “one-fifth”.

(The motion was adopted)

The amendment is passed. Clause 2 as amended does form part of the Bill.

Now, Clause 3. There is an amendment standing in the name of Shri Giasuddin Ahmed. I understand he is not moving his amendment.

Shri Mahendra Mohan Chaudhury—Other members also not moving their amendments.

Shri Biswanath Updhayaya—Sir, I am moving my amendment.

I move that after Clause 3 of the Bill the following Clause shall be inserted, namely—

“4. After Section 182 of the principal Act, the following new Sections shall be inserted, namely—

183 (1), The Assam Adhiar Protection and Regulation Act, 1948, so far as it applies to the areas in which the Principal Act (The Goalpara Tenancy Act,

1929) is applicable, is hereby repealed.

(2) On such repeal, all the provision of this Act shall be applicable to the Adhiars within the meaning of the Assam Adhiars Protection and Regulation Act, 1948 hereby repealed and such Adhiars will acquire the status of an under-rayat with or without a right of occupancy as the case may be, under this Act.

184. On the repeal of the Assam Adhiars Protection and Regulation Act, 1948

(1) The Adhi Conciliation Board shall be deemed to have been abolished, and all the members thereof and the officers working therein shall be deemed to have relinquished their posts as members or officers as the case may be, of the Board.

(2) All the proceedings pending before the Adhi Conciliation Board shall stand transferred to the Civil Court competent to entertain and dispose of the matter as if the proceedings were rent suits between the parties and the Court shall proceed to dispose of the same as a rent suit."

Shri Mahendra Mohan Choudhury—Sir, these amendments are in conformity with the spirit of the Act. So, they may be accepted.

Mr. Deputy Speaker—The question is that: After Clause 3 of the Bill the following clause shall be inserted, namely—

“4. After Section 182 of the Principal Act, the following new Sections shall be inserted, namely—

183 (1). The Assam Adhiar Protection and Regulation Act, 1948, so far as it applies to the areas in which the Principal Act (The Goalpara Tenancy Act, 1929) is applicable, is hereby repealed.

(2) On such repeal, all the provisions of this Act shall be applicable to the Adhiars within the meaning of the Assam Adhiars Protection and Regulation Act, 1948 hereby repealed and such Adhiars will acquire the status of an under-raiyat with or without a limited right of occupancy as the case may be, under this Act.

184. On the repeal of the Assam Adhiars Protection and Regulation Act, 1948,

(1) The Adhi Conciliation Board shall be deemed to have been abolished, and all the members thereof and the officers working therein shall be deemed to have relinquished their posts as members of officers, as the case may be, of the Board.

(2) All the Proceedings pending before the Adhi conciliation Board shall stand transferred to the Civil Court competent to entertain and dispose of the matter as if the proceedings were rent suits between the pa-

rties and the Court shall proceed to dispose of the same as rent suit.”

(The motion was adopted) The amendment is passed.

The question is that the long title, the preamble and the enacting formula do stand part of the Bill. (The motion was adopted). The long title, the preamble and the enacting formula shall form part of the Bill.

Shri Mahendra Mohan Choudhury—Mr. Deputy Speaker, Sir, I beg to move that the Goalpara Tenancy (Amendment) Bill, 1970, as amended, be passed.

Mr. Deputy Speaker—Motion moved. The question is that the Goalpara Tenancy (Amendment) Bill, 1970, as amended, be passed. (The motion was) adopted. The Goalpara Tenancy (Amendment) Bill, 1970, as amended, is passed.

The Assam Rhinoceros Preservation (Amendment) Bill, 1970,

Shri Mahendra Mohan Choudhury (Minister, Forests)—Mr. Deputy Speaker, Sir, I beg to move that the Assam Rhinoceros Preservation (Amendment) Bill, 1970 be taken into consideration.

Mr. Deputy Speaker—The motion moved is that the Assam Rhinoceros Preservation (Amendment) Bill, 1970, be taken

into consideration.

(The motion was adopted)

Shri Mahendra Mohan Choudhury—There is an amendment Sir.

Shri Biswanath Upadhyaya—Sir, I have an amendment to Clause 5 :

I beg to move that Clause 5 of the Bill shall be substituted by the following—

“Section 8 of the principal Act shall be substituted by the following—

“Any forest officer not being below the rank of a Forester or any Police officer not being below the rank of a Sub-Inspector of Police, who has reason to believe that for tracing an offence against this Act immediate search of a building or enclosed place is indispensable, may, even without obtaining a warrant from a Magistrate, search such buildings or enclosed place and seize such instruments, implements or any other thing which may furnish evidence of the Commission of the offence :

Provided that after such search, he shall submit a report in writing within forty-eight hours to the Magistrate within whose jurisdiction the said search was made.”

Mr. Deputy Speaker—The amendment is moved.

The question is that Clause 5 of the Bill shall be substituted by the following :—

“Section 8 of the principal Act shall be substituted by the following :—

“Any forest officer not being below the rank of a Forester or any Police Officer not being below the rank of a Sub-Inspector of Police, who has reason to believe that for tracing an offence against this Act immediate search of a building or enclosed place is indispensable, may, even without obtaining a warrant from a Magistrate, search such buildings or enclosed place and seize such instruments, implements or any other thing which may furnish evidence of the commission of the offence.

Provided that after such search, he shall submit a report in writing within forty-eight hours to the Magistrate within whose jurisdiction the said search was made.”

(The motion was adopted).

The amendment is passed.

Mr. Deputy Speaker—The question is that Clauses 1 to 4 do stand part of the Bill, as also clause 5 as amended, and the long title, the preamble and the enacting

formula do stand part of the Bill.

(The motion was adopted).

Shri Mahendra Mohan Choudhury—(Minister, Forest): Sir, I beg to move that the Assam Rhinoceros Preservation (Amendment) Bill, 1970 be passed.

Mr. Deputy Speaker—Motion moved. The question is that the Assam Rhinoceros Preservation (Amendment) Bill, 1970 be passed.

(The motion was adopted).

The Assam Fixation of Ceiling of Land Holdings (Amendment) Bill, 1970.

Shri Mahendra Mohan Choudhury—(Minister, Revenue), I beg to move that the Assam Fixation of Ceiling on Land Holdings (Amendment) Bill, 1970 be taken into consideration.

Mr. Dy. Speaker—The motion moved.

Shri Mahendra Mohan Choudhury—Sir, it seems the House is very tired of taking up Bills. Sir, this is very important Bill. It has some far reaching consequences. There are some vital facts in the Bill which need careful consideration. I, therefore, would like to suggest that consideration stage of the Bill be deferred to the next day of Government Business.

Shri Debeswar Sarmah—Sir, as the hon. Minister has suggested that Bill has some far-reaching consequences, I submit, Sir, this Bill may also be referred to the Select Committee consisting of the same Members as in the case of Assam (Temporarily Settled Areas) Tenancy Bill, 1970.

Shri Mahendra Mohan Choudhury—Sir, I beg to submit that on many occasions we have seen that a Bill sent to the Select Committee took considerable time to be passed. So, if this Bill is sent to the Select Committee, the matter which is of urgent nature will be delayed.

Mr. Dy. Speaker—With the sense of the House, the consideration of the Bill is postponed to the next day of the Government Business.

Shri Kamakhya Prasad Tripathi—(Minister, Finance) Sir, I beg to move that the Assam Professions, Trades Callings and Employment Taxation (Amendment) Bill 1970 be taken into consideration.

Mr. Dy. Speaker—The motion moved. There is an amendment.

Shri Premadhar Bora—Sir, in moving my amendment, I would like to say that clause 2 of the Bill shall be amended accordingly and shall be read as follows:—

For the existing Schedule annexed to the principal Act, the following shall be substituted :—

THE SCHEDULE

Rates of tax in the case of every person.

Where total gross annual income	—	Amount of Tax.
1. Does not exceed Rs. 6,000	Nil.
2. Exceed Rs. 6,000 but does not exceed Rs. 10,000		Rs. 40
3. „ Rs. 10,000 „ „ „	Rs. 15,000	60
4. „ Rs. 15,000 „ „ „	Rs. 20,000	90
5. „ Rs. 20,000 „ „ „	Rs. 25,000	130
6. „ Rs. 25,000 „ „ „	Rs. 30,000	180
7. „ Rs. 30,000 „ „ „	Rs. 35,000	240
8. „ Rs. 35,000 „ „ „	Rs.	300

Mr. Dy. Speaker—The amendment moved.

Shri Dulal Chandra Barua—Sir, this amendment is moved by one of my friends from this side of the House just to make a rational rate of tax. Sir, we find there is some discrimination in the list of the Bill that has been furnished by the Government. I hope the Minister in-charge will object to accept the amendment brought by my friend.

Shri Kamakhya Prasad Tripathi, (Minister, Finance)—Sir,

I think there is some misconception in moving this amendment. Actually, I have originally thought that the rate or tax of upper slab should be Rs. 500. But there is a constitutional bar. According to Article 76 of the Constitution, the ceiling of taxation for Rs. 35,000 and above should be Rs. 250. But now the honourable member wants to raise the ceiling upto Rs. 300. It hits the constitution. Therefore, the amendment will not be constitutionally proper. Second thing which this amendment tries to do is to raise the taxation limit from Rs. 4,000 which we have proposed and Rs. 3,500 which exists to-day to Rs. 6,000. Sir, that would be too high a limit upto which we cannot go at this time because financially we are at a low ebb. From that point of view also it is difficult for us to accept the amendment. This amendment, I think, was moved on the understanding that it is possible to go beyond Rs. 250/-. But obviously since we cannot go beyond Rs. 250/- the raising of the limit from Rs. 4,000/- to Rs. 6,000/- would not be acceptable to us. Thirdly, the problem is that this amendment suggests structural change in the schedule itself. It says that instead of two schedules there shall be one schedule. The present provision divides the schedule on the basis of Joint Hindu Family and otherwise. The amendment suggests that this division may be done away with. Sir,

to this question I have not applied my mind properly but it is a point to be considered. But it cannot be accepted at this stage; this point will be considered by my Department and if it is found feasible and if it can be done without any loss to the State then it would be done in the next year.

With these clarification I would request the hon. Members not to press this amendment, (Shri Rathindra Nath Sen: But to leave it to your wisdom), and not to leave to my wisdom but to leave it to the result of research which will be brought to the notice of the hon. Members. After all these are facts which are thrown up and this determine our wisdom of action. Therefore, I would request that the amendment which is unconstitutional should not be pressed.

Mr. Deputy Speaker—Will the hon. Member withdraw his amendment ?

Shri Premadhar Bora—Yes.

(The amendment was withdrawn with the leave of the House)

Mr. Deputy Speaker—I put the question. The question is that clauses 1 and 2 along with the schedule, the long title, preamble and the enacting formula do stand of the Bill.

(The motion was adopted)

Shri Kamakhya Prasad Tripathi—Sir, I beg to move the Assam Professions, Trades, Callings and Employments Taxation (amendment) Bill, 1970 be passed.

Mr. Deputy Speaker—The question is that the Assam Profession, Trades, Callings and Employments Taxation Bill, 1970 be passed.

(The motion was adopted)

The Assam Children Bill, 1970

Shri Abdul Matlib Mazumdar (Minister, Law)—Sir, I beg to move that the Assam Children Bill, 1970 be taken into consideration.

Mr. Deputy Speaker—The question is that the Assam Children Bill, 1970 be taken into consideration.

(The motion was adopted)

Shri Abdul Matlib Mazumdar—Sir, I beg to move that the Assam Children Bill, 1970 be taken into consideration, clause by clause.

M. Shamsul Huda—Sir, I beg to move that in Chapter I, under clause 1, the sub-clause (3) shall be amended as follows—

“(3) It shall come into force forthwith all over the whole of the State of Assam.”

Mr. Deputy Speaker—Amendment moved.

Shri Abdul Matlib Mazumdar—Sir, I wish I could accept the amendment. But as the matter stand, it is not possible for me to accept the amendment. Sir, the implementation of this Bill involves framing of certain rules under Sub-Clause 1 of clause 59. It also involves setting up of certain institutions like Children Welfare Board, Children Home, After-care organisation etc, and the setting up these institutions will take some-time and therefore, it is not possible to implement it immediately. I would therefore, request the hon. Member not to press his amendment.

* Shri Dulal Chandra Barua—Sir, when a Bill has been brought to this House, it is for the Government to take necessary steps for the implementation of the Bill, and it is not for the House to implement it. Secondly, when this Bill has been brought, it should be given effect to in the entire State. Of course, Government has the discretion to implement it part by part. Therefore, I do not find any force in the argument of the hon. Minister that it will be difficult to implement it. When the Government has come forward with this Bill, it should be given effect to the entire State. When this Bill seeks to bring welfare measures for the delinquent children, it should

* Speech not corrected.

be extended to the entire State and Government should take necessary steps for the successful implementation of the Bill. It should not be left like Beggers' Bill and Gas Control Bill which have gone into the cold storage. Sir, the Minister incharge of this Bill is a pious man and he has pious wish and therefore he should make all-out efforts for the successful implementation of the Bill through the State. So Sir, I support the amendment moved by my friend Shri Huda.

Shri Abdul Matlib Majumdar—Mr. Deputy Speaker, Sir, I have already stated that for obvious reasons it will not be possible to implement the Act immediately; but, Sir, I can assure the hon. Members that as the matter is urgent (as Mr. Barua has stated that the delinquency amongst children is urgently to be remedied) all possible steps will be taken to frame the rules.

Shri Dulal Chandra Barua—What is the difficulty in accepting the amendment moved by Shri Huda. It can be given effect to in a phased manner instead of coming again with another amendment.

Shri Abdul Matlib Majumdar—Rules are to be framed and certain institutions are to be established.

* M. Shamsul Huda—মাননীয় উপাধ্যক্ষ মহোদয়, মন্ত্রী মহোদয়ে মোৰ Amendment টো গ্ৰহণ নকৰিলে। মই এই Amendment টো এই কাৰণেই আনিবলগীয়া হৈছে যে এই বিল খনড ২/১ খন ঠাইৰ উন্নতিৰ

* Speech not corrected.

কথাহে ভবা হৈছে। আমাৰ সদনত যি বিলাক আইন তৈয়াৰ কৰা হয় সেই বিলাক কোনো এখন বিশেষ ঠাইৰ কাৰণে, কোনো এটা Proper Area ৰ কাৰণে হোৱাটো উচিত নহয়। যি আইনকে নকৰক এইখন গোটেই ৰাজ্যৰ উন্নতিৰ কাৰণে মঙ্গলৰ কাৰণে হোৱা উচিত। কোনো এখন নিৰ্দিষ্ট ঠাইৰ কাৰণে আনিলে দেশৰ অন্যায় কৰা হব। আৰু এই অন্যায় বিলাক দিনক দিনে বাঢ়ি যাব, অবিচাৰ বাঢ়ি যাব। মই চৰকাৰক এই কথা কব খুজিছো যে সেই অঞ্চলৰ ল'ৰা-ছোৱালী বেয়া নহয় বা সকলো-ভালো নহয়। গতিকে সেই বিলাক অঞ্চলৰ ল'ৰা-ছোৱালীৰ কাৰণে কিবা কৰা চৰকাৰৰ কৰ্তব্য নহয় নে? গতিকে এই বিলখন গোটেই ৰাজ্যৰ কাৰণে নহৈ কেইটামান অঞ্চলৰ কাৰণে হলে দেশৰ কাৰণে হোৱা অন্যায় কৰা হব। Welfare ৰ Minister এ কৈছে যে এইখন গোটেই ৰাজ্যৰ কাৰণে যদি কৰা যায় তেনেহলে টকা পইচাৰ দৰ্কাৰ হব, কল তৈয়াৰ কৰিব লাগিব—এইটো এটা আচৰিত কথা।

Shri Abdul Matlib Mazumdar—I have not said that. It will be made applicable to the whole of the State.

M. Shamsul Huda—এইটো আচৰিত কথা—টকা পইচা খৰচ হয় হওক—যিহকে কৰা যায় গোটেই ৰাজ্যৰ মঙ্গলৰ কাৰণে কৰিব লাগে।

Shri Debeswar Sarmah—বাতিটোতে হাতীটো কৰিব নোৱাৰি।

M. Shamsul Huda—বাতিটোতে কৰাৰ কথা কোৱা নাই। এই বিলখন phase by phase, যথাযথ ভাব আলোচনা নকৰিলে। এই বিলাক আলোচনা কৰিবলৈ দিয়ক। তাৰ পাচত আইন পাচ কৰি থওক। পাচত লাহে লাহে phase by phase কামত প্ৰয়োগ কৰি থাকক। একেদিনাই কৰাৰ কথা কোৱা নাই। এই কথা আমি অস্বীকাৰো কৰা

* Speech not corrected,

নাই। আইন কৰিলেই যে লগে লগে Implementation কৰিব লাগিব সেইটোও কোৱা নাই—আপোনালোকে পাচ কৰি থওকচোন—আপোনালোকলৈ ১৯৭২ চনলৈকে আছে। গতিকে এই আইনখন পাচ নকৰি এই অনায়ায় কিয় কৰিবলৈ যায়। আমাৰ কথা কোৱাৰ অধিকাৰ আছে যেতিয়া আমি নিববে থাকি এই ধৰণৰ অনায়ায় কিয় কৰো? ইয়াৰ দ্বাৰা ৰাজ্যৰ সমগ্ৰ শিশুৰ অনায়ায় কৰা হৈছে।

দ্বিতীয়তে, আইন কৰিবলৈ পইচা লাগে, ৰোল কৰিব লাগে—কিন্তু পৃথিবীৰ কোনো ঠাইতে তেনে কথা শুনা নাই—মাত্ৰ আমাৰ অসম চৰকাৰৰ মুখতেই এই কথা শুনিছো। গতিকে যেতিয়া চৰকাৰে কিবা এটা আইন কৰিবলৈ গৈছে—পইচা পাতি খৰচ কৰি বা কল আদি তৈয়াৰ কৰি গোটেই ৰাজ্যৰ কাৰণে কৰক আৰু যদি তাকে কৰিব নোৱাৰে তেন্তে withdraw কৰি বহি থাকক। যদি প্ৰকৃততে আইন কৰিবলৈ যায় মই কও গোটেই ৰাজ্যৰ শিশুৰ মঙ্গলৰ কাৰণে এই আইন প্ৰযোজ্য হব লাগে আৰু সামগ্ৰিক ভাবে এই বিল তৈয়াৰ কৰা উচিত। আমাৰ মাননীয় সদস্য শ্ৰীতুলসী বৰুৱা ডাঙৰীয়াইও কৈছে যে phase by phase. বেলেগ বেলেগ আলোচনা কৰিব লাগে। আৰু কিবা সংশোধনী আনিলে সেই সংশোধনীটোৱে priority পাব লাগে। মই কৈছো যে প্ৰথমে পাচ কৰি লওক; তাৰ পাচত লাহে লাহে Implementation কৰক। আইন সংশোধন কৰাত কি বাধা আছে। শিশুৰ মঙ্গলজনক কাম কৰিবলৈ কোনো বাধা থাকিব নালাগে। ইয়াতটো জনসাধাৰণে আপত্তি কৰিবলৈ নাযায়। নতুবা চৰকাৰে ভাবিছে নেকি যে দেশৰ কিছুমান অঞ্চল এৰি দিম বুলি? গতিকে গোটেই ৰাজ্যৰ কাৰণে আইন তৈয়াৰ কৰিবলৈ উপাধক্ষ মহোদয়, আপোনাৰ জৰিয়তে অনুৰোধ কৰিছো যাতে সমগ্ৰ শিশুৰ মঙ্গলৰ কাৰণে সমগ্ৰ জাতিৰ কল্যাণৰ কাৰণে চৰকাৰ পক্ষই এই সংশোধনী গ্ৰহণ কৰক।

* Speech not corrected

Shri Abdul Matlib Mazumder—In the ordinary course I would not have replied, but certain observations of the hon. Member have got to be replied to. Framing of the Rules does not mean that the provisions of the Act will be applied to certain sections only. The Rules cannot be framed overnight. After the passing of Act Rules are to be framed, and according to the Rules the implementation will be done. Next Sir, for the proper implementation of the provisions of the Act a Board is necessary; then, Sir, it is contemplated in the provisions that there should be a Court for disposing of the affairs regarding delinquent children. There are other paraphernalia which must be established before we can implement the Act. So I do not find, Sir, why the hon. Member has observed that certain sections alone will come within the purview of the Act. The bill once passed will be implemented throughout the State. I, therefore, pray that the bill be passed.

Mr. Deputy Speaker—You have certain assurances from him. Are you going to withdraw the amendment?

M. Shamsul Huda—Let the Bill be passed for the whole of the State and let the Government implement it wherever they like. What crime those children have done which areas you have excluded the purview of the bill.

Shri Abdul Matlib Mazumdar—It is not stated that certain

areas will be excluded.

Shri A.N. Akram Hussain—এই বিলাকৰ পিয়ল কৰা হৈছিল নেকি ? যদি কৰে সকলোতে কৰক ।

Mr. Deputy Speaker—The question is that Sub-clause 3 of Clause 1 in chapter 1 be amended as follows :- It shall come into force forthwith all over the whole of the State of Assam. This is the amendment moved by Shri Shamsul Huda.

(The motion was lost).

The amendment is lost.

Mr. Shamsul Huda—উপাধ্যক্ষ মহোদয়, এই বিলত কৈছে যে লৰাৰ ক্ষেত্ৰত ১৬ বছৰলৈ এই আইনত প্ৰযোজ্য হ'ব । কিন্তু বাস্তৱ ক্ষেত্ৰত দেখিছো বা বিভিন্ন মনস্তত্ত্ববিদে যিটো কয় সেই ফালৰ পৰা দেখা যায় তত্ত্ববিৰোধ ভাৱে এই সংখ্যা দিয়া হৈছে । চৰকাৰে এই কথা ক'ব খোজে যে ১৬ বছৰ বয়স হলেই ল'ৰা ভাল হৈ যায়, মস্তিষ্ক সুপ্ৰতিষ্ঠিত হৈ যায় তেওঁলোকে বেয়া কাম নকৰে । কাৰ্য্য ক্ষেত্ৰত ১৬ বছৰৰ পৰা ২০/২২ বছৰ বয়সলৈ উদগু হ'বলৈ আবশ্য কৰে আৰু ২০/২২ বছৰ বয়স নোহোৱালৈকে ল'ৰাৰ ভাল বৃদ্ধি নহয় । এইটো কথা সকলোৱে জানে আৰু সকলোৱে স্বীকাৰ কৰিব লাগিব । ১৪ বছৰৰ পৰা আবশ্য কৰি ২২ বছৰলৈকে তেওঁলোকৰ ওপৰত চকু বাখিব লাগে । আৰু চৰকাৰে ইয়াত কৈছে যে ছোৱালীৰ বয়স ১৮ বছৰ হ'লে অর্থাৎ চৰকাৰে ক'ব খোজে যে ১৮ বছৰত ছোৱালীৰ বুদ্ধি নহয় আৰু ল'ৰাৰ ১৬ বছৰত বুদ্ধি হৈ যায়, ভাল হৈ যায়, সি বেয়া কামলৈ নাযায়, এইটো চৰকাৰে

* Speech not corrected

কব খোজে। কিন্তু কাৰ্য্যক্ষেত্ৰত দেখিছো তাৰ বিপৰীত। বাস্তৱ অভিজ্ঞতাত আজি আমাৰ সমাজত আইনমতে যদিও নাই তথাপি ১৬ বছৰ হলে ছোৱালী বিয়া দিয়ে, ভাল গৃহিনীৰ দৰে ঘৰ সংসাৰ কৰিব পাৰে, সম্বন্ধন জন্ম দিব পাৰে আৰু মাতৃৰ দৰে ব্যৱহাৰ কৰি সংসাৰী জীৱন যাপন কৰে। লৰাই ১৬ বছৰত বিয়া পাতিলে কেতিয়াও বাখিব নোৱাৰে আৰু বিপথে যাব। চৰকাৰে সংখ্যাটো উলোটা দিছে। যদি কৰিব লগা হয় তেন্তে দুয়োটাতে ১৮ বছৰ কৰক। চৰকাৰে লৰাৰ ক্ষেত্ৰত ১৬ বছৰ আৰু ছোৱালীৰ ক্ষেত্ৰত ১৮ বছৰ কৰি দিছে।

(A voice : গাখীৰতে মহৰ খুটি)

গাখীৰতে মহৰ খুটিৰ কথা নহয়। আমাৰ যিবিলাক Delinquent Children সেই বিলাকক সংশোধনৰ কাৰণে আনি ১৬ বছৰত ভাল হৈ গল বুলি Certificate দিলে নহব। হাস্পাতালত দেখিছো বেমাৰীক বেণ্ডেজ কৰি শুধিলে ভাল হৈ যায়; Seat নাই সোন্ধকালে পঠিয়াই দিয়ে। ইয়াত দেখিছো কৰ্ত্তব্যৰ পৰা হাত মৰাৰ ব্যৱস্থা চৰকাৰে কৰিছে। Delinquent Children ক যদি ভাল নাগৰিক কৰিব খুজিছে তেন্তে ১৬ বছৰৰ ঠাইত ১৮ বছৰ কৰক। সেইটো কৰাৰ প্ৰয়োজন আছে কাৰণ ১৬ বছৰত লৰা কেতিয়াও ভাল নহয় আৰু জোৰ কৰি Certificate দিলে বিপথে যাব। প্ৰত্যেক Guardian য়ে স্বীকাৰ কৰিছে যে লৰা ১৮/২০ বছৰলৈ নিজৰ ওপৰত নিৰ্ভৰ কৰি চলিব নোৱাৰে, তেওঁলোকক পৰিচালনা কৰিব লগা হয়। সেইকাৰণে Delinquent Children ক সংশোধন কৰাৰ কাৰণে দায়িত্ব বহন কৰাৰ কাৰণে চিন্তা কৰে তেন্তে লৰাৰ ক্ষেত্ৰত ১৮ বছৰ কৰা উচিত।

Shri Kamini Mohan Sarma—দুয়োটাকে সমান কৰক।

* Speech not corrected

Shri Abdul Matlib Mazumder—Sir, this is based on and as a matter of fact it is a replica of the Central Act. Everywhere there is the provision of 16 years. So this is unheard of, as has been proposed by the hon. Member from the other side. At the age of 21 years one can become an M.L.A. and so it is unthinkable. I do not accept it.

M. Shamsul Huda—মন্ত্রী ডাঙৰীয়াই কৈছে যে ২১ বছৰ হলে M.L.A. হৈ যায়; কিন্তু এইটো ভালদৰে চিন্তা কৰক। বহুতে ভাৱে যে ল'ৰাটোৰ ২৬ বছৰ হলে উলিয়াই আনিব পাৰি কিন্তু ল'ৰাটো যদি delinquent হয় তেতিয়াহলে চৰকাৰে ১৬ বছৰৰ পিচত ল'ৰাটোৰ দায়িত্ব বহন কৰিব বিচাৰে। গতিকে ১৮ বছৰ কৰিবলৈ চিন্তা কৰাটো উচিত।

Shri Phani Bora—আমাৰ ইয়াৰ Act ত আছে যে ছোৱালীৰ ১৮ বছৰ আৰু ল'ৰাবিলাকৰ ১৬ বছৰ কিন্তু ছোৱালীতকৈ ল'ৰাৰ Maturity পিচতহে হয়। গতিকে এইটো কিয় এনে কৰা হ'ল?

Shri Abdul Matlib Mazumder—Maturity means the intellectual maturity and not the ordinary maturity.

Mr. Deputy Speaker—Mr. Huda, will you press it?

M. Shamsul Huda—Yes.

Mr. Deputy Speaker I put the question that "In the Chapter 1, in clause 2 (d), the word "sixteen" appearing the line two shall be substituted by the word "twenty".

(The amendment was lost).

The clauses 1 to 16 with annexures, the long title, the preamble, the enacting formula will form part of the Bill.

(After a pause)

The question is that the Assam Children Bill, 1970 be passed.

(The motion was adopted)

The sixth Annual report of the Assam Gas Company Ltd. for the year 1967-68.

Shri Biswadev Sarma (Minister, Industries)—I beg to lay the Sixth Annual Report of the Assam Gas Company Limited for the year 1967-68.

Half-an-hour discussion

Raising of rate of premium for conversion of Annual patta of land.

Mr. Deputy Speaker—According to the agenda the next item should be taken up at 5 p.m. It is only 15 minutes left and if the House agree, we may take it up right now.

Is it the sense of the House ?

(Voice—Yes, Yes)

Shri Promode Chandra Gogoi—উপাধ্যক্ষ মহোদয়, এই প্রশ্নটোৰ সম্পৰ্কত বিধান সভাত প্ৰশ্নৰ সময়ত চৰকাৰে কৈছিল যে বাজহৰ ব্যৱস্থা উন্নত কৰাৰ কাৰণে চৰকাৰৰ পুঁজিৰ অৱস্থা টনকীয়াল কৰিবৰ কাৰণে premium ৫ টকাৰ পৰা ৫০ টকালৈ বৃদ্ধি কৰাৰ চৰকাৰে যি যুক্তি দিছে সি গ্ৰহণ যোগ্য নহয়। কাৰণ premium ৰ নিৰিখ ৫ টকাৰ পৰা ৫০ টকা কৰাত চৰকাৰৰ একো বাচ বিচাৰ কৰা হোৱা নাই যদি এজন মানুহৰ ৩ বিয়া একচনীয়া মাটি থাকে তেওঁ সেই মাটি ম্যাদী কৰিবলৈ বিঘাই প্ৰতি ৫০ টকাকৈ দিব লাগিব আৰু যদি কাৰোবাৰ ১০০ বিয়া মাটি থাকে তেওঁলৈকে ৩ বিয়াই প্ৰতি ৫ টকাৰ ঠাইত ৫০ টকা premium দিব লাগিব।

সাধাৰণতে এটা কথা দেখা যায় যে এতিয়া আমাৰ প্ৰদেশত যিখিনি একচনীয়া মাটি আছে সেই মাটি চৰকাৰতকৈ সাধাৰণ দুখীয়া মানুহৰ হাতত হৈ বেচিকৈ আছে। গতিকেই এই premium ৫ টকাৰ পৰা ৫০ টকালৈ বৃদ্ধি কৰি দিয়াৰ ফলত যিবিলাক মানুহৰ আৰ্থিক অৱস্থা বেয়া আৰু যিবিলাক মানুহ গৰীব তেওঁলোকে কোনো কালে সেই মাটি একচনাৰ পৰা ম্যাদী কৰাৰ সম্ভাৱনা নাথাকিব আৰু হয়তো যিবিলাকৰ আৰ্থিক ভৱস্থা ভাল আৰু যাৰ বহুত মাটি আছে তেওঁলোকে ইচ্ছা কৰিলে ৫০ টকাতকৈয়ো বেচি premium দি মাটি ম্যাদী কৰিব পাৰিব। উপাধ্যক্ষ মহোদয় মাটিৰ ক্ষেত্ৰ আগৈয়ে ২ টা অতিবিলুপ্ত কৰ বহুৱা হৈছে, চৰকাৰে কৈছে তাৰ পৰা যিবিলাক মানুহ ১০ বিঘাতকৈ বেচি মাটি আছে তেওঁলোকে অতিবিলুপ্ত কৰ দিব লাগিব। কিন্তু যিবিলাকৰ কম আছে তেওঁলোকৰ খাজনাৰ ওপৰত অতিবিলুপ্ত কৰ বহুৱা নহয় কিন্তু এই premium ৰ ক্ষেত্ৰত ৫ টকাৰ পৰা ৫০ টকা কৰোতে চৰকাৰে একো বাচ বিচাৰ কৰি চোৱা নাই। সকলোৰে কাৰণে premium নিৰিখ

৫০ টকালৈ বৃদ্ধি কৰা হৈছে। আমাৰ গোটেই ভাৰতবৰ্ষত সকলোৰে দৃষ্টিকোণ হৈছে যিবিলাকৰ মাটি কম আৰু আৰ্থিক অৱস্থা বেয়া তেওঁলোকৰ ওপৰত কৰ কাটল লগাব নালাগে। উত্তৰ প্ৰদেশত আৰু বিহাৰত ১৫ বিঘাতকৈ কম মাটি থকা মানুহৰ ওপৰত খাজনা উঠাই দিয়া হৈছে।

ভাৰতবৰ্ষৰ সকলো প্ৰদেশত কৃষক সকলক কৰ কাটলৰ পৰা বেহাই দিয়া হৈছে কিন্তু এই ক্ষেত্ৰত আমাৰ প্ৰদেশত বিপৰীতমুখী হোৱাহে দেখা গৈছে। তেওঁলোকে গৰীৱৰ ওপৰত কৰ বঢ়াই দিছে। চৰকাৰে কৈছে যে ইয়াৰ দ্বাৰা আমাৰ ৰাজহ বাঢ়িব কিন্তু ৰাজহ টনকিয়াল কৰিবলৈ আন আৰু বহুত পদ্ধতি আছে। আৰু এতিয়ালৈকে যি কেইখন আইন আহিছে আৰু যি নিৰিখত premium কথা চৰকাৰে সিদ্ধান্ত কৰিছে তাৰ ফলত সৰ্বেসৰ্ব। যি সকল গৰীৱ খেতিয়ক আছে তেওঁলোকৰ ওপৰত চৰকাৰে কৰ-কাটলৰ বোজাহে জ্ঞাপি দিছে। অৱশ্যে চৰকাৰে যুক্তি দিছে যে ইয়াৰ পৰা আমাৰ ৰাজহ বাঢ়িব। কিন্তু ৰাজহ বঢ়াব বহুত উপায় আছে। আমাৰ ৰাজ্যখন প্ৰকৃত পক্ষে টনকিয়াল কৰিবলৈ হ'লে তেনেকুৱা বহুতো পদ্ধতি আছে, কেৱল সেইটোহে পদ্ধতি নহয় তাতোতকৈ বহুত ভাল পদ্ধতিও আছে যদি চৰকাৰে ৰাজ্যখন টনকিয়াল কৰিব বিচাৰিছে।

এতিয়া চৰকাৰে যিটো premium ৫ টকাৰ পৰা ৫০ টকালৈ বৃদ্ধি কৰিছে, এইটো কৃষক সকলৰ পৰিপৰ্ণী নহয়। সেই কাৰণে চৰকাৰে এতিয়া যি সিদ্ধান্ত লৈছে সেইটো পুনৰ পৰিবৰ্তন কৰাৰ দৰ্কাৰ আৰু আগতে ৫ টকা premium ৰ যি নীতি আছিল সেইটো পুনৰ ঘোষণা কৰিবলৈ দাবী কৰিলে, ইয়াকে কৈ মই বিবোধীতা কৰি মোৰ বক্তব্য সামৰিলে।

M. Shamsul Huda—উপাধ্যক্ষ মহোদয়, এই সম্পৰ্কে মই আগতেও এই সদনত এটা প্ৰশ্ন উত্থাপন কৰিছিলোঁ আৰু তাৰ ফলস্বৰূপে আজি এই সদনত আলোচনালৈ আহিছে।

আজি ২৩ বছৰ ধৰি আমাৰ চৰকাৰে স্বাধীনতাৰ কালছোৱাতো স্বাধীন খেতিয়ক সকলক বা স্বাধীন কৃষক সকলক কোনো উল্লেখযোগ্য উন্নতি কৰিব পৰা নাই। বৰং লাহে লাহে দেখিবলৈ পাইছোঁ যে তেওঁ-লোকৰ ওপৰত আক্ৰমণ বেছিহে হৈছে। এই অৱস্থাবে চৰকাৰে আজি ৫ টকাৰ ঠাইত ৫০ টকালৈ premium বৃদ্ধি কৰিছে—মই এইটোৰ আগতেও ঘোৰ বিৰোধীতা কৰিছিলোঁ; কিন্তু চৰকাৰে নেমানিলে আৰু আজিও তাকে কৰি আমাৰ খেতিয়ক সকলৰ ওপৰত শোষণ কাৰ্য্য চলিছে।

আজি ৫০০ টকাত হালোৱা গৰু কিনিবলৈকো পোৱা নাযায়। অন্যহাতে বানপানীত হালোৱা গৰু মৰিছে, খেতিয়কৰ অজস্ৰ টকা লোকচান হৈছে, তেনেস্থলত হালোৱা গৰু কিনিবৰ কাৰণে চৰকাৰে ৫ টকাও খেতিয়ক সকলক সাহায্য হিচাবে দিব নোৱাৰাটো বৰ দুখৰ কথা। নগৰত দেখিছোঁ বানবিধস্ত লোকক গৰু কিনিবৰ কাৰণে চৰকাৰে মাত্ৰ ৪ টকাহে দিছে। তাৰে খেতিয়ক সকলে হালোৱা গৰু কিনি হাল বাব নোৱাৰে। ধাব কৰি গৰু কিনি হাল বাবলগীয়া হৈছে। তেনেস্থলত চৰকাৰে খাজনা বৃদ্ধি কৰিছে, ফলত দুখীয়া খেতিয়ক সকলে লোকৰ পৰা ধাব কৰি আৰু তিবোতাৰ গহনা বিক্ৰী কৰি খাজনা দিবলগীয়া হৈছে,—বোৱাৰী তিবোতাৰ অলঙ্কাৰ বন্ধকত দিবলগীয়া হৈছে। এই ক্ষেত্ৰত চৰকাৰে আজি একচনা মাটি ম্যাৰী কৰাৰ নীতি প্ৰতি বিঘাত ৫০ টকা কৰিছে আৰু ম্যাৰী কৰিবলগীয়া মাটি যি সকল খেতিয়কৰ আছে, সেই সকল একেবাৰে গৰীৰ খেতিয়ক। গৰীৰ খেতিয়ক সকলবহে ম্যাৰী কৰিবলৈ বাকী আছে। যি সকল অৱস্থা সম্পন্ন মানুহ তেওঁ-লোকৰ মাটিৰ ম্যাৰী আগতেই হৈ গ'ল। এতিয়া গৰীৰ খেতিয়ক সকলে খাজনাকে দি আদায় কৰিব পৰা নাই, তেনেস্থলত ৫০ টকা দি মাটি ম্যাৰী কৰে কেনেকৈ ?

এই বিষয়ে মই সদনৰ বাহিৰত মাননীয় সদস্য শ্ৰীদেবেশ্বৰ শৰ্মাৰ

* Speech not corrected

লগত আলোচনা কৰিছিলোঁ। তেখেতে কৈছে যে উজনি অসমত মাটি ম্যাদী কৰিবলগীয়া নাই। সবলো বিলাক আগতেই ম্যাদী হৈ গ'ল। ক'ববাত আছে যদি একেবাৰে ছুখীয়া খেতিয়কবহে বাকী আছে।

কিন্তু কিছুমান ক্ষেত্ৰত আমি দেখিবলৈ পাইছোঁ যে ৪০ বছৰ পৰাই আজিলৈকে মাটি একচনা হৈ আছে—ম্যাদী কৰিব পৰা নাই। তেওঁলোকে সেই মাটি টুকুৰাৰ কাৰণে ৪০ বছৰ ধৰি মণ্ডল কাননগু আৰু অফিচাৰৰ ওচৰত গৈ কোনো কাম সমাধা কৰিব পৰা নাই। এই একচনা মাটিৰ গবাকী সকলে খৰাং বতৰৰ কাৰণে খাজনা আদায় কৰিব পৰা নাই, ফলত তেওঁলোকৰ মাটি আজি যাওঁ যাওঁ অৱস্থা।

উপাধ্যক্ষ মহোদয়, আপুনি শুনি আচৰিত হব যে যদি এক বিঘা মাটি ম্যাদী কৰিবলৈ যায়; তেন্তে আটাইতকৈ ডাঙৰ কথা হৈছে—এক বিঘা মাটিৰ কাৰণে মণ্ডল, কাননগু সকলৰ পিচে পিচে ঘূৰি ফুৰোঁতে ছাবাথুৰি খাবলগীয়া হয়। চৰকাৰে আইন কৰিছিল বিনা দৰ্খাস্তই একচনা মাটি বিলাক ম্যাদী কৰি দিব লাগে; কিন্তু আজি দৰ্খাস্ত কৰিও মণ্ডল, কাননগুৰ পাছে পাছে ঘূৰি ফুৰিও ম্যাদী কৰিব পৰা নাই। আইনমতে বিনা দৰ্খাস্তই মাটি ম্যাদী কৰি Report দিব লাগে; কিন্তু এতিয়া তাৰ ওলোটোটেহে হৈছে। যেতিয়ালৈকে টকা-পইচা দিয়া নেষায় তেতিয়ালৈকে মাটি ম্যাদী কৰা নহয় মণ্ডলৰ পৰা কোনো Report পোৱা নেষায়। তাৰ ফলস্বৰূপে মণ্ডল, কাননগু বিলাকে কাৰোবাৰ পৰা টকা খাই মাটি বিক্ৰী কৰিবলৈ চেষ্টা কৰে অৰ্থাৎ সকলো বিলাকেই ঘোচ্ খায়। ঘোচ্ নেখালে কোনো কামেই নকৰে। মণ্ডলে যে ঘোচ্ খাই একচনা মাটি বিলাক কাৰোবাক বিক্ৰী কৰে, এই কথা চৰকাৰে কিয় মানি নলয়? তেওঁলোকলৈ কাননগুৰ জৰিয়তে মণ্ডলে Report দিব লাগে কিন্তু মণ্ডলে কিয় Report টো নিদি বন্ধ কৰি ৰাখে?

* Speech not corrected

উপাধ্যক্ষ মহোদয় আপুনি আচৰিত হ'ব যে মই সেই সময়ত বিধান সভাৰ সদস্য হোৱা নাছিলো। মই মাটি ম্যাৰী কৰিবলৈ যাওঁতে মোক এজন মণ্ডলে এক বিধা মাটি কাৰণে কৈছিল যে এইটো মাটি ম্যাৰী কৰিবলৈ ৭৫ টকা লাগিব। এইটোত আমি আপত্তি কৰি কিছুমান দলিল কাগজ-পত্ৰ আদি দিয়াত এতিয়া উঠাই দিলে। কিন্তু এই ক্ষেত্ৰত আজি আমাৰ চৰকাৰে আকৌ ৫০ টকা premium ধাৰ্য্য কৰি খেতিয়ক সকলৰ প্ৰতি অনায় কৰিছে। যি সকল খেতিয়কে আজি খাজনা গৰু এহালো কিনিব নোৱাৰে আৰু যি সকল খেতিয়কে আজি খাজনা আদায় কৰিব নোৱাৰে সেই সকল খেতিয়কে ৫০ টকা premium দিব-লগীয়া হোৱাটো বৰ দুখৰ কথা। তাতোতকৈ দুখৰ কথা যে ভাৰতৰ অন্যান্য প্ৰদেশত যি সকল খেতিয়কে খাজনা আদায় কৰিব নোৱাৰে সেই সকলক খাজনাৰ পৰা বেহাই দিয়া হৈছে; কিন্তু আজি অসম চৰকাৰে খাজনা বেহাই দিয়াৰ পৰিবৰ্ত্তে বৃদ্ধি কৰিছে। গতিকে premium টো বাতিল কৰি লৈ আগৰ ৫ টকাৰ নীতিকে প্ৰচলন কৰিব লাগে।

তাৰ পাছত মাটি ম্যাৰী কৰা ক্ষেত্ৰত মই দাবী কৰো যে চৰকাৰে চিন্তা কৰি ৫ টকা premium কে স্থিৰ ৰাখিব লাগে আৰু একচনা মাটিবোৰ এতিয়া ম্যাৰী কৰাটো বৰ সহজ কথা। কেৱল এটা order ইয়াৰ পৰা পঠালেই মৌজাদাৰে সহজতে কৰিব পাৰিব।

তাৰ পাছত আজি যি বিলাক মাটিত মণ্ডল কানুনগুৱে শোষণ কাৰ্য্য চলাই আছে সেইটো বন্ধ কৰিব লাগে আৰু তাৰ লগতে চৰকাৰৰ ওচৰত দাবী জনাওঁ যে সকলোৰে সুবিধাৰ কাৰণে চৰকাৰে ৫০ টকা premium টো উঠাই দি পুনৰ ৫ টকা কৰিব লাগে। তাকে যদি নকৰে তেন্তে জনসাধাৰণৰ মাজত আন্দোলন হ'ব। তেওঁলোকে আন্দোলন চলাবলৈ ইতিমধ্যে সিদ্ধান্ত কৰিছিল, কিন্তু আমি গৈ আম্বাস দি আহিছোঁ যে চৰকাৰে এইটো কথা উলুকিয়ালে নিশ্চয়

* Speech not corrected

বিবেচনা কৰি চাব আৰু তাৰ কাৰণে বাইজে অপেক্ষা কৰি আছে। যদি নকৰে তেন্তে বাইজৰ মাজত তীব্ৰ আন্দোলন হ'ব। এই কথাটোত মই চৰকাৰক সতৰ্ক কৰি দিলো যাতে তীব্ৰ আন্দোলনৰ সন্মুখীন হ'বলগীয়া নহয় আৰু এই কথাটোৰ কাৰণে যাতে দুখীয়া খেতিয়ক সকলৰ মুখা নেমাবে, তাৰ কাৰণে চৰকাৰৰ ওচৰত দাবি জনাই মোৰ বক্তব্য ইমানতে সামৰণি মাৰিলো।

Shri Kamini Mohan Sarma—মাননীয় উপাধ্যক্ষ মহোদয়, মই আচৰিত হৈছো—এই চৰকাৰে মাটি দিয়াৰ কাৰণে, গৰীব জনসাধাৰণৰ উন্নতিৰ কাৰণে, নানা ভাবে আইন কৰিছে কিন্তু ইয়াক কাৰ্য্যকৰী ব্যৱস্থা কৰি আগবঢ়াই নিবলৈ অকনো চেষ্টা কৰা নাই। মই হতভয় হৈছো—আমাৰ বাজহ মন্ত্ৰী ডাঙৰীয়াই মাটি মাদী কৰাৰ Premium ৫ টকাৰ ঠাইত ৫০ টকা ঘোষণা কৰিছে। এইটোৱেই আমাৰ বাজাৰ অতি গৰীব, অতি নিঃকিন মানুহৰ ওপৰত বাম টাঙুন মাৰিছে। ইয়াৰ দ্বাৰা কোমৰিলাক মানুহ বঞ্চিত হৈছে—যি বিলাক মানুহে মেজাদাৰ, মহাজন, মাতবৰ আদি ধনী লোকৰ অত্যাচাৰ তিষ্ঠিব নোৱাৰি নিজৰ ঘৰবাবী এৰি জঙ্গলত বাস কৰাৰ ব্যৱস্থা কৰিলে, মাটি-আবদ কৰিলে, মাটি একচনা কৰি বাথিলে সেই বিলাক হে বঞ্চিত হৈছে। সেই বিলাক হৈছে বেচি-ভাগেই Tribal মানুহ, মৎস্যজীৱি হিৰা, বনীয়া আদি লগতে কিছু সংখ্যক গৰীব উচ্চ হিন্দু আৰু মুছলমান সম্প্ৰদায়ৰ লোক। এই দুখীয়া পৰিয়াল বৰ্ণৰ পৰা নানা ভাবে টকা খাই মণ্ডল, কানানগু, S. D. C. সকলে একচনীয়া কৰি বখাটো এটা গতানুগতিক পদ্ধতি হিচাবে চলি আহিছে। এই একচনীয়া পট্টা বিলাক ম্যাদী কৰাৰ কাৰণে বছৰৰ পাচত বছৰ ধৰি তেওঁলোকে চেষ্টা চলাই আহিছে—মণ্ডল, কানানগু, S. D. C. এ কি কৰে আপুনিও জানে উপাধ্যক্ষ মহোদয়, বাজহ মন্ত্ৰীয়েও জানে আৰু এই সদনৰ সদস্য সকলেও জানে। তেওঁলোকে মাটি দিয়াৰ নামত দুখীয়া

* Speech not corrected

জনসাধাৰণ মানুহক কি ধৰণেৰে প্ৰবঞ্চনা কৰি থাকে মই তাৰে এটা উদাহৰণ দিও। মোৰ সমষ্টি বঙিয়াৰ—বেতনা মৌজা, কাউৰ বাহা মৌজা। বেতনা মৌজা আগত বঙিয়া চাকৌলত আছিল। এই মৌজাৰ Tribal লোক সকল আৰু নমোশুদ্ৰ আদি লোকৰ পৰা মাটি ম্যাদী কৰাৰ কাৰণে ৫০ টকাকৈ বিভাগীয় ব্যৱস্থা মতে বচিদ দি ললে আৰু সেই ৫০ টকাত চৰকাৰী চিল থকা বচিদ আদিও দিলে—সেই বিষয়া জন আছিল বঙিয়া চাকৌল অফিচৰ কেবাণী বিনয় দাস। তেখেত বৰ্তমান Suspension ত আছে বিচাৰ কি হয় নাজানো—সেই সকলে প্ৰিমিয়ামো দিলে অথচ মাটি ম্যাদী কৰাৰ পৰা বঞ্চিত হৈ থাকিল। সেই মানুহ বিলাকে যদি আকৌ ৫০ টকাকৈ দিব লগীয়া হয় তেনেহলে সেই সকলে গোটেই জীৱনত আৰু মাটি নাপাব। সেই সকলৰ হাল বাবলৈ গক কিনাৰ কাৰণে টকা নাই ঘৰ থকা-সৰকা—বৰষুণত থাকিব নোৱাৰে—পুহ মন্ত্ৰীয়া ঠেবেঙা লগা জাবত বাপেক মাকে লৰা-ছোৱালীক ধান খেৰ দি বাখে। আমাৰ বঙিয়া অঞ্চলতে এই ধৰণেৰে মানুহে কাল কটাইছে—এই বিলাক মানুহে ৫০ টকা দি কোনো দিনে মাটি ম্যাদি কৰিব নোৱাৰে। অৱশ্যে যি বিলাকে পাৰে কৰক তাত আমাৰ আপত্তি নাই। প্ৰকৃততে তেখেত সকলে ৫০ টকা দিব পৰা অৱস্থাত আছেন নাই এইটো Enquiry কৰক। যি সকল মাতবৰ, মহাজন লোকৰ একচনা মাটি আছে—অবস্থা স্বচল—সেই সকলৰ পৰা ৫০ টকা নালাগে ১০০ টকা ললেও আমি নামাতো। যি বিলাক পৰিয়ালৰ খাবলৈ ভাত নাই—পিন্ধিবলৈ কাপোৰ নাই—হালৰ গক নাই—সেই সকলৰ মূৰত বাম টাঙুন নামাবিব। কেন্দ্ৰটো ভূমিহীনক মাটিৰ ওপৰত অধিকাৰ দিয়া, মধ্যমৰ ভোগীক লোপ কৰা ইত্যাদি বিষয়ে আলোচনা হৈ গৈছে। সেই ধৰণৰ ব্যৱস্থা কৰিবৰ কাৰণে কেন্দ্ৰীয় চৰকাৰো উঠি পৰি লাগিছে। এই পবিত্ৰ সদনত বাজহ মন্ত্ৰীয়ে অসম চৰকাৰৰ ১৯৬৮ চনত ভূমি পটন নীতি বাখ্যা কৰা কিতাপখন মূৰত লৈ আলোচনাত

* Speech not corrected

মেগাৰ্কাৰ্ত্তীৰ বাখ্যা দিছিল। আজি মই এই খনক মেগাৰ্কাৰ্ত্তীৰ আখ্যা দিছো। এই মেগাৰ্কাৰ্ত্তীত ভূমিহীন কৃষকক ১০ বিঘাকৈ মাটি দিয়াৰ কথা আছে— আৰু চৰকাৰেও ১০ বিঘাকৈ মাটিত বিনা প্ৰিমিয়ামে ম্যাদী কবি ভূমিহীন কৃষকক মাটি দিয়াৰ ঘোষণা কৰিব লাগে। নাইবা যি গৰীব কৃষকৰ ১০ বিঘা মাটি আছে ম্যাদী হোৱা নাই সেই বিলাকৰ প্ৰিমিয়াম ১ টকাকৈ লব লাগে। যি বিলাকৰ মাটি ১০ বিঘাৰ ভিতৰত আছে সেই বিলাকৰ পৰা ৫০ টকাকৈ লব নালাগে। যিবিলাক বুভুক্ষু জনতাৰ মাটি ১০ বিঘাহে আছে সেই বিলাক ordinance জাৰি কৰিও আইন কৰি ম্যাদী কৰক। যি বিলাকক মাতৃবৰ লোক, মহাজন—টেঙেৰে হাল বায়, মাটি আধি দিয়ে তেখেত সকলৰ পৰা উচিত হাবত লওক। এইটো যদি কৰা নহয় তেন্তে গৰীব জনসাধাৰণৰ প্ৰতি ধোৰ অন্যায়— কৰ হব। তাকে নকৰিলে আজি আমাৰ যি সমাজ বাদৰ সৃষ্টি হৈছে সেইটো শোষণ বাদত পৰিণত হব। গতিকেই কৈছো যি সকলৰ মাটি ১০ বিঘাৰ ভিতৰত সেই সকলৰ কাৰণে ordinance জাৰি কৰি, ম্যাদী কৰাৰ বাবস্থা কৰক।

* Shri Nakul Chandra Das—মাননীয় উপাধ্যক্ষ মহোদয়, শ্ৰীযুত গগৈ দেৱে মাটি ম্যাদী কৰাৰ কাৰণে প্ৰিমিয়াম ধাৰ্য্য কৰাৰ ক্ষেত্ৰত যিটো প্ৰস্তাব উত্থাপন কৰিছে, সেইটো দুখীয়া জনসাধাৰণৰ কাৰণে এটা গুৰুত্বপূৰ্ণ প্ৰস্তাব। সিদিনা বাজহ মন্ত্ৰী ডাঙৰীয়াই মাটি পট্টন দিয়াৰ ব্যৱস্থাৰ আলোচনা কালত আমাক যিটো আশ্বাস দিছিল সেইটো কাৰ্য্যত পৰিণত কৰিব বুলি আশা কৰিছো। আজি আমাৰ সৰ্ব্বসাধাৰণ শ্ৰেণীৰ খেতিয়কৰ অবস্থা কেনে তাক কোনোৱে নজনা নহয় অৱশ্যে ১৯৬৮ চনতে ভূমি নীতি সংশোধন কৰিছে তেতিয়াই যি সকলৰ কম মাটি থাকে, সেই সকলৰ পৰা কম হাবত খাজানা লোৱাৰ কথা কৈছিল। এনেকুৱা অৱস্থাত আজি হঠাতে ৫ টকাৰ পৰা ৫০ টকালৈ বঢ়াই দিয়াৰ পিচত

* Speech not corrected.

আমাৰ সাধাৰণ খেতিয়ক শ্ৰেণী, যি সকলৰ একচনীয়া পট্টা আছে তেওঁ-
লোক আতঙ্কিত হৈ পৰিছে। মোৰ দৃঢ় বিশ্বাস এইটো কবিলে খেতিয়ক
শ্ৰেণীৰ প্ৰতি অন্যায় কৰা হ'ব। আৰু আমাৰ দুখীয়া শ্ৰেণী বাইজৰ
পানীত হাঁহ নচৰা বিলাই হ'ব। বন্ধুবৰ শৰ্ম্মা ডাঙৰীয়াই আমাৰ সাধা-
ৰণ খেতিয়ক শ্ৰেণীৰ কথা বিষদ ভাৱে বৰ্ণনা কৰিছে। এই ক্ষেত্ৰত মই
তেখেতৰ লগত একমত। আমাৰ যিসকল খেতিয়কৰ ১০ বিঘা একচনীয়া
মাটি আছে সেই সকলৰ ক্ষেত্ৰত এই নতুন আইন প্ৰযোজা হ'ব নালাগে।
২ যতে দহবিঘাৰ বেছি থকা সকলৰ ক্ষেত্ৰত ৫০ টকা গ্ৰহণ কৰিব পাৰে
সেইটো নহয়। গতিকে চৰকাৰে এই বিষয়টো পুনৰ বিবেচনা কৰা
উচিত। এইটো কথা সকলোৱে স্বীকাৰ কৰিছে আৰু ছদা ডাঙৰীয়াই
কৈছে যে মণ্ডল, বানানগুৰু টকা জমা দিয়াৰ পিচত খেতিয়কে একচনীয়া
মাটি মাদী কৰাৰ কাৰণে টকা দিব লগা হৈছে।

মই এখন মিটিঙত এই অৱস্থাটোৰ বিষয়ে খেতিয়কৰ লগত আলোচনা
কৰিছিলো। তেওঁলোকে কৈছে যে, আমি অল্প বেচি পইছা দিয়াত
আপত্তি নাই কিন্তু মণ্ডলক টকা জমা দিয়াৰ পিচত বছৰি বছৰি হাবা-
থুবী খাই, ঘোচ-ঘাচ দি হাবাশাস্তি হৈছে। সেইটো বন্ধা কৰিবলৈ
দহ বিঘাৰ একচনীয়া মাটিৰ ব্যৱস্থা আগবদৰে ৰাখক বাকীসকলৰ পুনৰ
বিবেচনা কৰক। এই একচনীয়া মাটি বিলাক মাদী কৰিবৰ কাৰণে
মাটিৰ হাকিম সকলক ঘোচ-ঘাচ দিব লগা হৈছে। এইটো যাতে নহয়
তাৰ এটা ব্যৱস্থা কৰা দৰকাৰ। তেতিয়া হলে ধাৰে ধাৰে হলেও কিছু
টকা আনি মাটি মাদী কৰিবলৈ আগ্ৰহান্বিত হ'ব বুলি মোৰ বিশ্বাস।
এই সম্পৰ্কত ৰাজহমন্ত্ৰীয়ে এই সদন চলি থকা অৱস্থাত স্পষ্টকৈ ঘোষণা
কৰিলে তেখেতৰ প্ৰতি আমি কৃতজ্ঞ হ'ম। এই বিষয়ত ৰাজহ মন্ত্ৰীয়ে
কিবা এটা ক'ব বুলি আশা কৰিলো।

* Shri Mahendra Mohan Choudhury—উপাধ্যক্ষ মহোদয়, এই বিষয়ে

* Speech not corrected

আলোচনাৰ অৱতাৰণা আজিয়েই হোৱা নাই, সদন আবস্ত হোৱাৰ পৰাই এই বিষয়ে পৰ্যাপ্ত প্ৰত্যক্ষ ভাৱে আলোচনা হৈছে আৰু প্ৰশ্নৰ উত্তৰত এই বিষয়ে আলোচনা কৰা হৈছে। তাৰ পিচত ৰাজ্যপালৰ ভাষণৰে বিতৰ্কৰ সংক্ৰান্তত এই বিষয়ে আলোচনা হৈছে আৰু অনন Motion ৰ লগত এই প্ৰস্তাৱটো আমাৰ শ্ৰীফণী বৰা ডাঙৰীয়াই উত্থাপন কৰিছে। চৰকাৰৰ একান্ত ইচ্ছা আমাৰ যি বিলাক একচনীয়া মাটি আছে সেইবিলাক মাটি যিমান সোনকালে পৰা যায় ম্যাদী কৰি দিব লাগে আৰু সেই উদ্দেশ্যে ১৯৬৮ চনত আমি চৰকাৰৰ ভূমি পট্টন নীতি ঘোষণা কৰিছিলো। তাত কোৱা হৈছিল যে, ১ টকা Premium দিলে মাটি ম্যাদী হৈ যাব। কিন্তু যিকোনো কাৰণতে নহওক আমি যি পৰিমাণৰ মাটি ম্যাদী হব বুলি ভাৱিছিলো, সেই পৰিমাণৰ মাটি ম্যাদী নহল। এতিয়া সদস্য সকলে পৰামৰ্শ আগবঢ়াইছে যিটোত ৫ টকা Premium ধাৰ্য্য কৰা হৈছে। কিন্তু সেইমতে যি পৰিমাণৰ মাটি ম্যাদী হব লাগিছিল সেই পৰিমাণে হোৱা নাই। এতিয়া ৫০ টকা Premium কৰা হৈছে। মাটি ম্যাদী কৰাৰ ক্ষেত্ৰত যি পৰিমাণৰ গতি লাগে সেই পৰিমাণৰ গতিত বাধা আৰু লগে লগে আমাৰ যি বিলাক একচনীয়া মাটি থকা মানুহ তেওঁলোক অৱস্থাপন্ন মানুহ নহয়। তাৰ ভিতৰত কিছুমান মানুহ আছে সেইবিলাকে ৫০ টকা কিয় ১০০ টকা Premium দিব পাৰে। শৰ্মাদেৱে কোৱাৰ নিচিনা যিবিলাক মানুহ হব একচনীয়া মাটি আছে তেওঁলোকৰ ক্ষেত্ৰত Premium ধাৰ্য্য কৰিলে ক'ব লগা একো নাই। এই বিলাক ইয়াত সদনত নহয়, সদনৰ বাহিৰৰ পৰাও প্ৰতিবাদ আহিছে, কিছুমান অনুষ্ঠানে ইয়াত প্ৰতিবাদ জনাইছে, বিশেষকৈ অসম প্ৰদেশ ক'গ্ৰেছ কমিটিৰ ফালৰ পৰাও এই বিষয়টো পুনৰ আলোচনা কৰিবৰ কাৰণে পৰামৰ্শ আগবঢ়াইছে। সিদিনা ৰাজ্যপালৰ ভাষণৰ উত্তৰত কৈছে এই কথাটো আমি পুনৰ বিবেচনা কৰি চাম, এই বিবেচনাটো পলম কৰিব খোজা নাই। আমাৰ হৃদয় চাহাবে কৈছে এই বিধান সভাত এটা সিদ্ধান্ত হ'ব লাগে, ঠিক তেনে ধৰণে শৰ্মা ডাঙৰীয়াই কৈছে আৰু

* Speech not corrected

আমাৰ ইচ্ছা সোনকালে সিদ্ধান্ত হব লাগে। এই কাম দেবি হোৱাত
 কাইজৰ অপকাৰ হব। সেই কাৰণে বিধান সভাৰ ভিতৰত নিশ্চয় আমি
 খাটাং সিদ্ধান্ত লম আৰু এইটো সদনত প্ৰকাশ কৰিম। আজি আমাৰ
 একচনীয়া মাটি ম্যাৰী হোৱাৰ অন্তৰায় হৈছে যে আমাৰ মানুহৰ এক-
 চনীয়া মাটি মহাজনে দখল কৰি আছে আৰু সেই কাৰণে পট্টা দিয়াত দেবি
 হৈছে। ইয়াৰ কাৰণ হ'ল যে এজনৰ নামত পট্টা বিলুপ্ত তেওঁৰ দখল
 নাই আৰু যদি বিনা বিচাৰে ম্যাৰী পট্টা তাত কৰি দিয়া হয় তেন্তে
 প্ৰকৃত মানুহে মাটি পোৱাৰ আশা নাই। যেতিয়া একচনীয়া মাটি এজনৰ
 নামত পট্টা থাকে আৰু অন্য এজনে দখল কৰে সেই কথা আমাক
 জনায় তেনেহলে আমি সেই পট্টা Cancel কৰি পট্টা দিয়াৰ ব্যৱস্থা
 কৰিব পাৰো। যেতিয়া ম্যাৰী হৈ যাব তেতিয়া আৰু দখল দাবক পট্টা
 দিয়াৰ কথা উঠিব নোৱাৰে, তলতীয়া ৰায়ত হিচাবে কাম কৰিব লাগিব।
 তেতিয়া কোৱা হৈছিল এটকা Premium দিয়াৰ পিচত মাটি ম্যাৰী
 হব লাগে তাৰ পিচত কাৰ্য্যক্ষেত্ৰত অশুবিধা দেখিবলৈ পাইছে। পট্টা-
 দাবৰ নামত দখল যদি নাথাকে তেতিয়া পট্টাদাবৰ নামত দখল থাকিব
 নোৱাৰে। মাটিবিলাক ম্যাৰী কৰাৰ ক্ষেত্ৰত বাধাৰ সৃষ্টি হৈছে আৰু
 তাৰ কাৰণে কাম পলম হৈছে। এই অশুবিধা বেনেকৈ সোনকালে দূৰ
 কৰিব পাৰো তাৰ কাৰণে চিন্তা কৰা হৈছে। যাৰ নামত পট্টা আছে
 তেওঁ Premium দিলে মাটি ম্যাৰী হৈ যাব লাগে। এই ধৰণে আমি
 ভাবিছিলো এইটোৱেই সকলোৰে উদ্দেশ্য হৈছে যে প্ৰকৃততে হাল বোৱা
 মানুহে মাটি পাব লাগে, এইটোৱেই সকলোৰে ইচ্ছা। কিন্তু যদি পট্টা-
 দাব সকলে মাটিৰ Premium দিলে মাটি যিনি ম্যাৰী কৰি দিয়া হয়,
 তেনেহলে দখল কৰি থকা সকলৰ অশুবিধা হব আৰু তেওঁলোকক
 ভবিষ্যতে মাটিৰ পৰা বঞ্চিত কৰাৰ উপায় হব।

সেইকাৰণে এইটো কেনেকৈ দূৰ কৰিব পাৰি তাৰ পৰামৰ্শ সদস্য

সকলে আগবঢ়াই তেতিয়াহলে এই পৰামৰ্শ গ্ৰহণ কৰিবৰ কাৰণে মই প্ৰস্তুত আছো। চৰকাৰৰ কালৰ পৰা উদ্দেশ্য হৈছে আৰু আমাৰ planning commission ৰ পৰাও ভৱিষ্যত হৈছে যে একচনীয় মাটিৰ প্ৰথা তুলি দিব লাগে।

এই পদ্ধতি অসমৰ বাহিৰে অইন প্ৰদেশত নাই। অন্যান্য প্ৰদেশত চিৰস্থায়ী বন্দোবস্তা থকাৰ কাৰণে এনেকুৱা অৱস্থা আন প্ৰদেশত নাই কেৱল অসমতহে আছে কিন্তু আমাৰ ইয়াত এতিয়া বহুতো মাটি একচনা হৈ আছে আৰু সেই মাটি বহুতে দখল কৰি আছে—সেই কাৰণে ইয়াত একচনা পট্টাৰ ব্যৱস্থা আছে আৰু যি বিলাক চৰ এলেকা আছে আৰু যি বিলাক বানপানীত আৰু গড়া খহনীয়াত নষ্ট হৈ যায় সেই বিলাক মাটিৰ ক্ষেত্ৰত কিছু অস্থবিধা আছে। সেই বিলাক মাটিৰ কাৰণে যদি ম্যাদী পট্টা দিয়া হয় তেনেহলে সেই পট্টা সহজে cancel কৰিব নোৱাৰি। এজন মানুহৰ যদি এনেকুৱা মাটি ম্যাদী কৰি দিয়া হয় তেনেহলে সেই মাটি গড়াখহনীয়াত পৰিলেও সেই মাটিৰ পট্টা সহজে cancel কৰিব নোৱাৰি।

কিন্তু planning commission ৰ পৰা কোৱা হৈছে যে একচনা ব্যৱস্থা তুলি দিব লাগে আৰু অসম চৰকাৰেও সেইটো মানি লব লাগে। কিন্তু ইয়াতো কিছুমান অন্তৰায়ৰ সৃষ্টি হৈছে আৰু কেনেকৈ এই বিলাক দূৰ কৰিব পাৰি সেই বিষয়ে সদস্য সকলৰ পৰামৰ্শ বিচাৰিছো। ১৯৫৮ চনতে মাটিৰ premium বৃদ্ধি কৰা হৈছিল কিন্তু মাটি ম্যাদীৰ বাবে বেচি দৰ্খাস্ত হোৱা নাই। অৱশ্যে আমাৰ মানুহ এই বিষয়ে callous।

ইয়াৰ কাৰণ হৈছে বহুতে ভাৱে মাটিটো আছেই অতিবিক্ত টকা দি ম্যাদী কৰাৰ কি প্ৰয়োজন? অৱশ্যে ইয়াৰ ভিতৰত বিসংগতিও নোহোৱা নহয়, বাজৰ বিভাগেও এই বিষয়ত বিশেষ আগবাঢ়িব পৰা নাই। ২২ হাজাৰ দৰ্খাস্ত এতিয়াও pending আছে আৰু প্ৰত্যেক বছৰে ২০ হাজাৰ বিঘা মাটি ম্যাদী হৈ আছে। এতিয়াও premium ৰ

হাব ৫ টকা কৰিলেও সকলো বিলাক মাটি ম্যাৰ্চী নহয়।
 এই মাটিবিলাক বাধ্যতামূলক ভাবে ম্যাৰ্চী কৰাৰ ব্যৱস্থা নকৰিলে
 বহু দিনলৈ মাটিবিলাক ম্যাৰ্চী নহব। বাধ্যতামূলক কৰিলে চৰকাৰে
 জোৰ-জবৰদস্তী কৰিব বুলি ভাৱি মানুহে মাটি বিলাক ম্যাৰ্চী কৰিব।
 ২ বছৰৰ ভিতৰত কেনেকৈ এই মাটি বিলাক ম্যাৰ্চী কৰিব পাৰি আৰু
 দখল কৰি থকা মানুহৰ নামত পট্টা দিব পাৰি সেই বিষয়ে সদস্য
 সকলক পৰামৰ্শ আগবঢ়াবলৈ অনুৰোধ জনাইছো।

এইটো আমাৰ ইচ্ছা নহয় যে প্ৰবল জনমতৰ বিৰুদ্ধে আমাৰ নীতি
 প্ৰচাৰ কৰিব লাগে। আজি যি বিলাক পৰামৰ্শ সদস্য সকলে এই
 বিষয়ে সদনত দাঙি ধৰিছে সেই বিলাক ভাল পৰামৰ্শ।

কিছুমান মাটি কম premium ত ধাৰ্য্য কৰি ওপৰৰ মাটিত বেচি
 premium ধাৰ্য্য কৰিব পৰা যায়—সেইটোও চাব লাগিব আৰু কি
 slab বা মাটি সেইটোও পৰীক্ষা কৰি চাব লাগিব। premium ব
 ক্ষেত্ৰত পুনৰ সিদ্ধান্ত লোৱা হব আৰু আশা কৰিছো। সদস্য সকলে
 সেই সিদ্ধান্তৰ বাবে আৰু কেইদিনমান বাট চাব বুলি আশা কৰি
 মোৰ মোৰ বক্তব্য সামৰণি মাৰিলো।

Adjournment

The Assembly then adjourned till 10 A. M. on
 Tuesday the 28th April 1970.

U. Tahbildar,

Shillong.

Secretary,

The 27th Apr. 1970 Legislative Assembly, Assam