

No.	Date	Description	Particulars	Amount	Balance
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Proceedings of the Fourth Session of the Second Assam Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

The Assembly met in the Assembly Chamber, Shillong at 1-30 P.M. on Friday, the 2nd April, 1948.

PRESENT :

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

QUESTIONS AND ANSWERS

SHORT NOTICE QUESTIONS

(To which answers were laid on the table.)

Growing of cereals in Tea Gardens

Srijut BHADRA KANTA GOGOI asked :

1. (a) Is it a fact that the Hon'ble Minister for Food requested the tea planters to utilise their available lands for growing of cereals such as Arhar, Mug and Ahu paddy, etc. ?

(b) If so, will the Hon'ble Minister be pleased to state what will be the estimated additional production of different crops as a result of such a move ?

The Hon'ble Srijut OMEO KUMAR DAS replied :

1. (a)—Yes, a letter was issued requesting to examine the possibilities of Arhar by replacing Boga Medelna with it. It may be known that at present Boga Medelna is generally cultivated between two rows of tea bushes as shade plant and also for green manure. Arhar being a leguminous plant of the same variety may be replaced and we received information from the Chief Scientific Officer of Indian Tea Association that it could be replaced by Arhar.

(b)—Additional production of Arhar cannot be estimated at present. Only a few planters have accepted the suggestion and the time for sowing is to begin within a week or so.

***Mr. J. S. HARDMAN:** Are Government aware that many planters are proposing to grow Arhar in place of Boga Medelna but the limiting factor is limited quantity of seed ?

The Hon'ble Srijut OMEO KUMAR DAS: Yes, we are trying our best to supply seeds to the planters and we have already supplied seeds to some planters.

Srijut BELIRAM DAS: May I know from Government whether any response has been received from the planters for growing these cereals ?

The Hon'ble Srijut OMEO KUMAR DAS: I have already replied, Sir, that I requested only for cultivation of Arhar and not for cultivation of other cereals.

Srijut BELIRAM DAS: As regards Arhar, have Government got any response ?

The Hon'ble Srijut OMEO KUMAR DAS: Yes, Sir, I have already stated that some planters are taking to it.

Srijut BHADRA KANTA GOGOI: মাননীয় মন্ত্রী মহোদয়ে জনাবনে যে তেখেত সকলে এই বিষয়ে Indian Tea Association ব Political Secretary ব লগত আলোচনা কৰিছিল নে ?

The Hon'ble Srijut OMEO KUMAR DAS: তেখেতৰ জৰিয়তেই সকলো আলোচনা হৈছে আৰু তেখেতৰ জৰিয়তেই আমি অনুবোধ পত্ৰ লিখাইছিলোঁ।

STARRED QUESTIONS

(To which oral answers were given.)

Prohibition of Liquor consumption

Srijut DALBIR SINGH LOHAR asked :

*37 (a) Will Government be pleased to state if any scheme has been drawn up to prohibit liquor consumption in Assam ?

(b) If so, what is that scheme ?

(c) If not, do Government propose to take early steps to adopt some means for prohibition of liquor in the Province ?

(d) Is it a fact that some private Committee was formed in this connection some months passed ?

(e) If so, will Government be pleased to state if they have received any report or scheme from that Committee ?

The Hon'ble Maulana MAHOMED TAYYEBULLA replied :

37. (a)—No.

(b)—Does not arise.

(c)—Government is not unmindful of the desirability of prohibiting consumption of liquor at the earliest opportunity.

(d)—An official Committee was set up in September last to enquire into and report on the feasibility of introducing liquor prohibition in the District of Lakhimpur or any part thereof and, if so, to suggest ways and means.

(e)—The Committee unanimously came to the conclusion that notwithstanding the desirability of prohibiting liquor at the earliest opportunity, the present, however, was not the time for such a campaign in view of the urgent need to achieve full success with opium prohibition which called for an all-out effort from all concerned.

Meetings of the Text Book Committee

Srijut PURNA CHANDRA SARMA asked :

*38. Will Government be pleased to state:—

- (a) When the last meeting of the Text Book Committee was held ?
- (b) How many meetings of the Text Book Committee were held during the last two years and the dates of their sittings ?
- (c) Whether Government are aware that the text books selected five years ago are being continued without any revision or alteration ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) replied :

38. (a)—Eleventh and 12th December, 1946.

(b)—Three meetings were called during the period—One held on 11th and 12th December, 1946 and the two other meetings could not be held for want of quorum.

(c)—Yes.

Srijut PURNA CHANDRA SARMA : Sir, where were the two meetings held ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) : Sir, I want notice of the question.

Babu BIDYAPATI SINGHA : Sir, is it not a fact that only one meeting was held last year ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) : Sir, the reply is already there.

Srijut BELIRAM DAS : Sir, is not Mr. Sarma a member of the Text Book Committee ?

Srijut PURNA CHANDRA SARMA : Yes, Sir, and I have put this question only to bring it to the notice of Government that very few meetings of the Text Book Committee were called during the last two years.

Babu BIDYAPATI SINGHA : Is it not a fact, Sir, that by continual use of already used books both the teachers and pupils are handicapped in the progress of study ?

The Hon'ble the SPEAKER : This is absolutely a new question.

Mrs. BONILY KHONGMEN : Sir, is it not a fact that the same members who were in the Committee last year are continuing this year also ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) : The Committee has since been reconstituted.

Babu BIDYAPATI SINGHA : Do Government propose to convene a meeting of this Committee this year within near future ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary): Yes, Sir.

Opening of Schools in Tea Gardens of Lakhimpur District

Srijut DALBIR SINGH LOHAR asked :

*39. (a) Is it a fact that many Tea Gardens of Lakhimpur District still have no schools of their own ?

(b) If so, what action Government have taken on these Tea Gardens ?

*40. (a) Will Government be pleased to state if any arrangement has been done for opening the Night Schools in Tea Gardens for removal of illiteracy ?

(b) If so, what are those ?

(c) If not, do Government propose to take early steps in this matter ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) replied :

39 & 40.—The particulars called for from the Local Officers have not yet been received.

Srijut DALBIR SINGH LOHAR: Local Officer ব পৰা report পালে মোক এটা copy দিবনে ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) : পালে দিয়া হব।

Acquisition and Requisition of Lands and Buildings

Srijut DALBIR SINGH LOHAR asked :

*41. (a) Will Government be pleased to state the number of cases of (i) acquisition and (ii) requisition of land and buildings under the Defence of India Rules in Dibrugarh Subdivision now pending for disposal ?

(b) Is it a fact that lands near Tinsukia Town and adjoining Assam Oil Company's installation were acquisitioned during the war years ?

(c) Is it a fact that Government assured the House to give the first refusal to original owners of such lands on de-requisition by the Military ?

(d) Is it a fact that owners of lands situated near about Tinsukia installation were assured by the District Magistrate to get back the lands on their refunding the value received by them if they applied for it ?

(e) Will Government be pleased to state how many such owners of land offered to refund their money to get back their lands ?

(f) Is it a fact that the Assam Oil Company have enclosed those lands within their compound and are not vacating the same ?

(g) If so, what steps have Government taken to give possession of the land to their owners ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

41. (a) (i)—13.

(ii)—148 cases pending for de-requisition and a total of 265 cases pending for final disposal.

(b)—Yes.

(c)—Yes.

(d)—No. On a request from the D. A. D. Lands, Hirings and Disposal Service the owners were asked if they were prepared to take back their lands on refund of the compensations already paid to them for respective plots and if so, to state the same in writing.

(e)—17 owners expressed their willingness in writing.

(f)—Yes. The Military Authorities have not yet finally disposed of the land and so the land is still under the occupation of the Assam Oil Company.

(g)—The Military Authorities are to dispose of the land and Government are awaiting their final decision.

Srijut BHADRA KANTA GOGOI: মন্ত্রী ডাঙৰীয়াই উত্তৰ দিছে যে ১৪৮টা case pending হৈ আছে। এই বিলাক আটাই বিলাকেই দুখীয়া অসমীয়া মানুহ। এইদৰে pending হৈ থকাত তেওঁলোকৰ ক্ষতি নহয় নে? তেওঁবিলাকৰ নাম বিলাক দিব পাৰেনে?

The Hon'ble Srijut BISHNURAM MEDHI: নামবিলাক অহা নাই। দৰকাৰ হলে পঠিয়াবলৈ কব পাৰো। এতিয়া সংখ্যাহে বিচাৰিছে—নাম বিচৰা নাই। সেই কাৰণে সংখ্যাহে আহিছে।

Srijut BHADRA KANTA GOGOI: গৱৰ্ণমেণ্টে যিবিলাক compensation দিছে সিবিলাকে compensation ৰ টকা ঘূৰাই দিবলৈ বাজী হৈছে। তথাপি কিয় মাটি ঘূৰাই দিয়া নাই?

The Hon'ble Srijut BISHNURAM MEDHI: Central Government হে decide কৰিব গৱৰ্ণমেণ্টক মাটি লাগে নে নালাগে। তেওঁবিলাকে ঘূৰাই দিবলৈ decide কৰিলেহে আমি দিব পাৰো। গৱৰ্ণমেণ্টক মাটি লাগে নে নালাগে তেওঁলোকে decide কৰা নাই। এইকথা decide কৰিবলৈ তেওঁলোকক কোৱা হৈছে; কিন্তু এতিয়ালৈকে জবাব অহা নাই।

Srijut BHADRA KANTA GOGOI: এইটো গুঁচানে যে আসাম অইল কোম্পানীয়ে যিখিনি মাটি দখল কৰি আহিছে সেইখিনি মাটি গৱৰ্ণমেণ্টে তেওঁলোকক দিবলৈ ঠিক কৰিছে?

The Hon'ble Srijut BISHNURAM MEDHI: গৱৰ্ণমেণ্টে সেইটো নকৰে যদি requisition কৰা মাটি Central বা Provincial Government ক নালাগে তেনেহলে it will be returned to the original owner, but if any party wants the land he may apply under the ordinary land acquisition procedure to acquire the land and the matter will be considered on its merit under the specific Act.

Srijut DALBIR SINGH LOHAR: Question (a), এই requisition কৰা কোনো special officer আছে নে?

The Hon'ble Srijut BISHNURAM MEDHI: আছিল, কিন্তু ঠিক এতিয়া আছে নে নাই কব নোৱাৰো।

Srijut DALBIR SINGH LOHAR: যদি নাই তেনেহলে এইবিলাক enquiry কৰিছে কোনে ?

The Hon'ble Srijut BISHNURAM MEDHI: যদি নাই তেনেহলে the Circle Officer is to remain in charge in addition to his duties.

Srijut DALBIR SINGH LOHAR: Question (e), এই ১৭ জন মাটিৰ মালিকৰ নাম জানিব পাবোনে ?

The Hon'ble Srijut BISHNURAM MEDHI: মই এতিয়াই জবাব দিছো যে আমি নাম বিচৰা নাই, সংখ্যাহে বিচাৰিছিলো। সেই কাৰণে সংখ্যাহে পোৱা গৈছে—নাম বিলাক এতিয়াও অহা নাই। মই আশা কৰো আপোনালোকে ডিপুটি কমিশ্যনাৰবলৈ চিঠি লিখিলে নিশ্চয় নামবিলাক supply কৰিব।

Srijut BHADRA KANTA GOGOI: বৰ্তমান সভাপতি মহোদয় শ্ৰীযুত লক্ষেশ্বৰ বৰুৱা, M.L.A., ডাঙৰীয়াৰ প্ৰশ্নৰ উত্তৰত বাজহ মন্ত্ৰী ডাঙৰীয়াই ১৯৪৭ চনৰ ২ চেপ্তেম্বৰত কৈছিল যে এইবিলাক মাটি সোনকালে ঘূৰাই দিয়া হব। কিন্তু এতিয়ালৈকে ঘূৰাই দিয়া হোৱা নাই সেই কাৰণেই মই মাননীয় বাজহ মন্ত্ৰী ডাঙৰীয়াৰ দৃষ্টি আকৰ্ষণ কৰিছিলো।

The Hon'ble Srijut BISHNURAM MEDHI: আমি Central Government লৈ লিখিছো আৰু সোনকালে decide কৰিবলৈ তাগিদা কৰা হৈছে whether the Central Government wants the land for their own purpose.

Srijut DALBIR SINGH LOHAR: Question (d), টকা দি দিলে Disirict Magistrate এ মাটি ঘূৰাই দিব বুলি কৈছিল, কিন্তু কিয় দৰ্খাস্ত দিওঁতেও মাটি দিয়া নাই ?

The Hon'ble Srijut BISHNURAM MEDHI: Defence Department এ Requisition Act মতে নিজৰ দৰকাৰত মাটি লৈছিল। Rule হৈছে এয়ে যে যেতিয়ালৈকে Military Department এ তেওঁলোকক নালাগে বুলি নকয় তেতিয়ালৈকে Provincial Government এ কোনো action লব নোৱাৰে। Because the Provincial Government acts only as an agent and the Deputy Commissioner also acts as an agent of the Central Government. Central Government এ যেতিয়ালৈকে মাটি নালাগে বুলি নকয় তেতিয়ালৈকে de-requisition কৰিবৰ আমাৰ jurisdiction নাই।

Srijut DALBIR SINGH LOHAR: যেতিয়ালৈকে তেওঁলোকৰ মাটিৰ দৰকাৰ নাই বুলি নকয় তেতিয়ালৈকে চৰকাৰে অপেক্ষা নকৰি তাৰ আগতে কিবা ব্যৱস্থা কৰি চৰকাৰে নিজে তদন্ত কৰি আবেদন কৰি লোকসকলক মাটি দিয়াৰ ব্যৱস্থা কৰিবনে ?

The Hon'ble Srijut BISHNURAM MEDHI: তেওঁবিলাকক মাটি লাগেনে নালাগে তাক বাবে বাবে decide কৰিবলৈ কোৱা হৈছে। এই সম্বন্ধে Central Government ক বহুত তাগিদাও দিয়া হৈছে।

Utilisation of lands by Tea Companies

Srijut DALBIR SINGH LOHAR asked :

*42. (a) Are Government aware that Tea Companies are utilising their lands for purposes other than cultivation of Tea, such as letting out to tenants, establishments of Hats and Bazars, in and about Dibrugarh town and other small growing towns like Moran, Khowang, Barborua, Chabua, Panitola, Doom-Dooma, Naharkatiya, Dikom, Lahoal and Naga Ghooli ?

(b) If so, will Government be pleased to examine and state whether such lands may not be acquired by Government or the rate of land revenue may not be enhanced to the level of Kheraj lands in the Towns ?

*43. (a) Are Government aware that due to the erosion of a substantial part of the Dibrugarh Town by the Brahmaputra during the last few years, innumerable residents have become homeless and landless ?

(b) Are Government aware that many such homeless people with a view to settle elsewhere purchased land near Babari Tea Estate from the Chowkidinghee Tea Company ?

(c) Is it a fact that at the instance of the Bengal-Assam Railway these town lands are going to be acquired for the said Railway ?

(d) Are Government aware that there had been strong objections to the said acquisition, lodged by persons who purchased the lands ?

(e) Will Government be pleased to enquire and state whether the said Bengal-Assam Railway Company have got sufficient land within the Dibrugarh Municipality and near about new workshop area ?

(f) Are Government aware that the said Railway have leased out land to tenants at an exorbitant rent within the municipal area ?

(g) If so, do Government propose to take necessary steps so that the Railway Authorities may occupy their own land first for purpose of railway and save the needy people from compulsory acquisition of their property ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

42 & 43.—The information have been called for from the Local Officers and will be supplied to the hon. Member when they are received.

Srijut DALBIR SINGH LOHAR : মই এই Question বিলাক এমাহৰ আগতে পঠিয়াইছিলো। ইমান দিনে reply নহাৰ কাৰণ জানিব পাৰোনে ?

The Hon'ble Srijut BISHNURAM MEDHI : এতিয়ালৈকে নহাৰ কাৰণ কোৱাৰ আগতে প্ৰশ্নটো পঢ়িলেই ভাল হব। প্ৰশ্নটো হৈছে “Are Government aware that Tea Companies are utilising their lands for purposes other than cultivation of Tea, such as letting out to tenants, establishments of Hats and Bazars, in and about Dibrugarh town and the other small growing towns like Moran, Khowang, Barborua, Chabua, Panitola, Doom-Dooma, Naharkatiya, Dikom, Lahoal and Naga Ghooli ?” কাজেই এই বিলাক different place ত Local Officer এ enquiry কৰিব লাগিব আৰু survey কৰিব লাগিব। কোন বাগিচাত কিমান tenant বহিছে তাক enquiry নকৰাকৈ hap-hazardly পঠিয়াব নোৱাৰে। এমাহৰ ভিতৰত ইমান ঠাইত enquiry কৰা সহজ কথা নহয়।

Maulavi ABDUL HALIM: May I know, Sir, from the Government whether these lands are settled with the tea planters for special cultivation only because they utilise those lands for other purposes?

The Hon'ble Srijut BISHNURAM MEDHI: This matter is receiving consideration of the Government, as I have already made it clear in my Budget Speech.

UNSTARRED QUESTIONS

(To which answers were laid on the table).

Collection of Grazing Taxes in different Doloiships of Jowai Subdivision

Mr. LARSINGH KHYRIEM asked:

159. Will Government be pleased to state—

- (a) Whether they are aware that the grazing taxes in different Doloiships in Jowai Subdivision are collected by people other than the Dolois concerned?
- (b) Whether they have lately received any representation from the Dolois demanding that they will collect the grazing taxes from the graziers who are within their Doloiship?
- (c) Whether the commission given to those people collecting grazing taxes is the same as given to the Dolois?
- (d) If not, why not?
- (e) Whether those people collecting grazing taxes have any administrative function?
- (f) Whether Government are aware that the Dolois are responsible in their own Doloiship in the matter of administration and collection of revenues, etc.?
- (g) If so, whether Government propose to allow the Dolois concerned to collect the grazing taxes from the graziers who are within their own Doloiship?

The Hon'ble Srijut BISHNURAM MEDHI replied:

159. (a)—Yes.
 (b)—Yes.
 (c)—Does not arise as grazing taxes are not at present collected by the Dolois.
 (d)—Does not arise.
 (e)—No.
 (f)—Yes, except collection of grazing taxes which is at present done by a separate agency, *i.e.*, Nepali grazier.
 (g)—The matter is receiving careful consideration from the Government.

Mrs. BONILY KHONGMEN: With regard to Question (c), Sir, may I know from Government whether the Dolois were collectors of these grazing taxes previously?

The Hon'ble Srijut BISHNURAM MEDHI: They might have been long ago, but owing to some troubles these taxes are now allowed to be collected by people other than the Dolois.

Mrs. BONILY KHONGMEN: Do these Nepali graziers belong to the Jaintia Subdivision ?

The Hon'ble Srijut BISHNURAM MEDHI: It is difficult to say how long they are residing in Jaintia.

Mohendijua-Diphoo Road

Srijut KHORSING TERANG asked :

160. (a) Will Government be pleased to state whether the Mohendijua-Diphoo Road has been approved for construction ?

(b) If so, what steps have been taken for its survey work ?

(c) If not, why not ?

161. (a) Will Government be pleased to state whether there are any other proposals regarding construction of roads besides Mohendijua-Diphoo Road in the Mikir Hills ?

(b) If so, what are those proposals ?

(c) What steps are being taken by Government for giving effect to those proposals ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY replied :

160. (a)—Yes.

(b)—Survey work has already been taken up.

(c)—Does not arise.

161. (a)—Yes.

(b)—Dimapur-Mohendijua Road—30 miles. Moreover, Kampur-Singimari-Baithalango Road which also passes through the Mikir Hills has already been taken up for improvement.

(c)—Government will make every effort to take up the roads in order of priority with maximum speed. The Public Works Department is handicapped due to shortage of technical personnel and difficulties in availability of labours and transport. Moreover, available resources at present are mainly diverted towards construction of strategical roads which are of vital importance to Assam.

District and Village Roads taken up by Development Board

Srijut BHADRA KANTA GOGOI asked :

162. Will Government be pleased to state—

(a) How many miles of road both town and village were taken up by the Development Board in this Province during January 1946 to the end of 1947, Subdivision by Subdivision ?

(b) How many of those roads were completed during this period ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY replied :

162. (a)—A list showing the mileage of both district and village roads is given below. Roads are classified as District and Village roads and not as Town and Village roads.

Statement of Roads both District and Village taken up during January 1946 to the end of 1947

1. SADIYA FRONTIER TRACT

Village Road 5.23 miles—5.23

2. LAKHIMPUR DIVISION

Dibrugarh Subdivision—

Village Road 13 miles

Sibsagar Subdivision—

District Road 15 miles

Village Road 7 miles

Sonari Subdivision—

District Road 18 miles

Tinsukia Subdivision—

Village Roads 14½ miles

67½ miles—67.5

3. JORHAT DIVISION

Jorhat Subdivision—

District Road 23.93 miles

Village Road 12.79 miles

Golaghat Subdivision—

District Road 5.2 miles

Village Road 36.25 miles

Amguri-Mokokchung Road (between District and Village Road) 60 miles

138.17 miles—138.17

4. NOWGONG DIVISION

Nowgong East Subdivision—

District Road 32 miles

Village Road 29.7 miles

Nowgong West Subdivision—

District Road 11 miles

Village Road 94.75 miles

167.45 miles—167.45

5. CENTRAL ASSAM DIVISION

Tezpur Subdivision—

Village Roads 20.25 miles

Mangaldai Subdivision—

Village Roads 2 miles

22.25 miles—22.25

6. LOWER ASSAM DIVISION

Boko Subdivision—					
Village Road	...	...	...	...	8.1 miles
Gauhati Subdivision—					
Village Roads	...	...	...	...	21.9 miles
					<hr/> 30 miles—30.00

7. NORTH KAMRUP DIVISION

District Road	...	...	...	...	2 miles (approx.)
Nalbari Subdivision—					
Village Road	...	...	...	...	104.6 miles
Barpeta Subdivision—					
Village Road	...	...	...	...	46.6 miles
					<hr/> 153.2 miles—153.2

8. WESTERN ASSAM DIVISION

Dhubri Subdivision—					
Village Road	...	...	...	...	28 miles
Bongaigaon Subdivision—					
Village Road	...	...	...	...	46.9 miles
Goalpara Subdivision—					
Village Road	...	...	...	...	36.77 miles
Tura Subdivision—					
Village Road	...	...	...	...	45.68 miles
					<hr/> 157.35 miles—157.35

9. KHASI AND JAINTIA HILLS DIVISION

Village Roads	31.1 miles—31.1
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10. CACHAR DIVISION

Village Roads	17 miles—17.00
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Total	<hr/> 789.25
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(b)—None of the roads were completed during that period. Works on most of them are in progress.

Srijut BELIRAM DAS: With regard to Question No.162, Sir, it appears from the statement that Lakhimpur Division gets a mileage of 67½ miles, Jorhat 138.17 miles, Nowgong 167.45 miles, Central Assam Division only 22.25 miles and Lower Assam Division 30 miles — may I know, why there has been such disparity ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: This disparity, Sir, is due to the lack of staff and labourers. Our programme is a five years programme. Under this programme there are some roads which can be taken up immediately and there are other roads which need survey, and also land to be acquired. Therefore, it is not easy, Sir, to attend to all the Subdivisions at the same

time. In some Subdivisions where work could be started immediately more mileage have been taken up. It is all a question of staff and labourers. There are some other Subdivisions in which, as I have stated, work could not be started immediately. To this I would also add these facts, that in some places where we wanted to start work immediately, the contractors could not get labourers because no local Assamese labourers would come forward for earth work. Therefore we have not been able to make much progress in the roads in these places.

Srijut BELIRAM DAS: Is it not a fact that there are different staff for different divisions ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: Well, Sir, the staff is one staff for the whole Province of Assam. We have to post our officers according to what is considered to be the priority of roads that have been taken up and also according to the urgency of the work. For example, the staff from Nowgong could be transferred, say, to Dibrugarh or Cachar and so on.

Srijut BELIRAM DAS: What is the criterion for deciding about the urgency of the work ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: That, Sir, depends on the demand of the localities that the work in that locality is urgent. In other places where there is no such demand we have to see that the staff is distributed accordingly. For example, there are some roads which are considered to be of strategic importance to which we have to divert our staff; such roads are those which lead to areas lying near Pakistan. There is another road from Silchar to Shillong which is considered to be a strategic road of the first importance, and we have to divert much of our staff to that road in order to quicken the pace.

Srijut BELIRAM DAS: Has Government any information regarding Central Assam and Lower Assam Divisions for example, Tezpur and Mangaldai, that there is dearth of labourers and for that reason they have not been able to do much work in these Subdivisions ? How do Government know this ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: In Lower Assam, at least, I know Sir, that it is very difficult to get labourers and I believe also in Mangaldai Subdivision it is the same thing.

Srijut BELIRAM DAS: In view of the fact that very small mileages have been given to the Lower Assam Division, will Government be pleased to do justice to this Division by taking up more roads next year ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: All roads which are in the programme, Sir, will be taken up whenever we have got staff as well as labourers. It is not the question of 'next year'. We have got to take up roads which are of the first importance and which have been given the first priority. With the limited staff that the Public Works Department have got, all roads and buildings could not be taken up at once.

Shri SATINDRA MOHAN DEV: May we know, Sir, why Nalbari tops the list ? Is it for the fact that sufficient labourers are available at Nalbari ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: It is clear, Sir, that where there is sufficient number of Labourers more amount of work is done.

Shri SATINDRA MOHAN DEV: Are Government aware that sufficient labourers are available in Cachar ; if so, why Cachar Roads are not taken up ?

The Hon'ble Rev. J. J. M. NICHOLS ROY: About that, I cannot say just now, Sir, whether there are sufficient labourers in Cachar. We shall, however, see to that.

***Srijut GAURI KANTA TALUKDAR:** Is it a fact, Sir, that the area of the North Kamrup Division is 3 times larger than the Lower Assam Division ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: I do not know exactly what is the area, Sir. The number of roads in a division is based on mileage of roads already in existence, the number of villages to be served and some other factors. This system is what is called a Grid and Star system adopted by the Road Communications Board in order to divide the amount of money for different subdivisions. That is the reason why some roads have got more mileage than others. The question of cultivated lands and villages and the improvement of these are all taken into consideration in order to distribute mileages for the subdivisions and that was done not by myself but by the Assam Road Communications Board.

***Maulavi ABDUL HALIM:** Do Government propose to take more roads in the Dibrugarh subdivision ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: The question of taking more roads in Dibrugarh subdivision or any other place will be decided by the Road Communications Board. If that Board decide to take more roads in any subdivision, the Public Works Department will carry out its decisions as far as possible with the limited staff that we have.

***Srijut BHADRA KANTA GOGOI:** প্রত্যেক মহকুমাতে District Road লোৱা হৈছে। যই মাননীয় মন্ত্রী মহোদয়ৰ পৰা জানিব পাৰোনে যে ডিব্ৰুগড় চাব্‌ডিভিজনত কিয় District Road লোৱা হোৱা নাই ?

***The Hon'ble Rev. J. J. M. NICHOLS-ROY:** If the hon. Member wants me to reply, Sir, he may please put his question in English.

***Maulavi Saiyid MUHAMMAD SAADULLA:** On a point of information, Sir. Just now the hon. Questioner, Srijut Bhadra Kanta Gogoi was asked by the Hon'ble Minister to translate his question into English. Would it not be possible, Sir, for the Hon'ble Minister to get help from his Colleagues who are sitting by him, so that it will not be necessary for hon. Members to have to translate their questions into English ? Otherwise great strain will be placed upon the Members putting questions because Hon'ble Mr. Nichols-Roy does not know Assamese. So he should have the advantage of somebody translating it into English. Luckily Srijut Bhadra Kanta Gogoi knows English and he can put his question in English. Therefore, I want a ruling from you, Mr. Speaker, for elucidation of this point.

***The Hon'ble Rev. J. J. M. NICHOLS-ROY:** There is no arrangement for translation. I want to say this that if the hon. Member wants to put any question, he should do it either in English or get it translated in to English. There

must be some arrangement for translation in the Legislative Assembly Office. Therefore, if any hon. Member wants me to reply he will please speak in a language which I fully understand so that I may give a satisfactory and intelligent reply.

The Hon'ble the SPEAKER: There are many hon. Members who are not at all conversant in English. In their case Government should take up the work of translation.

***The Hon'ble Rev. J. J. M. NICHOLS-ROY:** Government have no arrangement at all so far.

***Dr. EMRAN HUSAIN CHAUDHURY:** Whose fault is that ?

The Hon'ble the SPEAKER: I think I should rule that if an hon. Member who does not know English puts a question in vernacular which is not understood by the Hon'ble Minister concerned, it will be the duty of Government to get it translated into English so that it can be answered by the Hon'ble Minister concerned. (*Applause.*)

***Srijut BHADRA KANTA GOGOI:** নই মাননীয় মন্ত্রী মহোদয়ৰ পৰা জানিব খোজোঁ যে প্ৰত্যেক চাৰ্ভিডিভিজনতে অলপ নহয় অলপ District Road লোৱা হৈছে, কিন্তু ডিব্ৰুগড় চাৰ্ভিডিভিজনত কিয় এক মাইলো District Road লোৱা হোৱা নাই ?

***Srijut GAURI KANTA TALUKDAR:** Does not Tinsukia fall under Dibrugarh Subdivision ?

***The Hon'ble Rev. J. J. M. NICHOLS-ROY:** Sir, in Dibrugarh Subdivision there is only the village road, which means a road big enough to be 16 feet wide and district road is a road which is about 24 feet wide. That is the difference between a village road and a district road. No district road has been taken in the Dibrugarh Subdivision. The reason why we could not do it has been replied to by me just now. If the hon. Member wants further elucidation I may enquire and let him know.

***Srijut BHADRA KANTA GOGOI:** Communication Board ৰ আঁচনিত পোৱা যায় যে ডিব্ৰুগড় চাৰ্ভিডিভিজনৰ প্ৰায় ৫০ মাইল বাস্তৱ District Road বুলি লোৱা হৈছে ; কিন্তু ইয়াত এক মাইলো ধৰা হোৱা নাই। তেখেতে কৈছে যে ব'তে মানুহে আলিৰ নিমিত্তে বেচিকৈ কন্দা কটা কৰিছে ত'তে প্ৰথমতে দিয়া হৈছে। কিন্তু নাহৰকটীয়াৰ পৰা মৰাপলৈকে এটা বাস্তৱ কাৰণে, এতিয়া নহয়, আজি ১০ বছৰৰ পৰা তাৰ বায়তে কন্দা কটা কৰি আহিছে, তথাপি মন্ত্রী মহোদয়ে তাৰ নিমিত্তে চকু দিয়া নাই কিয় ?

***The Hon'ble Rev. J. J. M. NICHOLS-ROY:** I have already said, Sir, regarding the work for district roads in the Dibrugarh Subdivision. I shall look into it why this has not been taken up. One of the reasons must be that we have not got sufficient staff. We are actually in need of about 40 overseers and we advertised for them but could not get any. We wanted also Engineers but did not get them. This is the most difficult problem. We are trying to solve it by starting an Engineering School, as well as by training our Mohurers to become surveyors and so on.

***Srijut SARAT CHANDRA SINHA:** I find from the list that there is not a single district road in the Western Assam Division also.

***The Hon'ble Rev. J. J. M. NICHOLS-ROY:** The same reason applies everywhere. Here in Khasi and Jaintia Hills and Cachar District there is only village road—no district road.

***Shri SATINDRA MOHAN DEV:** According to the decision of the Assam Road Communications Board, I want to say that nothing has been done in the District of Cachar.

The Hon'ble the SPEAKER: The difficulties have already been explained.

***Shri SATINDRA MOHAN DEV:** We have got sufficient labourers in our district but Government says that for want of Engineers they could not take up the work but for making village roads Engineers are not necessary.

***Srijut BELIRAM DAS:** According to Mr. Talukdar the area of the North Kamrup Division is double than that of the Lower Assam Division. Then how is it that only 30 miles have been taken up in the Lower Assam Division while 153 miles in the North Kamrup Division? There is a great-disparity. Why five times more road has been taken up in the North Kamrup Division?

The Hon'ble the SPEAKER: Under circumstances prevailing in the area.

Diversion of Puthimari river

Srijut GAURI KANTA TALUKDAR asked:

163. Will Government be pleased to state—

- (a) What progress the scheme undertaken for diverting the Puthimari river in the Gauhati Subdivision to its old bed at the point where it has joined the Baralia, has made in its fulfilment?
- (b) Whether the scheme is expected to be executed during this dry season?
- (c) If not, why not?

The Hon'ble Rev. J. J. M. NICHOLS-ROY replied:

163. (a)—Funds as required were allotted for the scheme.

Sufficient progress has not been possible so far due to the contractors who undertook the work having failed to recruit earthwork labourers for that locality

- (b)—Every endeavour is being made to execute it.
- (c)—Does not arise.

Srijut GAURI KANTA TALUKDAR: Whether Government have got a report relating to the progress that has been made in execution of this scheme?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: Yes, Sir, we have got the progress report. But labourers there are very few indeed. The contractors who have been given the work are not able to bring labourers. A certain contractor brought only 15 and another 24. The difficulty is to get men to do earth work there and if the hon. Member will be able to help us and provide with more labourers, indeed, the whole country will be thankful.

Bus passengers travelling between Golaghat and Jorhat via Titabar

Dr. EMRAN HUSAIN CHAUDHURY asked :

164. (a) Are Government aware of the hardships of bus passengers travelling between Golaghat and Jorhat via Titabar ?

(b) Are Government aware of the need of a Circle Train running from and to Jorhat through Mariani, Titabar and Furkating ?

(c) Are Government aware of the overcharging of passengers travelling in public buses and propose to reduce the recent increase in the price of petrol ?

(d) Do Government propose to establish Bus Syndicates in places where there is none ?

(e) Are Government aware that buses are never properly checked by the Police with the consequent hardships to passengers ?

The Hon'ble Srijut RAMNATH DAS replied :

164. (a)—No, no complaint from the public has been received.

(b)—Government have not yet examined this matter.

(c)—No complaints have been received.

(d)—Yes, when suitable persons come forward to form Bus Syndicates.

(e)—No, but, as far as practicable, vehicles are properly checked.

Dr. EMRAN HUSAIN CHAUDHURY: My question is whether Government are aware of the hardship of passengers travelling by bus from Golaghat to Jorhat via Titabar. Government appear to have dismissed the question with the remark that they have received no complaint from the public. In view of the statements made repeatedly on the floor of the House by different Members that bus passengers do suffer from hardships while travelling from Golaghat to Jorhat via Titabar, or Dergaon, will Government take it from me that passengers travelling by bus do suffer from hardship ?

***The Hon'ble Srijut RAMNATH DAS:** Will the hon. Member narrate the nature of hardship, Sir ?

Dr. EMRAN HUSAIN CHAUDHURY: Overloading of the bus and secondly lack of proper checking.

***The Hon'ble Srijut RAMNATH DAS:** That cannot be as there is checking.

Dr. EMRAN HUSAIN CHAUDHURY: Government can take it from me that there is no checking whatsoever. I have been a frequent traveller by bus.

***The Hon'ble Srijut RAMNATH DAS:** I cannot accept the statement. There is Police who do the checking.

***Srijut SARAT CHANDRA SINHA:** How can Police check it between two police stations ?

***Mr. P. M. SARWAN:** I beg to add to what Dr. Emran Husain has said that there is no checking at all.

Srijut BHADRA KANTA GOGOI: মাননীয় সভাপতি মহোদয়, তেখেতৰ উত্তৰৰ পৰা জনা যায় যে check কৰা হৈছে। কিন্তু কাগজে পত্ৰই যে মানুহৰ ওপৰত বহুত অত্যাচাৰ হৈছে বুলি সমালোচনা হৈছে সেইটো খবৰো তেখেতে নাই পোৱা নে ? আমি আসামৰ প্ৰায় সকলো ঠাইৰ bus তে উঠিছো আৰু দেখিছো যে ২০ জনৰ ঠাইত ৩০ জনকৈ মানুহক মাল লদাৰ নিচিনাকৈ লাভি দিয়ে। এই বিলাক কাগজে পত্ৰই সমালোচনা হোৱা স্বত্বেও তেখেতে নাজানো বুলি কৈছে। কিন্তু গৱৰ্ণমেন্টে আজি আমাৰ পৰা সেই কথা মানি লৈ প্ৰতিকাৰৰ ব্যৱস্থা লবনে ?

The Hon'ble Srijut RAMNATH DAS: Sir, মই কোৱা নাই যে কেতিয়াবা overloading নহয়। Overloading হোৱাৰ কাৰণেই পুলিচে check কৰে আৰু ধৰা পৰিলে fine কৰা হয় আৰু license ও cancel কৰা হয়। Hardship হয়তো কিছু থাকিব পাৰে, কিন্তু কেনেকুৱা hardship হয় তাক নোকোৱাৰ কাৰণেহে মই নাজানো বুলি কৈছো।

***Dr. EMRAN HUSAIN CHAUDHURY:** The nature of hardship is that buses are over-loaded and secondly there is no proper checking between two stations.

The Hon'ble Srijut RAMNATH DAS: I cannot accept the statement of the hon. Member that these buses are never properly checked. His question is: "Are Government aware that buses are never properly checked by the police with the consequent hardships to passengers". He has used the word 'never' and therefore I cannot accept the statement of my hon. Friend.

***Dr. EMRAN HUSAIN CHAUDHURY:** In view of the unsatisfactory nature of the Government reply, I want to raise a discussion on this point after we finish the business of the House to-day.

***Maulavi ABDUL HALIM**: I am a member of the Regional Transport Authority of Upper Assam and I know there is proper checking and many persons have been fined.

Srijut BHADRA KANTA GOGOI: এই বিলাক কাম check কৰে কোনে ?

The Hon'ble Srijut RAMNATH DAS: যি বিলাকক check কৰিবলৈ দিয়া হৈছে সেই বিলাকেই কৰে। যেনে পুলিচে কৰে।

Srijut BHADRA KANTA GOGOI: য'তে লাল পাণ্ডৰী দেখা যায় ত'তে overloading হয়। য'তে cross belt দেখা যায় ত'তে ২০ জনৰ ঠাইত ৩০ জন আৰু ৩০ জনৰ ঠাইত ৪০ জনকৈ মানুহ ভৰাই লোৱা দেখা যায়।

The Hon'ble Srijut RAMNATH DAS: এইটো বৰ দুখৰ কথা যে আজি অনাবিবোল মেম্বৰ সকলে bus বিলাকৰ সম্বন্ধে allegation আনিছে, কিন্তু তেখেতসকলে নিজ চকুৰে দেখিও কিয় গৱৰ্ণমেন্টলৈ লিখা নাই তাৰ কাৰণ বুজি পোৱা নাই।

Srijut SARAT CHANDRA SINHA: পুলিচ অফিচাৰ বিলাক bus ত overloading হৈ যায় নে নাযায় ?

***Srijut NILMANI PHOOKAN**: Do Government think that to obviate all these difficulties, a circle train from and to Jorhat through Mariani, Titabar and Furkating will ease the situation ?

The Hon'ble Srijut RAMNATH DAS: Will my hon. Friend tell the House whether there is no overloading in the trains at present ?

***Dr. EMRAN HUSAIN CHAUDHURY**: Are we to understand that while trains are overloaded, buses should also be overloaded ?

Maulavi Saiyid MUHAMMAD SAADULLA: May I put one Question ? When Government have given a reply to the Question, they must have understood what is meant by "circle" train. I being a layman, do not know what is meant by "circle" train. Will the Hon'ble Minister enlighten the House ?

The Hon'ble Srijut RAMNATH DAS: I may not be correct ; it means the train that runs from Jorhat to Furkating and from Furkating to Jorhat.

Maulavi Saiyid MUHAMMAD SAADULLA: Such a train is called shuttle train.

The Hon'ble Srijut RAMNATH DAS: Will the hon. Member who has put this Question explain what he means by "circle" train ?

Maulavi Saiyid MUHAMMAD SAADULLA: Whatever may be his meaning, while Government understood to reply they must have understood the Question. So it is for the Government to explain to the House what is meant by "circle" train.

The Hon'ble the SPEAKER: Order, order. The reply of the Government is that they have not examined any proposal in regard to this matter.

***Dr. EMRAN HUSAIN CHAUDHURY:** By that "circle train" I mean a train running from Jorhat to Furkating *via* Mariani and Titabar and back to Jorhat. In view of the hardships to the public, will Government move the Railway Authority in this matter? In course of his Budget reply the Hon'ble Finance Minister said that they will give special consideration to my proposal. Am I to take it that they are going to take up the matter?

The Hon'ble Srijut RAMNATH DAS: I do not know when the Hon'ble Finance Minister assured him to give consideration to his proposal.

***Dr. EMRAN HUSAIN CHAUDHURY:** I raised this matter and he assured me that he would consider the question. And because of that I did not press the matter any further.

***Srijut BELIRAM DAS:** In view of the fact that there has been generally overloading of buses, will Government be pleased to increase the number of buses?

The Hon'ble Srijut RAMNATH DAS: That is being favourably considered at present, Sir.

Preventive measures against Kala-azar

Srijut HARINARAYAN BARUA asked :

165. Will Government be pleased to state—

- (a) What steps they are taking to combat the evil of *Kala-azar* in the subdivision of Jorhat?
- (b) Whether they have completed the survey work?
- (c) If so, how many cases they have detected?
- (d) Whether Government have evolved any measure to prevent the outbreak of this disease?
- (e) If so, what is that?
- (f) Whether Government are aware that the present system of treatment has not been able to combat the spread of this disease successfully?
- (g) If so, what other means Government propose to devise?
- (h) How many Public Health Dispensaries have been started this year in the subdivision of Jorhat?
- (i) Whether Government are aware that the work of construction of the Dispensary Buildings has been started very late this year?
- (j) If so, why?

- (k) Whether Government propose to take steps to convert the Borbam Chungi Dispensary—the proposed Borhola Public Health Dispensary—to a full-fledged Medical Dispensary ?

The Hon'ble Srijut RAMNATH DAS replied :

165. (a)—Early detection, diagnosis and bringing all the patients under treatment as far as possible.

(b)—Survey and re-survey are regularly undertaken by Sub-Assistant Surgeons within their jurisdiction and special surveys undertaken where necessary.

(c)—144 during 1947.

(d)—No other measures except action taken as in reply to Questions (a) and (b).

(e)—Does not arise.

(f)—No. The best line of treatment is followed and latest drugs used as far as possible.

(g)—Does not arise.

(h)—3 (three) are under construction and will be started in April, 1948.

(i)—Due to various reasons the construction work was started late.

(j)—As the dispensaries were to be in most interior places, it was difficult to start work during rains due to bad road communications. It was also difficult to get Corrugated Iron Sheets, Cement, etc.

(k)—Not at present.

Srijut HARINARAYAN BARUA : গৱৰ্ণমেণ্টে যোৰহাটত নতুনকৈ তিনিখন Public Health ৰ dispensary খুলিব খুজিছে। সেই কেইখনৰ নাম জানিব পাৰোনে ?

The Hon'ble Srijut RAMNATH DAS : Sir, মই এতিয়া dispensary কেইখনৰ নাম কৰ নোৱাৰো। তেখেতে কলেই ভাল হ'ব, কাৰণ তেখেতে জানে।

***Dr. EMRAN HUSAIN CHAUDHURY** : I draw the Chair's attention because of the unsatisfactory nature of the Government's reply, I want to raise a discussion on that after the business of the House is over today.

***Srijut BELIRAM DAS** : The question has been sufficiently discussed and there is no necessity of further discussion.

Srijut HARINARAYAN BARUA : বৰহোলা পিচপৰা ঠাই বুলি গৱৰ্ণমেণ্টে বিবেচনা নকৰে নে ?

The Hon'ble Srijut RAMNATH DAS : পিচপৰা ঠাই বুলিয়েই তাত Public Health ৰ dispensary এখন আছে।

Srijut HARINARAYAN BARUA : যদিহে গৱৰ্ণমেণ্টে সেই ডোখৰ পিচপৰা ঠাই বুলি বিবেচনা কৰে, তেনেহলে সেইখন full-fledged dispensary কৰিবলৈ বিবেচনা কৰিছেনে ?

The Hon'ble Srijut RAMNATH DAS: সেই বিলাক full-fledged dispensary লোকেলবোর্ডৰ অধীনত থাকে। লোকেলবোর্ডে যদি সেইখন dispensary full-fledged কৰিবলৈ টকা বিচাৰি গৱণ মেন্টলৈ লিখে তেনেহলে গৱণ মেন্টে বিবেচনা কৰিব।

Settlement of Fisheries in Dibrugarh Subdivision

Srijut BEJOY CHANDRA SAIKIA asked :

166. Will the Hon'ble Minister of Revenue be pleased to state how many fisheries have been settled with the Fishery Society in the Dibrugarh Sub-division ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

166.—The information is given below :—

Number of fisheries settled	Name of fishery	With whom settled
Four ...	1. Brahmaputra river Parts III, IV and V.	Dibrugarh Fishery Co-operative Society.
	2. Upper reach of Dehing ...	Margherita Fishery Co-operative Society.
	3. Dehing river Part III ...	Naharkatiya Fishery Co-operative Society.
	4. Naharpukhuri Hokai Bil, Bhakatdahikur Badulikur.	Kolowloa Co-operative Fishery Society.

Dhubri Local Board

Srijut SARAT CHANDRA SINHA asked :

167. (a) Will Government be pleased to state—

- (i) Whether the Budget of Dhubri Local Board for the year 1948-49 has been refused by the Board ?
- (ii) Whether the Budget was refused for the second time when placed again in the meeting of the Board by the Chairman ?
- (iii) Whether the Board is running without a Vice-Chairman for more than 6 months ?
- (iv) Whether two consecutive special meetings were held for the election of the Vice-Chairman but the Board failed to elect a Vice-Chairman in the first and refused to elect in the second meeting ?
- (v) Whether a sum of Rs.31,000 out of the Government grant earmarked for the improvement of the roads for the years 1946-47, 1947-48 could not be spent during the years and that this amount has been shown as a liability of the Board in the Budget for the year 1948-49 ?

(vi) Whether all annual repair works of the roads under the Board have been suspended and Mohurers have been transferred from the Civil Works to the taxation department ?

(vii) Whether the Board has become bankrupt and is just on the verge of collapse ?

(b) If the replies to Question 167 (a) above be in the affirmative, will Government be pleased to state—

(i) Whether Government have taken any steps in these matters ?

(ii) If not, whether Government propose to take immediate steps to save the Local Board from inefficient administration and management ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

167. (a) & (b)—The information has been called for.

Srijut SARAT CHANDRA SINHA : Has the attention of the Government been drawn to the report published in the 'Assam Tribune' and 'Hindusthan Standard' that the Budget of the Board has been rejected by the Board for the third time and there is now a deadlock in the Board ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : I myself saw it in the paper.

Srijut SARAT CHANDRA SINHA : Are Government aware of the fact that a heavy amount to the tune of Rs.84,000 which is due to be paid has not been paid and this year the amount stands as a liability ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : From the interim reply it will appear that information has been called for. When the information is received, Government will consider the matter.

Veterinary Field Assistants

Srijut HARINARAYAN BARUA asked :

168. (a) Is it a fact that Government are going to train a large number of Veterinary Field Assistants in the immediate future ?

(b) If so, what minimum qualification is required for its candidature ?

(c) Do Government propose to select candidates of fairly higher academic qualifications so that these people can in the future get chances of taking up higher education in Veterinary College ?

169. Will Government be pleased to state—

(a) Whether any arrangement has been made for providing the Veterinary Field Assistant with quarters ?

(b) If not, why not ?

(c) Whether Government are aware that these poorly-paid officers cannot afford to have quarters of their own ?

(d) Whether Government are aware that for paucity of qualified Veterinary Assistant Surgeons these Field Assistants will be of great use to the public ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

168. (a)—Yes.

(b)—Standard Class VIII of High English School as minimum.

(c)—Yes, if available.

169. (a)—The Veterinary Field Assistants are not generally provided with quarters, but in rural areas, arrangements for their quarters are usually made by the local public.

(b)—Does not arise.

(c)—Yes.

(d)—Yes.

Starting of Veterinary College in Assam

Maulavi MAHAMMAD ROUFIQUE asked :

170. (a) Is it a fact that Government wants to waive the project of starting a Veterinary College, by referring the matter to the Central Government after making all necessary arrangements to start the same from February 1948, at Nowgong ?

(b) If so, why ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

170. (a)—No.

(b)—Does not arise.

***Maulavi MAHAMMAD ROUFIQUE** : May I know from the Hon'ble Minister why the College was not started from February, 1948 ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : I think in connection with another reply I said that the proposal is awaiting approval of the Government of India. It has been sought to be done from the Post-War Budget and the sanction of the Government of India is necessary. This is being awaited.

***Maulavi MAHAMMAD ROUFIQUE** : Is it not a fact that money was provided for the project in the last year's budget ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : Provision was made in the last year's Budget, but nothing so far has been done.

***Maulavi MAHAMMAD ROUFIQUE** : Why Government did not take timely step to utilise the money ? Why the project was allowed to lapse ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : No question of 'lapse' comes in, because we got the money this year. Government will take it up when circumstances are favourable.

***Maulavi MAHAMMAD ROUFIQUE:** Will the Hon'ble Minister be pleased to say for whose fault the money could not be utilised last year ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: No question of 'fault' comes in. The money has been provided this year also.

Passenger Bus Service between Rangapara and North Lakhimpur

Srijut HEM CHANDRA HAZARIKA asked :

171. (a) Are Government aware that there is a pressing demand for a passenger bus service from Rangapara to North Lakhimpur ?

(b) Do Government propose to allow at least one passenger bus for this route ?

(c) Is it a fact that the system of plying passenger buses in towns is going to be introduced in some towns of Assam Valley ?

(d) Are Government aware that there are demands for more number of passenger buses in different routes, viz., Nimati-Jorhat, North Lakhimpur-Bodati, Kamolabari-North Lakhimpur ?

(e) Do Government propose to remove difficulties of the passengers of long distant routes before introduction of passenger buses to ply within towns, styled as city buses ?

(f) Do Government propose to take up the managements of passenger buses plying in long range routes ?

The Hon'ble Srijut RAM NATH DAS replied :

171. (a) & (b)—One Mail Bus runs at present carrying passengers also.

(c)—Government have no such plan. At present there are city buses plying in Gauhati and Shillong.

(d)—Yes.

(e)—Yes, when petrol position improves.

(f)—Government as an experimental measure have taken up the line from Gauhati to Nowgong.

***Srijut HEM CHANDRA HAZARIKA:** Are Government aware that this Mail Bus takes passengers from Rangapara and creates much trouble to the passengers ?

***The Hon'ble Srijut RAMNATH DAS:** That may be so.

***Srijut HEM CHANDRA HAZARIKA:** In view of this fact will Government allow another passenger bus from Rangapara ?

***The Hon'ble Srijut RAMNATH DAS:** It will be seen that it will be difficult for rationing of petrol.

Mr. J. S. HARDMAN: Are Government taking any steps to increase the ration of petrol, in view of the fact that the Assam Oil Company has been compelled to reduce their production by 10,000 gallons a day ?

The Hon'ble Srijut BISHNURAM MEDHI: The difficulty is there. Experts report that the life of the oil well has been reduced to five years. It is not always safe to extract oil in such a hurry and speed up production. It will not be compatible with the economic working of the mines.

Mr. J. S. HARDMAN: Are Government aware that the normal production of the Assam Oil Company has been curtailed to 10,000 gallons recently and not because of preserving the life of the wells ?

The Hon'ble Srijut BISHNURAM MEDHI: I think this curtailment of production relates to the maximum production during war.

Mr. J. S. HARDMAN: Are Government aware that up to December there was a higher production and it has been curtailed on account of transport difficulties ?

The Hon'ble Srijut BISHNURAM MEDHI: I do not know anything about transport difficulties. At least the Oil Company has not brought it to my notice.

The Hon'ble Srijut GOPINATH BARDOLOI: I am afraid, I must correct the Hon'ble Minister. The Oil Company has brought to our notice that on account of transport difficulties they have not been able to export outside the Province as much oil as they desired. But the main question of extraction of petrol from Digboi and consumption of the same is connected with the necessity of petrol for the whole of India. We must follow the policy which has been laid down by the Government of India. I think, Sir, in spite of whatever may be said, we are consuming proportionately more petrol here than in any other Province.

Measures for checking the insect-pest to Cocoanut Trees

Srijut GAURI KANTA TALUKDAR asked :

172. Will Government be pleased to refer to their replies to the Unstarred Question No. 639 (a) and (b) asked by the Questioner during the November Session of the Assembly, 1947 (*vide* Assembly Debates of 10th November, 1947 at page 1620) and state—

(a) Whether the scheme prepared by this Government for fighting the insect-pest to cocoanut trees has received approval of the Central Government ?

(b) Whether the Central Government have sanctioned any financial assistance for the execution of the scheme ?

(c) If so, what is the amount sanctioned ?

173. (a) If the answer to the above questions be in the affirmative, will Government be pleased to state what action they have taken to execute the scheme ?

(b) If the reply to question No.172 above be in the negative, do Government propose to undertake some measures independently in the meantime to check the mischief of the pest which is proving a menace to cocoanut cultivation in the Province ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

172. (a)—The Scheme has since been returned by the Indian Central Cocomnut Committee for revision. The revised scheme is now under the consideration of the Government.

(b) & (c)—Does not arise.

Srijut GAURIKANTA TALUKDAR: Will Government be pleased to state why this scheme has been returned by the Indian Central Cocomnut Committee for revision ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: The Committee wanted some additions and alterations to the scheme.

Srijut GAURIKANTA TALUKDAR: Whether the new scheme has been prepared ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: It must have been finished by now.

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

173. (a)—Does not arise.

(b)—No, since the revised scheme is likely to be approved and implemented in near future and that no effective steps are possible with the present strength of the Entomological staff.

Babu BIDYAPATI SINGHA: Cannot Government assign the duty of searing away the said insect pest to the Rural Panchayat by putting the words 'the insect pest' after the word 'squirrel' where it occurs in the Rural Panchayat Bill ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: The Panchayat Bill has already been passed. If any amendment is sought to be made that must be done at the next session.

Sapatgram-Gossaigaon Road

Srijut SARAT CHANDRA SINHA asked :

174. Are Government aware—

- (a) That the Dhubri Local Board has failed to maintain and repair the roads under it ;
- (b) that specially the Board has kept Sapatgram-Gossaigaon Road quite unfit for traffic ;
- (c) that a part of the bridge in section II of the said road which was washed away last year, still remains without any repair, resulting dislocation of communication between Bhaoraguri and Gossaigaon and between Sapatgram and Gossaigaon ;
- (d) that no annual repair works of the road have been done this year ;
- (e) that no Mohurers have been discharged as the Board cannot pay them and the road Overseers have been engaged in collecting taxes instead of working on the road ;
- (f) that the Board has been paralysed for the mismanagement in the administration of the Board ?

175. If the reply to Question 174 above is in the affirmative will Government be pleased to state—

- (a) What steps Government propose to take in these matters ?
 (b) What steps Government propose to take specially in respect of Sapatgram-Gossaigaon Road ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

174 & 175.—The information has been called for.

Srijut SARAT CHANDRA SINHA : The information will certainly reveal that the Board has failed to maintain the road. What do the Government propose to do ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : The failure of the Board to run this road properly has reached Government by this time and they have been taking proper steps to remedy this.

Superintendent of Veterinary Vaccine Depot

Maulavi MAHAMMAD ROUFIQUE asked :

176. (a) Is it a fact that the Government is going to appoint a non-Assamese to the post of the Superintendent of Veterinary Vaccine Depot which is reported to be under construction at Gauhati, ignoring the legitimate claims of senior Assamese deserving officers of the Veterinary Department ?

(b) Will Government be pleased to state whether they have received some memorials from the Assamese Veterinary Assistant Surgeons for this post ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

176. (a)—No.

(b)—None so far.

***Maulavi MAHAMMAD ROUFIQUE** : Will Government be pleased to state whether this post has been advertised ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : Government has not yet decided to appoint a new man, so the question of advertisement does not come in.

***Maulavi MAHAMMAD ROUFIQUE** : May I ask the Hon'ble Minister whether for this post any application has been received ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : The reply is there. No application has yet been received.

The Hon'ble the SPEAKER : Order, order. We come to the next item.

Election of a Member to the Assam Embankment and Drainage Advisory Committee

The Hon'ble Rev. J. J. M. NICHOLS-ROY: Mr. Speaker, Sir, I beg to move that this Assembly do elect in accordance with the instructions contained in the voting paper one Member of the Assembly coming from the District of Kamrup to the Assam Embankment and Drainage Advisory Committee in place of Srijut Kameswar Das.

The Hon'ble Speaker will fix the date and time for election.

The Hon'ble the SPEAKER: Motion moved:

"That this Assembly do elect in accordance with the instructions contained in the voting paper one Member of the Assembly coming from the District of Kamrup to the Assam Embankment and Drainage Advisory Committee in place of Srijut Kameswar Das."

(After a pause)

The question is:

"That this Assembly do elect in accordance with the instructions contained in the voting paper one Member of the Assembly coming from the District of Kamrup to the Assam Embankment and Drainage Advisory Committee in place of Srijut Kameswar Das."

The question was adopted.

The Hon'ble the SPEAKER: I am glad to announce in this connection that except Maulavi Abdul Hai all the other candidates have withdrawn their candidature. Maulavi Abdul Hai is therefore declared elected to the Assam Embankment and Drainage Advisory Committee in place of Srijut Kameswar Das.

The Assam Adhiars Protection and Regulation Bill, 1948

The Hon'ble the SPEAKER: We now come to the Assam Adhiars Protection and Regulation Bill. I find that as many as 33 Amendments have been tabled. The first one stands in the name of Maulavi Md. Abul Kashem.

I have received complaints from the Reporters that they cannot hear the speeches delivered by the hon. Members. I would therefore request them to come to the mike when speaking so that the Reporters may take down their speeches correctly.

Maulavi MUHAMMAD ABUL KASHEM: Mr. Speaker, Sir, I beg to move that for the word "Adhiars" wherever it occurs in the text of the Bill, the word "Bargadars" be substituted.

Sir, the word "Adhiars" means a cultivator who gives half the share of his produce to the land-owner. Originally it came from the word "Adhi", i.e., half, but "Bargadar" is a wider term which includes all kinds of shares of produce paid to the land-owner by the cultivators. So, this wider term may be accepted, especially in view of the fact that by this Bill Government are trying to give protection to the cultivators in the shape of reducing the half share to one-fourth and one-third. Hence the word "Adhiar" will be a misnomer. Of course, some of my hon. Friends may say that the word "Adhi" has by this time got a new meaning, but for their information I may

say that according to Chandra Kanta Dictionary which has been published not long ago, the word "*Adhi*" means half, the share of the produce paid to the owner "নিজ বস্তুর উৎপন্নৰ আধা পাবৰ নিয়মেৰে লোকক কিছুদিনলৈ দিয়া" From this, Sir, it appears that the word "*Adhi*" did not get any such new meaning which we are going to give by this Bill. It will be a distinct improvement on the Bill if the word "*Bargadar*" is used instead of "*Adhiar*". I hope the House will accept my Amendment.

The Hon'ble the SPEAKER: Amendment moved:

"That for the word '*Adhiars*' wherever it occurs in the text of the Bill, the word "*Bargadars*" be substituted."

Srijut SARAT CHANDRA SINHA: Sir, this Amendment cannot stand because the word "*Adhiar*" has been clearly defined in the body of the Bill. There is no need for looking into the dictionary or finding out its derivative meaning. When the Bill has clearly stated that "*Adhiar*" will mean and include "*Bargadar*", "*Chuktidar*", etc. I think this Amendment cannot stand.

Srijut NILMANI PHOOKAN: Sir, when in law the word "male" can include "female", the word "*Adhi*" may include all sorts of tenantry.

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, although I am opposing this Amendment of my hon. Friend, I am, however, glad to see his efforts to learn Assamese by looking into the dictionary to find out the meaning of words. The meaning is quite apparent, Sir. This Bill has been brought forward with the idea of giving protection to the greatest of sufferers, viz., the *adhiars* from whom some half share of the crop produced is taken away, and in the definition we have made clear that "*Adhiar*" means and includes "*Bargadar*", "*Chuktidar*", "*Bhagdar*" and those who pay rent in kind, etc. In view of that, I think, my hon. Friend will find no necessity to press his Amendment.

Maulavi MUHAMMAD ABUL KASHEM: I beg leave of the House to withdraw my Amendment.

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

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

Maulavi MUHAMMAD ABUL KASHEM: Mr. Speaker, Sir, I beg to move that in the first line of sub-clause (2) of clause 1, for the word "may", the word "shall" be substituted and the words "or any of" in the second line be deleted.

Sir, by this Amendment I propose to give effect of this *Adhiars* Bill to the whole of the Province at once in a notification in the official Gazette. My view point is this that while we are going to give some sort of relief to the *Adhiars* we must do so in respect of all irrespective of their place of residence, i.e., the people of the whole Province should get the benefit of this Bill. If this is not extended to all the areas and if left at the discretion of Government, I am afraid, Sir, it will not be in the interest of all the *Adhiars* for whom the Bill is meant, but actually it will be of interest to some of the hon. Members of this House or some one who can force his will on the Government. So far as I know, Sir, in the district of Kamrup this *Adhiar* Bill will act not for the protection of the *Adhiars* but for the protection

of the landlords. If for the protection of the landlords this Bill was introduced, I would have no objection if it was extended only to certain areas. Moreover, Sir, there is a chance of misuse of power by influential Members. In the Assembly we must see that such things may not happen. I, therefore, propose that this Bill should be extended to the whole of Assam with the substitution of the word "may" by the word "shall" that is the Provincial Government shall, by notification in the official Gazette, extend, etc.

Then if they do not extend all the provisions and they select some provisions for application to some particular areas, it may mean that the provisions which may go against some influential Members may not be applied.....

Babu KAMINI KUMAR SEN: Sir, may we know what is the reason for such apprehension that it will be misused at the instance of some influential Members?

Maulavi MUHAMMAD ABUL KASHEM: Sir, the fact of keeping unlimited powers by Government means something; otherwise, they could rely on the Legislature. Of course, Government may say that the extension of this Bill to certain areas may do harm to *Adhiars* so they will not extend it there. But, Sir, I may say that there will not be any harm by its extension to any area because in clause 6 there is a clear provision with regard to the maximum quantity of produce that will have to be given by *Adhiars* to the landlords. It is not binding on an *Adhiar* of a particular area where this Bill will be extended to pay the maximum of 1/4th or 1/3rd, as the case may be, but this is a maximum that will be allowed to be paid. There is no harm to pay any amount less than that; so it cannot do any harm to anybody, if it is extended at once. Also I presume that an Amendment submitted by many of the Members of the Government Party has been.....

The Hon'ble Srijut BISHNURAM MEDHI: Subsequent Amendments cannot be taken into consideration.

Maulavi MUHAMMAD ABUL KASHEM: Yes, that will not be taken into consideration, but I mentioned it only for reference. They have made further provision that in the case of any contract made with anybody if according to the contract the *Adhiar* is to give less, then the landlord cannot bind the *Adhiar* to pay the maximum fixed here. So, Sir, there is no bar in extending it. So I request the hon. Members of this august House to consider my Amendment and accept it unanimously.

The Hon'ble the SPEAKER: Amendment moved:

"That in the first line of sub-clause (2) of clause 1, for the word 'may', the word "shall" be substituted and the words 'or any of' in the second line be deleted."

Mr. P. M. SARWAN: May I point our, Sir, that Dr. Emran Husain Chaudhury has a similar Amendment. Is he going to move it?

The Hon'ble the SPEAKER: Dr. Chaudhury may speak on this.

Dr. EMRAN HUSAIN CHAUDHURY: In that case, Sir, there will be no necessity of moving my Amendment. Sir, I whole-heartedly associate

myself with the hope expressed by my Friend, Maulavi Abul Kashem. I hope, his Amendment will be accepted by this House.

Mr. P. M. SARWAN: Mr. Speaker, Sir, I whole-heartedly support this Amendment, namely, that in the first line of sub-clause (2) of clause 1, for the word "may", the word "shall" be substituted and the words "or any of" in the second line be deleted.

In the Statement of Objects and Reasons we are told that this present Bill has been introduced to give protection and relief to *adhiars* against the rapacious encroachments by the landlords on the fruits of the toil and sweat of *adhiars* and other raiyats.

Admittedly such protection and relief are urgently necessary. The Government admit that they have information from different parts of the Province that the shares or quantities of crop payable by the *adhiars* to the persons under whom they hold the land are onerous. In the face of all this information from different parts of the Province it is very strange that the Government have worded sub-clause (2) of clause 1 of the present Bill in the manner they have done. It is most strange that under this sub-clause the Government are reserving to themselves the right to extend or not to extend all or any of the provisions of this Bill to agricultural lands in any district, local area or class of estates in the Province of Assam, on such date or dates as the Provincial Government may be pleased to decide. All this reservation to themselves on the part of the Provincial Government of Assam is passing strange. The Government by introducing the Bill admit the urgency of giving protection and relief to *adhiars*. It is a good and progressive move of helping the poor fellow in his misery and distress. If the above protection and relief to *adhiars* are made available in one corner or local area in Assam there is no reason why *adhiars* in other parts and localities in Assam should be denied the same protection and relief. The under-lying idea in sub-clause (2) of clause 1, might be suspected to be that the present Provincial Government of Assam is planning to dole out the above protection and relief to the starving *adhiars* of Assam pocket by pocket. If the provisions of the Bill are good and humane, which admittedly they are, the Government are morally bound to extend its operation throughout Assam simultaneously and forthwith among all kinds of *Adhiars* all over Assam.

The Government owe it to themselves, if not to the people whom they want to give protection and relief, to accept the Amendment moved by my hon. Friend. I should urge the Government to stop promising once and again to the hungry and naked people good things round the corner, and ever keeping them on tenter-hooks. I should strongly urge the Government not to promise too many good things, but to act, and by promptitude prove their sincere good-will for the poor people and win back their confidence, gradually lost these two unfruitful years.

I urge the Government to make the fine provisions of this progressive Bill applicable throughout Assam forthwith to all kinds and classes of *adhiars* and that can be done only by accepting the present Amendment.

I would therefore recommend to the Party in power to accept this Amendment.

Babu KAMINI KUMAR SEN: Sir, I rise to oppose this Amendment. I think it is not unknown to the hon. Members of this House that the practice with regard to this *Adhi* system is different from locality to locality. I know, Sir, that the practice in some localities is to lend cattle and in some localities seeds are given. You know, Sir, that at present the price of plough cattle is almost

prohibitive in many places, and so it is not unlikely that the landowners might refuse to give plough cattle. In such cases where plough cattle is not supplied by the landowner the *Adhiars* have to borrow plough cattle from somebody at prohibitive rent. So in places where the landowners do not give either plough cattle or seeds to the *Adhiars* the result will be that the *adhiars* will be sufferers ultimately. Therefore some discretion ought to be left to the Government to see that the intention of the Bill to protect the *Adhiars* is fulfilled. In places where it will be found that the *Adhiars* will be hard hit for that reason I think the Act should not be applied. So, I think, Sir, this Amendment should not be accepted.

The Hon'ble Srijut BISHNURAM MEDHI: I am sorry, Sir, I cannot accept this Amendment. It is known to the hon. Members of this House that at different places the rent in kind is realised at different rates through intermediaries. It is also known to many hon. Members that in some places the word '*adhiars*' is defined as '*barga*', '*chukti*', '*bhag*' or '*chukani*'. In some places the landowners realise not more than one maund of paddy per Bigha where the minimum production per Bigha is 6 maunds. But under this Bill those landowners will get one-fourth. This Bill proposes to give protection to those *adhiars* from whom more than one-fourth of the production is realised by the landowners. This Bill will not be extended to those areas where such protection to the *adhiars* is not considered necessary. For this reason some discretion should be left to the Government in the matter of application of the Bill when enacted. This Amendment is made on the assumption that Government will not extend the operation of the Bill where it is necessary. I can assure the House that this Bill will always be extended to those places where the rent in kind is realised at more than the rate prescribed in the Bill in order to give relief to the *adhiars*. To places such as the Garo Hills, Khasi and Jaintia Hills, Mikir Hills where there is no *adhi* system there is no necessity of extending this Bill.

Maulavi MUHAMMAD ABUL KASHEM: Sir, on a point of information, the Hon'ble Minister does not know that there is *Adhi* system in the Garo Hills.

The Hon'ble Srijut BISHNURAM MEDHI: I know, this system might be possible in the plain portion of the District. But I am quite sure that the system exists in the plain portion on account of manipulation by the aggressive elements imposing this *Adhi* system on the helpless Garos. However, Government will see that this Bill is extended to those areas also where *Adhi* is realised at more than the maximum fixed in the Bill in order to give relief to the tribal people as well.

With these words, Sir I request the hon. Mover to withdraw his Motion.

Maulavi MUHAMMAD ABUL KASHEM: I am very sorry, Sir, to ask for leave of the House to withdraw my Motion.

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

(After a pause)

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

The Hon'ble the SPEAKER: Under Amendment No.3 there are three parts. Parts (1) and (2) were moved. Does the hon. Mover want to move the third part of the Amendment?

Dr. EMRAN HUSAIN CHAUDHURY: It is only consequential. So I do not like to move the third item of the Amendment.

Maulavi MUHAMMAD ABUL KASHEM: It is more or less consequential. So I do not like to move it, Sir.

Dr. EMRAN HUSAIN CHAUDHURY: I beg to move that in the first line of sub-clause (3) of clause 1, the words "or any of" after the word "All" be deleted ;

So far as this Amendment is concerned, Sir, some sort of satisfactory reply has to be given by the Hon'ble Minister. But before his doing so I might be permitted to move the second Amendment so that I might get the same reply all at once.

The Hon'ble the SPEAKER: I find there are two Amendments under Amendment No.5. The hon Member may continue.

Dr. EMRAN HUSAIN CHAUDHURY: To the other Amendments moved by Maulavi Abul Kashem satisfactory replies were given. So I might be permitted to move the second Amendment. I beg to move that in the second line of sub-clause (3) of clause 1, the words "at once" be added after the word "force" and the words beginning with "in any district, local area direct" be deleted. In spite of all the language in the clause we want that provision should be given effect to at once. The clause will then read "All or any of the provisions of this Act shall come into force at once".

All I need say in this respect, Sir, is that the Hon'ble Finance Minister in introducing the Bill in this House said that I was adopting dilatory tactics in so far as the application of the Bill was concerned. In order to tell the Hon'ble Minister that I do not want to be charged with that remark of his, I want to see that the Bill be brought into operation at once in order to avoid of being charged with adopting dilatory tactics. In the course of their speeches, my hon. Friends, Mr. Basumatari and Mr. Harinarayan Barua, attacked me and stated that I was speaking on behalf of the capitalists and refusing to look to the interests of the *Adhiars*. Both these hon. Members, in fact all hon. Members present here except my humble self, possess land ; so nobody can accuse me of siding with or taking up the cause of capitalists. At the time I made my speech I made it clear that I must not be misunderstood and misrepresented. I was not speaking for the landlords or landowners. Therefore, in order to show my genuine good will in the interest of the *adhiars*, I would request Government to accept my Amendment so that the Bill as amended by me be brought into operation at once.

The Hon'ble the SPEAKER: Amendment moved :

"(1) That in the first line of sub-clause (3) of clause 1, the words "or any of" after the word 'All' be deleted ;

(2) That, in the second line of sub-clause (3) of clause 1, the words "at once" be added after the word 'force' and the words beginning with 'in any district, local area direct' be deleted."

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, if the Amendment of my hon. Friend is accepted the clause will read, "All the provisions of this Act shall come into force at once.....". But where ? In this connection

it will be seen that sub-clause (2) gives discretion to the Government to extend operation of the Act to any district or area. So if his Amendment is accepted it will only nullify the provisions under sub-clause (2). Therefore, in cases like this it is necessary that a district or area should be ascertained first before the Bill is brought into operation. In view of that, I hope the hon. Mover will not press his Motion, otherwise it becomes inconsistent with sub-clause (2).

Dr. EMRAN HUSAIN CHAUDHURY: Mr. Speaker, Sir, I beg leave of the House to withdraw my Amendment.

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

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

The question is:

“That clause 1 stands part of the Bill.”

The question was adopted.

The Hon'ble the SPEAKER: Clause 2—Maulavi Muhammad Abul Kashem.

Maulavi MUHAMMAD ABUL KASHEM: Mr. Speaker, Sir, I beg to move that in sub-clause (5) of clause 2, for the word “Land-lord” the word “Land-owner” be substituted.

Sir, land-lords generally mean Zemindars and other fellows who have got sufficient land. But what we are dealing here is with persons who have got only few Bighas of land and have rented it out to *Adhiars*. Under this clause such persons will also be known as land-lords. So I have suggested that this may be substituted by the words “Land-owner”.

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

The Hon'ble the SPEAKER: Amendment moved:

“That, in sub-clause (5), of clause 2, for the word ‘Land-lord’ the word ‘Land-owner’ be substituted”.

Dr. EMRAN HUSAIN CHAUDHURY: May I ask the hon. Mover of this Amendment how he differentiates between ‘land-lord’ and ‘land-owner’. According to him a person who owns sufficient land is called ‘Land-lord’. I want to know what amount of land one should possess to be called ‘land-lord’. In the Punjab anybody who owns many *puras* of land and one who owns only two or three *puras* of land, is called landlord.

Maulavi MUHAMMAD ABUL KASHEM: In the district of Goalpara any one who owns 100 Bighas of land is taken as ‘land-lord’ or Jotdar.

* **The Hon'ble Srijut BISHNURAM MEDHI:** Mr. Speaker, Sir, the

substitution of the word "land-lord" by the word "land-owner" as suggested in the Amendment is not necessary, because in the major portion of the Province there is no landlord. Every one is under rayotary system and is known as settlement-holders. Of course in permanently settled areas the question of proprietorship may come in but in rayotary areas no one is given the status of either proprietorship or ownership. As such the Amendment proposed is absolutely meaningless. I am sorry that we cannot accept this Amendment because we know that even in the Surma Valley a man who possesses land in permanently settled areas is sometimes known as landlord. In view of what I have said I hope the hon. Mover will not press his Motion.

Maulavi MUHAMMAD ABUL KASHEM: Mr. Speaker, Sir, I beg leave of the House to withdraw my Motion.

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

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

The Hon'ble the SPEAKER: The question is:

"That Clauses 2 to 4 stand part of the Bill".

The question was adopted.

The Hon'ble the SPEAKER: Clause 5—Srijut Beliram Das.

Srijut BELIRAM DAS: Mr. Speaker, Sir, I beg to move that in line three of clause 5, after the words "due notice", the words "and necessary enquiry," be added.

The language is quite clear and requires no comment. I would now commend my Motion to the acceptance of the House.

The Hon'ble the SPEAKER: Amendment moved:

"That in line three of clause 5, after the words 'due notice', the words 'and necessary enquiry' be added."

Maulavi MUHAMMAD ABUL KASHEM: Mr. Speaker, Sir, I want to oppose this Motion. While I cannot but thank the hon. Member who has put this Amendment for the intention he had, but at the same time, I am surprised that there is a blunder that he has committed. It carries no meaning at all. The clause is, "A Revenue Officer may on application from a landlord, order an *adhiar* to cease to cultivate an *adhi* land after due notice as may be prescribed, and evict such *adhiar* in the manner prescribed, etc."—that means the hon. Mover wants that before a necessary enquiry, orders will be issued by the Revenue Officer; in that case how can there be an enquiry? If he would have put the word 'necessary enquiry' after the word application, that would have carried some meaning. But here there is a mistake.

The Hon'ble Srijut BISHNURAM MEDHI: Sir, it is really a misconception on the part of my hon. Friend to oppose this Motion. It is known to him that as soon as a civil case is filed, summons are issued to the parties concerned inviting them to submit written statement or objection. If there is no written statement or objection an *ex-parte* order is passed, similarly, on the application of the landlord a notice will be issued to the *Adhiar* and an enquiry will take place only when objection is filed. So it is absolutely necessary that the words "and necessary enquiry" should be put after the words "due notice". I am glad that Mr. Beliram Das has brought this Motion. It makes the idea quite clear and I accept the Amendment.

Maulavi MUHAMMAD ABUL KASHEM: What does the Hon'ble Minister mean by the word "order"? Is it not an order issued by the Revenue Officer.

The Hon'ble Srijut BISHNURAM MEDHI: It is an order of notice and the order of eviction comes afterwards.

Maulavi MUHAMMAD ABUL KASHEM: It appears to me that the order is the order to cease to cultivate the land.

The Hon'ble Srijut BISHNURAM MEDHI: This will be before the eviction; an enquiry will be held before eviction to see whether the circumstances justify eviction.

The Hon'ble the SPEAKER: The question is:

"That in line three of clause 5, after the words 'due notice', the words 'and necessary enquiry' be added."

The question was adopted.

Mr. P. M. SARWAN: Sir, I beg to move that in the third and fourth lines of sub-clause (i) of Clause 5, the words "or by hired labourers or dependants" be deleted.

This Amendment is intended to close the loophole that would enable the landlord to evade the provisions of the present Bill that seek to give protection and relief to the *Adhiar*. Under sub-clause (i) of Clause 5, the landlord is enabled to eject his *Adhiar* by the artifice of calling anybody his hired labourer or dependant, provided he can get anybody to play his game. Thus the object of giving protection and relief to the hard pressed *Adhiar* will be frustrated by these words in sub-clause (i) of clause 5 of the present Bill, unless, the words, "or by hired labourers or dependants" are deleted.

One has to remember the circumstances in which the landlord originally induced an *Adhiar* to cultivate his lands. Very possibly originally the land lay waste and fallow which by the constant labour and toil of the present *Adhiar* was brought under cultivation and made productive. As time passed, taking advantage of the poverty of the *Adhiar* and his own comparative affluence the landlord gradually raises his demands until the *Adhiar* is reduced to his present starvation return for his labours.

I hope, the hon. Members keeping all the above things of mine in mind will accept this Amendment.

The Hon'ble the SPEAKER: Amendment moved :

“That in the third and fourth lines of sub-clause (i) of clause 5, the words ‘or by hired labourers or dependants’ be deleted.”

Dr. EMRAN HUSAIN CHAUDHURY: Sir, I not only oppose the Amendment but make a dignified protest against it. It appears that my hon. Friend, Mr. Sarwan, has been moved by the helpless condition of the *Adhiars*. It is possible for rich owners with the help of hired labour and dependants to cultivate their paddy fields in order to deprive the *Adhiar* of the legitimate right to the use of the land. Might I remind my hon. Friend that according to 1931 Census, if I remember a right, there were 27 million widows in India, a figure which was more than the population of Spain. Many of the widows might have no children and the owners might be children. What will happen to those owners who happen to be old, disabled, who are widows and who might suffer from many other disabilities so far as their lands are concerned? These owners cannot be expected to cultivate the land themselves. Hence the retention of the words “or by hired labourers or dependants” is quite appropriate. I, therefore, want the whole clause which reads, “that the land is *bona fide* required by the landlord for cultivation either by himself or with the members of his family or by hired labourers or dependants” be retained. There is the question of minors and minors may be the owners of land and these minors cannot be expected to cultivate the land. So, I hope, my hon. Friend, Mr. Sarwan, will withdraw his amendment before he is asked by the Hon'ble Minister to withdraw it.

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, I am glad that on one point at any rate my Friend, Dr. Emran Husain Chaudhury, agrees with the views of the Government and asked the hon. Mover not to press his Motion. I can point out that the purpose of this is to cover the extreme cases of hardship that can be imagined. The Amendment proposed that the widow or minors or disabled land-lord cannot even utilise the services of the dependants for cultivating his own land for the maintenance of the family. I think this is not the idea at any rate of Mr. Sarwan. In extreme cases it should be permissible to utilise the services of these dependants for the purpose of cultivating land not only to earn a living for the landlord himself but also to maintain the widows, aged and disabled persons of his family. Instead of creating a large number of unemployment, it is desirable to have some lands cultivated through dependants and hired labourers for the purpose of earning living of the minors, widows, aged and disabled persons. For that purpose this provision is absolutely necessary and in view of that I request Mr. Sarwan not to press the Motion.

Mr. P. M. SARWAN: I beg leave of the House to withdraw my Motion.

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

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

Srijut BELIRAM DAS: Mr. Speaker, Sir, I beg to move:

“That in the first line of sub-clause (i) of clause 5, after the word ‘landlord’ the words ‘for residential or horticultural or piscicultural or poultry farming or,

dairy farming or similar other purposes or' be added".

Sir, this Amendment has been necessitated by the fact that in the body of the Bill it has been provided that the landlord can get back his land only for paddy cultivation and not for any other purposes. Even for residential purpose he cannot get back his land. It is well-known to Government that there has been scarcity of food in the Province, particularly meat, milk, fruits, etc. If any landlord wants to have these things grown in his land he should not be debarred from doing these. So, I commend my Motion for the acceptance of the House.

The Hon'ble the SPEAKER: Amendment moved:

"That in the first line of sub-clause (i) of clause 5, after the word 'landlord' the words 'for residential or horticultural or piscicultural or poultry farming or dairy farming or similar other purposes or' be added".

Maulavi MUHAMMAD ABUL KASHEM: Mr. Speaker, Sir, I rise to oppose the Amendment moved by my hon. Friend, Mr. Beliram Das. I would request the hon. Members of the House to hear my arguments in favour of opposing this Amendment. The difficulty is this. That the Bill is entitled as *Adhiars* Protection Bill. But I am at a loss to find how this Bill instead of giving some relief to the *Adhiars* is making the position of the *Adhiar* more hazardous. Here we have already done enough injustice to the *Adhiar* by enacting many clauses for evicting him from a land which he cultivates on *Adhi* system. Now, Sir, if these restrictions are there that for residential and similar other purposes and even for unlimited purposes land may be taken back from an *Adhiar* on a due notice of the Revenue Officer, there will be no relief at all to the *Adhiar*. If each and every landlord can think that he can take back a land from the *Adhiar* on the plea of starting horticulture or pisciculture, he can easily do so even by planting one or two trees in the land or by digging a pond or two there. He can have this land for an unlimited period.

The Hon'ble the SPEAKER: The word '*bona fide*' is there.

Maulavi MUHAMMAD ABUL KASHEM: An *Adhiar* being poor he will not be in a position to go at all times to the higher authorities for redress. Moreover, at the time of claiming back the land the landlord can build a house which may not be required for his purpose and which may cost only a small amount in comparison to the value of the land. He will not care to build that house just to have possession of the land for all the time. So long as the Bill is called *Adhiars* Protection Bill, I cannot support that this Amendment be incorporated in the Bill. I think every hon. Member of the House irrespective of his party affiliation will consider whether it would be just and proper to give such a latitude to the landlord. Our cultivators are already ill-fed and ill-clad. We should see that these poor cultivators are not thrown out from the land; this must be discouraged. With these words I oppose the Motion moved by my Friend, Mr. Beliram Das, and request all hon. Members to accept my views.

Dr. EMRAN HUSAIN CHAUDHURY: May I be permitted to fight tooth and nail against the proposed Amendment brought forward by one of the landlord Members of this House? The clause as proposed to be amended by the hon.

Mover of the Amendment stands thus : " A Revenue Officer may on application from a landlord, order an *adhiar* to cease to cultivate an *adhi* land after due notice as may be prescribed, and evict such *adhiar* in the manner prescribed, on one or more of the following grounds, namely:—(i) that the land is *bona fide* required by the landlord for residential or horticultural or piscicultural or poultry farming or dairy farming or similar other purposes or". While Mr. Sarwan came forward with another Amendment I spoke against it because I felt that the Amendment would have inflicted much hardship on certain unfortunate class of owners. But if this Amendment is accepted by the House, which I doubt very very much, the amended clause would go a great length in giving relief to landowners, Zemindars and landlords like my hon. Friend, Mr. Beliram Das and not to the *Adhiars*. (Mr. P. M. Sarwan : Hear ! Hear !) (Maulavi Md. Abul Kashem : Why not our Hon'ble Finance Minister ?) He is always for the poor people as we understand from his speeches. So I know the Hon'ble Finance Minister will be the first man in this House to oppose this Amendment as vehemently as we do on this side of the House and in that belief I have taken my stand. If this Amendment is accepted, the very purpose of the Bill will be defeated. When we want to give relief to the helpless *adhiars* who are under the present conditions finding themselves very helpless, how can we accept the Amendment ? I hope, Sir, this Amendment will be opposed by all right-thinking Members (and I know all here are right-thinking Members) and if pressed to a division it will be lost.

The Hon'ble the SPEAKER : Order, order. The time is up. Do the hon. Members like to proceed ? We have also got election to the Primary Education Board to-day, and that will take about half an hour.

The Hon'ble Srijut BISHNURAM MEDHI : We may continue for some time, Sir. If we continue for some time, the work can be finished by 12 tomorrow and many hon. Members may leave Shillong, if they like. Let us at least finish clause 5.

The Hon'ble the SPEAKER : No, there are many Amendments.

The Hon'ble Srijut BISHNURAM MEDHI : Let us at least dispose of this Amendment.

The Hon'ble the SPEAKER : All right.

The Hon'ble Srijut BISHNURAM MEDHI : Mr. Speaker, Sir, I am sorry I cannot accede to Dr. Husain's request. As I have already stated, Government stand both for poor tenants as well as for poor landlords, *viz.*, widows, minors, invalid and disabled persons. An *Adhiar* may be poor and he may not spend money for utilising the land fully. In that case the poor landlords may invest money for horticulture, pisciculture, poultry farming, etc., and get some return from the land. They should certainly be afforded this opportunity. Then, Sir, as regards residential purposes, there may be cases where the landlord's house is burnt down or is destroyed and the land damaged due to some extraordinary happenings or he is ejected from waste land, it is not fair in such cases to deny him his own land for residential purposes. Of course care will be taken to see that the purpose is a *bona fide* one, and if necessary, an enquiry to that effect may be made. I am therefore prepared to accept this Amendment. The sub-clause as amended will read like this : " that the land is *bona fide* required by the landlord for residential or horticultural or piscicultural or poultry farming or dairy farming or similar other purposes or for cultivation, etc., etc."

The Hon'ble the SPEAKER: The question is:

“That in the first line of sub-clause (i) of clause 5, and after the word ‘landlord’ the words ‘for residential or horticultural or piscicultural or poultry farming or dairy farming or similar other purposes or’ be added.”

The question was adopted.

Election of Members to the Assam Primary Education Board

The Hon'ble the SPEAKER: Now the election of Members to the Assam Primary Education Board may begin.

(At this stage the voting began.)

The Hon'ble the SPEAKER: It appears that one hon. Member is absolutely illiterate. He cannot put down even the figures. Some assistance is necessary. I will request the Secretary to ask him secretly and put down the figures.

(Voting proceeded.)

The Hon'ble the SPEAKER: Now I take it that all the hon. Members have cast their votes.

Adjournment

The Assembly was then adjourned till 10 A.M. on Saturday, the 3rd April, 1948.

SHILLONG:
The 14th June, 1948.

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

