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**Proceedings of The Tenth Session of the Assam
Legislative Assembly assembled after the
Fourth General Elections under the Sovereign
Democratic Republican Constitution
of India**

**The Assembly met in the Assembly Chamber, Shillong,
at 10 A.M. on Tuesday the 10th November 1970.**

P R E S E N T

**Shri Mohi Kanta Das, M. A., B. L., Speaker, in the Chair,
Fifteen Ministers, Eight Ministers of State, three Deputy
Ministers and Seventy Six Members.**

STARRED

QUESTIONS AND ANSWERS

(To which oral answers were given)

Re : Repairing of Staff Quarters of Norselise Blocks

শ্রী ভদ্রেস্বৰ গগৈয়ে সুখিছে :

* ৪। মাননীয় পঞ্চায়ত বিভাগৰ মন্ত্রী মহোদয়ে অনুগ্রহ কৰি জনাব নে—

ক) নৰসেলাইছ ব্লকৰ চৰকাৰী কৰ্মচাৰীবিলাকৰ থকা ঘৰবোৰ, অফিছ, গ্রামসেৱকৰ কোৱাৰ্টাৰবোৰ প্ৰয়োজনীয় মেৰামতিৰ অভাৱত নষ্ট হোৱাৰ কাৰণে এই কৰ্মচাৰীবিলাকৰ থকা-খোৱাৰ অসুবিধা হোৱাৰ কথা চৰকাৰে জানে নে ?

(খ) যদি জানে, এই ব্লকবিলাকৰ ঘৰবোৰ সাজিবৰ বাবে চৰকাৰে কি ব্যৱস্থা কৰিছে ?

ৰাজ্যিক পঞ্চায়ত মন্ত্রী শ্রী দেবেন্দ্ৰ নাথ হাজৰীকাই উত্তৰ দিছে :

৪। (ক)—হয়, জানো ।

(খ) - প্ৰয়োজনীয় মেৰামতিৰ বাবে ব্যৱস্থা লোৱাৰ চেষ্টা কৰা হৈছে ।

Shri Bhadraswar Gogoi : এই ঘৰ বিলাক মেৰামতিৰ কাৰণে এই বছৰ কিমান টকা মঞ্জুৰ কৰা হৈছে ?

Shri Devendra Nath Hazarika : এই বছৰ ২ লাখ ৭৫ হাজাৰ মঞ্জুৰ কৰা হৈছে আৰু ইতিমধ্যে বিতৰণও কৰা হৈছে ।

Shri Bhadra Kanta Gogoi : ঘৰ বিলাকৰ অৱস্থা ভাল নহয়। ইমান কম টকাৰে কেনেকৈ মেৰামতি সম্ভৱ পৰা হয় ?

Shri Devendra Nath Hazarika : ঘৰ বিলাকৰ অৱস্থা ভাল নহব। সঁচা। যোৱা ছবছৰ মানৰ পৰা Block বিলাকৰ পৰা Estimate আহিয়ে আছে কিন্তু টকা কম কাৰণে সেই অনুক্ৰমে টকা দিব পৰা হোৱা নাই। গড় হিচাবে হৈ ভাগ মানহে দিব পৰা হৈছে। আমি বিত্ত বিভাগক টকাৰ কথা কৈছো। কিন্তু দিব পৰা নাই।

Shri Soneswar Bora : কিমান ব্লক এতিয়ালৈকে normalise হৈছে ?

Shri Devendra Nath Hazarika : এই সংখ্যাটো এতিয়াই দিয়া টান, সবহ ভাগেই normalise হৈছে।

Shri Soneswar Bora : সংখ্যাটো নাজানেই যদি কিহৰ ভিত্তিত বাজেট কৰিলে ?

Shri Devendra Nath Hazarika : ৮৩ টা ব্লকক মঞ্জুৰী দিয়া হৈছে কোনোবা Normalised Block মঞ্জুৰী দিয়াৰ বাদ পৰিব পাৰে। সেইবাবে সঠিক খবৰ এতিয়াই দিব পৰা টান হব।

Shri Atul Chandra Goswami : ব্লক বিলাকৰ কিছুমান ঘৰ এনেই পৰি আছে। বহুতত মানুহেই নাথাকে। অফিচাৰও কমি গৈছে। ঘৰ বিলাক এনেই পৰি থকাটো মন্ত্ৰী মহোদয়ে জানেনে ?

Shri Devendra Nath Hazarika : দুই এঠাইত তেনে নোহোৱা নহয়। ব্লক বিলাক Stage I হৈ থাকোতে কৰ্মচাৰীৰ সংখ্যা কিছু বেচি থাকে তেতিয়া হয়টো দুই এঠাইত ঘৰ বিলাক বেছিকৈ কৰা হৈছিল। Stage II ত Normalised হলে কিছু Staff কমি যাব পাৰে। কিন্তু সকলো ঠাইতে তেনে হোৱা নাই। দুই এঠাইত হয়তো কোনো কোনো কৰ্মচাৰী নিজৰ ঘৰৰ পৰা অহা যোৱা কৰিবও পাৰে।

Shri Bhadreswar Gogoi : প্রত্যেক ব্লকৰ কাৰণে কিমান হাজাৰকৈ টকা খৰা হৈছে ?

Shri Devendra Nath Hazarika : কাক কাক দিয়া হৈছে তাৰ এখন তালিকা মোৰ হাতত আছে । মঞ্জুৰীৰ পৰিমাণ সকলো Block ত সমান নহয় । উদাহৰণ স্বৰূপে জয়পুৰ ব্লকত ২৫০০,০০ দিয়া হৈছে । ১ হাজাৰ গ্ৰাম সেৱক Quarter repaining কাৰণে আৰু বাকী থিনি অন্য ঘৰ বিলাক repair ৰ কাৰণে ।

Shri Jalaluddin Ahmed : গোটেই অসমৰ ভিতৰত কিমান গ্ৰামসেৱক Quarter আছে আৰু কিমান হবলৈ বাকী আছে ?

Shri Devendra Nath Hazarika : এইটো বেলেগ প্ৰশ্ন, Note: দিব লাগিব ।

Shri Bhadreswar Gogoi : প্রত্যেক ব্লকতে, অফিচ ঘৰ, Godown, কৰ্মচাৰী থকা ঘৰ আদিকে ধৰি কিমান Quarter হৈ আছে ?

Shri Devendra Nath Hazarika : Quarterৰ সংখ্যা সকলো Block তে সমান নহয় । সেইবাবে এটা নিৰ্দিষ্ট সংখ্যা কোৱা টান । কৰ্মচাৰী অনুপাতে Quarter সজা হয় । কিন্তু আৱশ্যক অনুপাতে টকা কম হোৱা কাৰণে কিছুমানত Quarter কৰিব পৰা নাই । আনহাতে বস্তু পাতিব দাম বঢ়াৰ কাৰণে আৰু টকাৰ পৰিমাণ নবঢ়াৰ কাৰণে ঘৰবাৰীৰ সংখ্যাও কমি গৈছে নাইবা সৰু হৈছে ।

Shri Kamini Mohan Sarma : বহুতো ঠাইত ঘৰৰ ব্যৱস্থা নথকাত কম দৰম্মহা পোৱা কৰ্মচাৰী সকলে ভাৰাঘৰত থাকিবলগীয়া হৈছে । এই কৰ্মচাৰী সকলৰ দায়ীত্ব চৰকাৰৰ । ঘৰৰ ব্যৱস্থা নকৰিলে এওঁলোকৰ ঘৰ ভাড়া দিয়াৰ বন্দবস্ত কৰিবনে ?

Shri Devendra Nath Hazarika : উন্নয়ন খণ্ডৰ কৰ্মচাৰীসকলক ঘৰ

ভাড়া দিয়াৰ ব্যৱস্থা নাই। ঘৰৰ ব্যৱস্থা নথকা ঠাইত কৰ্মগৰীসকল ভাড়া ঘৰত থাকিব লগীয়া হোৱাতো সঁচা।

Shri Bhadreswar Gogoi : আমি জনাত কিছুমান ব্লকত ৩০।৪০ টালৈ Quarter আছে। এই বিলাক মেৰামতিৰ কাৰণে মাত্ৰ ১/২ হাজাৰ টকা দিয়ে ফলত কামো নহয় ঘৰ বিলাকো ধ্বংস হৈ গৈছে। চৰকাৰে এই ঘৰবিলাকৰ সম্পূৰ্ণ মেৰামতিৰ ব্যৱস্থা লবনে ?

Shri Devendra Nath Hazarika : মাননীয় সদস্যই উল্লেখ কৰা কথাটি সত্য। কিন্তু ঘৰ অনুপাতে টকাৰ পৰিমাণ কম। আমি বিত্ত বিভাগক ধৰিছো কিন্তু বিত্ত বিভাগে দিব পৰা নাই। উদাহৰণ স্বৰূপে ৬৯/৭০ চনত ৫ লাখ ১৮ হাজাৰ বিছাৰিছিলো কিন্তু বিত্তবিভাগে দিব নোৱাৰিলে। তাৰ পিচত Supplementary বাজেট কৰি বিচৰা হ'ল। তাকো মঞ্জুৰ নকৰিলে। মাত্ৰ ঘোঁৰা চলিত বছৰত ২ লাখ ৭৫ হাজাৰ টকা দিছে। ই তেনেই সামান্য। কিস্তিত কৈ দিয়া হৈছে বক্ষিত নকৰি অৰ্থাৎ প্ৰয়োজনৰ ঠৈ ভাগ মাত্ৰহে দিব পৰা হৈছে।

Shri Pitsing Konwar : নগাওঁৰ মায়াং ব্লকত Blacksmithy, Carpentry আদিৰ প্ৰশিক্ষণ আৰু উৎপাদনৰ বাবে কিছুমান ঘৰ সাজিছিল। এতিয়া সেই প্ৰজেক্ট বোৰ বন্ধ কৰাত সা সজুলিবোৰ আনি Auction বিক্ৰি কৰিলে। এনেই সেই পৰি থকা ঘৰ বোৰ ওচৰতে থকা হাইস্কুলৰ ছাত্ৰাধাসৰ বাবে চৰকাৰে দিয়া কথাটো সঁচানে ?

Shri Devendra Nath Hazarika : Notice দিলেহে কৰ পৰা হব।

Shri Kabir Chandra Ray Pradhani : আগতে সজোৱা বহুতো গ্ৰামসেৱক Quarter ত বন্ধা আৰু Latrine ৰ কোনো ব্যৱস্থা নথকা কথাটো সত্য নেকি ?

Shri Devendra Nath Hazarika : ৫২ চনৰ পাচত আৰু ৬২চনৰ আগতে

সজা গ্রামসেৱক Quarter বিলাকত পাকঘৰ Latrine ৰ ব্যৱস্থা কৰা হৈছিল। ৬২ চনৰ পাচতো যেতিয়া বস্তু পাতিৰ দাম বাঢ়িল তেতিয়া Quarter সাজিবলৈ দিয়া ৫ হাজাৰ টকা একে থাকিল সেই সময়ত কোনো কোনো ঠাইত পাকঘৰ, Latrine নহ'ও পাৰে। তেনে ঠাইত Latrine নাইবা পাকঘৰ অস্থায়ীভাৱে ব্যৱস্থা কৰি ল'ব লগীয়া হৈছে।

Re : Conveyance arrangement between Silchar Town and Medical College

Shri Rothindra Nath Sen asked :

*5. Will the Minister-in-charge of Health be pleased to state, what about the conveyance arrangement in between Silchar Town and the Medical College ?

Shri Chatra Sing Teron (Minister, Health) replied :

5.—A Bus has since been placed.

Re : Special officer of Silchar Medical College

Shri Rothindra Nath Sen asked :

*6. Will the Minister-in charge of Health be pleased to state, why the Special Officer has not been given the authority as the Principal of the Silchar Medical College ?

Shri Chatrasing Teron (Minister, Health) replied ;

6.—Special Officer, Silchar Medical College is authorised with all powers of a Principal of a Medical College. The matter of designating him as Principal is, however under consideration of Government.

Re : Governing Body of Silchar Medical College

Shri Rothindra Nath Sen asked :

*7. Will the Minister-in-charge of Health be pleased to state, what about the formation of a Governing Body for the Silchar Medical College ?

Shri Chatrasing Teron (Minister, Health) replied :

7.—The matter is still under consideration of Government.

Shri Chatrasing Teron : Sir, it will be better if I reply to starred questions No. 5,6 and 7 together, as they relate to the same subject.

Shri Rothindra Nath Sen : I have no objection.

Shri Chatrasing Teron replied :

5. A bus has since been placed.

6. Special officer' Silchar Medical College is authorised with all powers of Principal of a Medical College. The question of upgrading

the post of the Special officer to that of the Principal is under consideration of the Government.

7. This has not yet been done. The matter is still under consideration of Government."

Shri Rothindra Nath Sen : Re: question 5, the Hon'ble Minister stated that a bus has already been placed for carrying students from Silchar town to the medical college. May I know whether this is a new bus or an old abandoned bus which was plying in Gauhati ?

Shri Chatrasing Teron : That information is not readily available with me, but as far as I know a new bus was bought and it was meant for the Silchar Medical College.

Shri Rothindra Nath Sen : Will the Hon'ble Minister make an enquiry to ascertain whether it is a new bus or an old, abandoned bus which is plying there ?

Shri Chatrasing Teron : It is a new bus, as far as I know.

Shri Rothindra Nath Sen : Regarding No. 6, the Hon'ble Minister has stated that the Special Officer, Shri Rudra Goswami, has been empowered with all the powers of Principal. But why that person is

still designated as a Special Officer in a college which is functioning for 3 years? Does not the Minister consider that to make the administrative head of this college effective and purposeful, he should be given the status of a Principal?

Shri Chatrasing Teron ; As I have already replied, Sir, this matter of upgrading the post of the Special Officer to that of a Principal is very much under the consideration of the Government.

Shri Rothindra Nath Sen : In spite of taking a lot of time for consideration, in view of the fact that the third year course will commence in the coming year, this college has not been provided with a Principal but left in charge of a Special Officer should not the Govt take steps to appoint him as Principal? Excuse me for making a short statement, Sir it has been said that this gentleman is aged 62. That is none of my concern, it is the concern of the Government. But since the Government are not finding any other suitable person for appointment as Principal and since this gentleman has been in charge of the college since its inception and we find him very much effective, industrious and purposeful and also in very good health, although overaged, why he is not given that honour so that he may look after all sorts of activities of the Silchar Medical College?

Shrs Chatrasing Teron : The suggestion of the hon. member regarding designating the present Special Officer as Principal will be considered when this question is finalised. As far as his age is concerned, I think he is not 62, he has just crossed 60.

Shri Rothindra Nath Sen : Regarding No. 7, the hon'ble Minister stated that the formation of the Governing Body of the Silchar Medical College has not yet been made. How can this college function satisfactorily ? Sir, it is 3 years that the college has been started and it is a very important institution not only for the district of Cachar, but for the entire zone, say for the whole State. So, why there should not be a Governing Body consisting of eminent persons from the district, so that the college may have the benefit of their wise counsel and guidance for the well-being of the institution ?

Shri Chatra sing Teron : I think, Sir, we are very much to be blamed for the delay in the formation of the Governing Body. It will be done very soon.

Shri Rothindra Nath Sen : Since this Ministry is old wine in a new bottle, may we expect that the Hon'ble Minister will forthwith form the Governing Body so that this particulr institution functionis properly ?

Shri Chatrosing Teron : It is always our anxiety that

proper improvement and functioning of the institution is achieved. That is very much our objective.

Shri A. N. Akram Hussain : আমাৰ মাননীয় মন্ত্ৰী ডাঙৰীয়াই কৈছে যে, শিলচৰ মেডিকেল কলেজৰ বাবে এখন গাড়ী দিয়া হৈছে। কিন্তু আমি জনাত শিলচৰ মেডিকেল কলেজৰ গাড়ীখন কাচাৰ District ত সোমোৱাই নাই। গুৱাহাটীতে অফিচাৰৰ Picnic site seeing আদি কামত ব্যৱহাৰ কৰা হৈছে। এই কথা মন্ত্ৰী মহোদয়ে জানেনে?

*Shri Chatrasing Teron : সেই বাচ শিলচৰ গৈ পালে? আৰু ব্যৱহাৰ কৰা হৈছে।

*Shri A. N. Akram Hussain : কেতিয়া গৈ পালে, আৰু সেই বাচ গুৱাহাটী পোৱাৰ কিমান দিনৰ পাছত গৈ পালে?

*Shri Chatra sing Teron : মোৰ মনত নাই।

Shri A. N. Akram Hussain : বাচ খন কিমান দিন গুৱাহাটীত থাকি শিলচৰ পালে সেই কথা লাগে।

Re : News about grant of full statehood to Meghalaya

*Shri Dulal Chandra Barua - Mr. Speaker, Sir, with your permission I want to raise a very important and grave question concerning the integrity and solidarity of our State. It has been reported today in the Radio that the Government of India has finally

decided to concede full-fledged statehood to Meghalaya and the Prime Minister is going to make a statement at 5 0' Clock this evening to this effect. I want to know the reaction of our Government to this development. I don't know what makes the Government of India hurry into such a serious decision. I also want to know whether the Government of Assam was taken into confidence before taking such a decision. If not, it is a great insult to the Congress leadership of Assam. Of course, we are not very much concerned if it were only a question of insult to the Congress Leadership. We know that under the leadership of the Congress we had to divide in this way. But the people of the State are vitally concerned. Therefore, I want to know what is the reaction of the Government of Assam and whether it was consulted by the Government of India before the latter took this decision.

*Shri Mahendra Mohan Chaudhury: Sir, I do not know whether a final decision has been taken in this behalf, but there has been correspondence between the Government of India and the Government of Assam. The correspondence continues and I think in the public interest we should not anticipate anything. The Government of Assam has been consulted and is being consulted and the Govern-

ment of Assam will surely decide what action should be taken in this matter.

*M. Moinul Haque Chaudhury : Mr. Speaker, Sir, I am not satisfied with the answer given by the Chief Minister. I myself was associated from the very beginning with the various stages of the reorganisation and I opposed systematically the parcelling of Assam. I made it absolutely clear to Mr. Chaliha, the then Chief Minister of Assam, as well as to the Government of India that if a separate Meghalaya State was created Cachar would have ultimately no link with the rest of Assam and, therefore, there would be no justification for not conceding a separate State for the district of Cachar. I would, therefore, like to know from the Chief Minister whether they have highlighted these difficulties of the people of Cachar and the Mizo Hills.

If Meghalaya state is fully conceded to, there would be no other alternative but to concede a State to the Mizos as well as to the people of Cachar. I can re-iterate and say here and let the Chief Minister convey it to the Govt. of India that in case Meghalaya is separated, if Tripura is given a state and if Manipur is given a Statehood, I will retrace all my previous steps and

fight for a separate State for the Cachar district.

*Shri Biswanath Upadhyay : I support the view of Shri Moinul Haque Choudhury.

Shri Gaurishankar Bhattacharjya : I also submit that after we heard the Chief Minister yesterday, it struck us that so far as this Government is concerned, probably the Govt. of Assam was not keen in conceding or in advocating a separate State for Meghalaya. The Government of Assam, if I understood the statement of the Chief Minister correctly yesterday, was keen to see that the new experiment which all the parties existing in India had hailed unequivocally in the Parliament and which all the members of this House had hailed here unequivocally, that ought to be given a trial. But if the autocrats think that they can make some decision today and change it into another tomorrow, then probably, the entire situation shall have to be reviewed. I fully agree with Shri Moinul Haque Choudhury that if a Statehood is granted to the two districts of Garo Hills and United K&J Hills, there can be no other earthly reason why Mizo Hills should be with Assam and this should be conveyed to the Government of India that in the interest of the Mizo people and in the interest of the rest of Assam, it would be better if Mizoram is taken away from Assam. So far as

Cachar is concerned, I fully realise that probably the opinion in Cachar is divided in this respect. Shri Moinul Haque Choudhury is not correct. He is entirely wrong when he says that Cachar will cut off from Assam; Cachar is not cut off because the Mikir and N.C. Hills have remained in Assam. So geographically and factually it is not correct that Cachar is cut off from Assam. But one thing is correct that the Cachar people also will naturally feel that they also deserve autonomy and therefore probably some sort of arrangement which is being taken in respect of Telengana shall have to be made in Assam so that the Cachar people may not be feeling unnecessarily and wrongly tagged to Assam. While everyone of us desire that the Medical College in Cachar should develop. Some gentlemen from Cachar they are saying Silchar vs Gauhati. It is not the question of Silchar vs. Gauhati Silchar should develop, Gauhati should be developed and Mangaldoi should develop and all the areas should be developed. We cannot allow here in this region which is the vital region of India division and divisive forces. Therefore the Government of Assam, if it is in correspondence with the Government of India should make all these matters very clear to the Govt. of India that this piece-meal affairs will not do; if they want really to settle the political situation in this part of the country they should take the whole matter as

a whole and they should come to concrete decision which may be lasting and long-term decision. This I think the Government of Assam should bear in mind and they should convey this feeling of ours to the Govt. of India.

*Shri Phani Bora : Mr. Speaker, Sir this is really a very vital matter and since the Chief Minister has stated they are in correspondence with the Govt. of India, naturally this is the moment when we also should try to help the Govt. of Assam and we should express the feeling of the people of this region to the Government of India. Sir, I do not see this problem from the point of view of other Hon. Members who have looked into this problem. It is not the question to be decided on the basis of what will happen to this region. If this region is given Statehood on the merit of this place and on the merit of this area, thing has got to be decided, on its own case. Whether Statehood will have to be decided, this will have to be decided on the merit of the question. I want to adopt this approach. That is the independent approach. It should not be tagged with other question and thereby jumble up everything. Now, for example, if the question of Chchar is to be considered it should be considered on the basis of its own merit. If from the

consideration of the merit of the question of Cachar or Mizo Hills we come to the conclusion that they should be granted Statehood or autonomy, let them have it. But why then Cachar is put against Meghalaya and why Mizo Hills is put against Meghalaya. Why this kind of things thereby creating ill feeling among our people. I, for myself, want to say that all this question should be independently considered and considered on the merit of its own. There were many people who were opposed to giving any autonomy to the tribal people at the very beginning but later on they agreed to autonomy and still later on they agreed to autonomous State and now again they will agree to a Statehood. Why like this piecemeal thing. Why not an integrated approach. I would advise the Govt. of Assam not to look into this problem from the point of view of technicalities as to whether we were consulted first or we consulted first. We should consider the question on the basis of merit. Can we not give a solution to this problem. All the leaders of this region- why they donot sitdown together and find out an integrated solution to the problem? Why they leave the matter to be decided by Delhi. Why not we decide; we should have that approach to decide; we should have that sort of vision to decide things of our own. Why not all the

leaders sit together and find out a solution and ask the Government of Assam and the Government that this is our solution and also ask-either accept it or reject it. Sir, this is a very complicated region and all kinds of people live in this region. Therefore, what I am afraid is first and foremost some ill-feeling is again created among people and I want to avoid it. I do not mind if Meghalaya State is created. Many people talked that if Autonomous State within the State of Assam is created that will be an ideal solution. I also agreed and said, well let us try. Now if the situation has come to this, it is not because of Delhi that the Meghalaya State is going to be created, it is because of the people themselves. It is a fact that the Meghalaya Assembly passed anonymous resolution on this. If we pass a unanimous resolution and thereby claim that this is the voice of Assam then it must be listened to by the Govt. of India. Should we not respect the unanimous voice of the Meghalaya Assembly. If we respect ourselves we should also learn to respect others.

Mr. Speaker : It is a very complicated affairs. The Question was asked by Mr. Barua whether the Hon'ble Chief Minister has received any such communication from the Govt. of India regarding granting of a full fledged State of Meghalaya. The discussion is controversial. The Hon'ble Chief Minister has

made an immediate statement that upto now he has not formally received any communication from the Govt. of India.

* Shri Mahendra Mohan Choudhury (Chief Minister) : I said, Sir, that the Govt. of Assam and the Govt. of India are in correspondence on this matter. No final decision has yet been communicated to us. Now the discussion is started on some anticipation or presumption. About the news also we do not know anything. I have not heard when the matter is coming up but I can assure the House, whatever we do we shall do it in consultation with the Opposition.

* Shri Hiralal Patwary : May I know from the Hon'ble Chief Minister whether there is any move for formation of Uttar Khanda comprising a part of Goalpara District and North Bengal ?

* Shri Dulal Chandra Barua : Sir, this is a good suggestion that has been put forward by the Chief Minister. Our question is about the news heard over the radio this morning today that the Prime Minister is going to make her statement regarding granting of a full State to Meghalaya. Only yesterday the new Chief Minister has made a policy statement let us give a trial on this issue. We have nothing

to say if the Hill State is created. The Govt. of India could not wait at least for a few months to take a decision on this issue. I am not so much concerned whether the district of Cachar will go for an independent movement. The Hon'ble Member Shri Moinul Haque Choudhury who was also the Cabinet Minister previously it is due to their fault that we are suffering now. We do not like to hear any vocal thing: Therefore it is we Sir, who are just creating division it is not the common people. I think the Hon'ble Chief Minister be pleased enough to take all of us in the confidence on this issue for certain discussion with us so that we can express our feeling after the Prime Minister can make a statement in the Lok Sabha today.

Mi. Moinul Haque Choudhury, : I need a personal explanation after the three speeches from the 3 gentlemen from the opposition. Sir, my point is this all through despite a very strong demand in the District of Cachar for a separate State I opposed it because I believed in unity. When the question of the re-organisation of Assam came I myself lent all my support for unity and I opposed separation of Cachar with the hope that if the Meghalaya autonomous State was created within the State of Assam then at least the over all unity would be there. There is no doubt about the fact that the people of Cachar would not demand a separate state merely because of creation of Meghalaya State. They are or I am not against anybody's demand, They have been demanding a separate state for their

long felt grievances. This demand will get a fillip and will become irresistible if Tripura, Manipur and Meghalaya are made states. They are almost geographically isolated even after 20 years of independence. Their medical college is where it had been; there is no progress in their Engineering College which was proposed to be established 7 years back not a single brick has been put. Their Barrack Project has also been kept in the cold storage. Just now here is a telegram in my hand which says that the people of Cachar would start Satyagraha Movement for redressing their grievances.

Therefore they made the demand for separation (interruption) Mr Barua does not have the monopoly of the House. I was telling that the Chief Minister that he should convey these feelings to the Govt of India; that the people of Cachar lent support for the unity only with the hope that Assam would remain united. If a separate State is created for Meghalaya then the demand for creation of separate States in this region is irresistible. We will have to consider this as well. This was what I was telling the House. I personally as I said worked for the unity of Assam and even now I want it. But then because of the situation sought to be created I will probably have to retrace my previous step and ask for separation. This was only thing what I had said. Now if anybody speaks with an eye to the gallery I cannot help it.

Mr Speaker : I have closed this.

*Shri Hiralal Patwary - Sir, you did not listen to me rather you have allowed other Members to speak. I wanted to speak about the feelings of the people. This Govt. has not right to cap up our bodies. They have to consider the feelings of

*Speech not corrected

the plains people also. Not only the people of Cachar, Mizo Hills or the Meghalaya they have to consider the feelings of Aohm, Kamatha-pur, Mangalains, Rajbongshies. Sir, we are trying to associate with the Govt. I want to know Sir, whether Govt. has got any information about the formation of uttar khanda including Goalpara and North Bengal. Sir, this morning I have read a letter in the "Basumati" which states about formation of Uttar Khanda comprising Goalpara District and Jalpaiguri. So this Govt. have to take information of the press.

Mr. Speaker : Mr. Patwary, it is not correct to say that I gave chance to speak to other. First I asked Mr. Barua to speak. Therefore Mr. Barua got the precedence.

Shri Debeswar Sarma : Mr. Speaker, Sir, please, I want the House to believe me when I say that with the deepest sadness in my heart that I am listening what has been stated from the different sides this morning. Sir, I believe, I did not listen into the radio this morning, that the Chief Minister might have I do not know, this is my guess got this information from Delhi after he made the policy statement yesterday in this House because I cannot presume that he is so tactless as to make that statement with that message from Delhi in his pocket.

Sir, we are at the cross road of history. When the Meghalaya question was discussed in Delhi and Members from different groups of this House went to Delhi, in that connection, I also happened to go to Delhi. I think with Shri Prafulla Barua I went to Mr. Dinesh Singh who was then the Minister for external affairs and when we said that it would be an unwise policy to Balkanise the North eastern region, he flatly stated 'what is the harm if there are one thousand States in India?' I just said, I do not know what is the harm or what is the good, but that is a theory which we cannot comprehend. Mr. Speaker, Sir, permit me to say - I hope I am not disclosing a secret - that on that fateful day of 20th November when Bombila fell and the late lamented Lal Bahadur Sastri and Shrimati Indira Gandhi came to Assam, some of us elderly people who were sitting in the Gauhati Circuit House were thinking in despair what was going to happen to the North-Eastern region and what is the attitude of Govt of India towards this part of the country. Now we are in a difficult position and all that has been said or most of what has been said from different quarters, to my mind, has been said out of phylosophy of despair and frustration. Sir, Assam has passed through many calamities in the past but through our united effort we have crossed over these, willy nilly. Now I only appeal to the Chief Minister to take into confidence at appropriate time this House and before that I hope and trust

that he will discuss this matter with the party leaders. Let us not do things out of anger and frustration; Let us put our heads together as we did in the past and decide the matter. In the past we passed an unanimous resolution but that resolution did not come into effect. Why it did not come into effect? Because at that time the Prime Minister made some announcements and our Chief Minister and the then President of the Assam Pradesh Congress indirectly committed to it. They said, when we questioned them, that they did not accept it or

reject it. Till to-day I do not know what that statement means. If the Chief Minister and the President of the ruling party, I mean Congress Party, say that they did not accept it or reject it, what does that signify? I do not know. Sir, we are in a very difficult time and I suggest that we should break up now and different parties go and discuss this matter, because this is more important than any other business in the agenda to-day. What is more calamitous is that Assam is going to be hustled, as somebody said, by 5 O' clock to-day. I submit, Sir, Assam cannot be hustled. Assam must stand up on her legs. Delhi is not favourably impressed with Assam at any time. This House passed a resolution for a Second Refinery but what is the effect of it? Our crude oil is taken to Barouni by pipe and we do not get sales tax on it. Assam produces crude oil and petrol, but we pay

the highest price for petrolium in India. I am not speaking about a few Ambassador owners but I am speaking about the masses who pay higher price for necessities of life because Transport is expensive. Sir, this matter has been agitated from 1952-53 and on one occasion in the Lok sabha the late lamented Suren Buragohain, Deputy Minister to make a Statement, Shri Swaran Singh the Minister holding the portfolio made him sit down and gave a fictitious Gulf parity theory. Delhi is still unfavourable towards Assam. The Chief Minister and other Ministers may go to Delhi in their knees but Shrimati Gandhi will not be satisfied. Therefore, I suggest, let us be prepared to die on our legs rather than live on our knees. I suggest that let us break up and discuss this matter and let the Chief Minister send a wire, or by any other means a message to Delhi that this cannot be decided within 5'0 clock to-day and let us have time to discuss the matter. Sir, Meghalaya has been created and we wish them well, and if they want a separate State they may have it. I do not think that if we oppose, Delhi will listen to us. But let us sit together and let us not decide out of frustration and anger.

Sir, mention has been made about Silchar Medical College. Sir, during last seven years not a bamboo post has been fixed for the Science

College at Jorhat. But for that has Sibsagar district asked for separation? I submit that this separatist tendency is injurious. Thank you, Sir.

*Shri Gaurisankar Bhattacharjya: Mr. Speaker, Sir, there is a very serious situation outside this House. Hundreds of workers coming from Chandrapur, Gauhati are squatting outside and man women and Children are staging a hunger-strike. Why? Because the Jantias who started the Associated Industries there at Chandrapur with Government patronage and Government financial assistance to the tune of over Rs. 23 lakhs have closed down the principal section of their industry namely, the textile unit, and as a result of that 530 workers—all local workers—are now out of work and 530 Assamese families by Assamese I mean the inhabitants of Assam are faring starvation to-day. This is a matter of great public importance and it is very recent and very urgent. I do not know whether this House is aware of the consequences that may follow. These workers are very peaceloving and peaceful and they have not created any riot or a fray and have not made a great agitation because being the people of Assam, there are, by nature, docile and therefore people have not heard much about it. But all the same, the sufferings might be silent and they are sarene now. Now, we want that the Government should step into the matter effectively.

I understand that the Govt. is represented in the Board of Directors also. But unfortunately, these officers who represent the Government in that Board of Directors, are more concerned with the Luncheon and dinner parties thrown by the

*Speech not corrected

Jatias than looking into the affairs of the business, otherwise the Jatias who have all along been pressing the Government for more money could not have said that they are facing bankruptcy and at the same time they are purchasing new mills in Bihar. They are, now, I understand demanding more money from the Government, ostensibly to keep the industry running and in reality to switch back the money in their industries in other part of the country. What will happen to these families? If the Government does not effectively step in and if the Government does not take over the mill either by itself or through a liquidator going to the Court? I do not know what the Government will propose to do. But this is a matter of serious nature, of very urgent public importance and of very recent origin. Therefore, I think this is an appropriate matter for discussing of which other business of the House may be stayed. I do not want to go into details. I think, the Government party will agree that all the conditions that are necessary for an adjournment motion are fulfilled in this matter and in your wisdom you may be pleased to allow the motion to be discussed.

(Voice : what is the concern ?)

This is Associated Industries of which lion share is held by Jatias and the Government has got a share to the extent of 23 lakhs. Therefore, I think the Government is primarily responsible for this matter.

* Shri Dulal Chandra Barua : Mr. Speaker, Sir, in addition to what has been said by our Leader I want

*Speech not corrected

to make few submissions. This matter has fulfilled all the conditions under Rule 56. It is of recent origin and a grave matter of public importance ; it has taken place only at 8 a.m. to-day in front of the Assembly House. More so, it is extraordinary in nature that is under grave and serious circumstances the workers had to come here and resort to hunger strike just to focus their grievances which were placed before us times without number. But the Government has failed to redress the grievances instead of assurances given to them.

* Shri Biswadev Sarma : Sir, in case of an adjournment motion the usual practice is, first of all they are to establish the admissibility of the motion.

* Shri Dulal Chandra Barua : I am going to show this is extraordinary in nature. The Association of workers have exhausted all the avenues. They approached the Government, they approached me and I personally went to all Ministers to focus their grievances. But Government did not pay any heed to this. Notices were served to the workers and they lost their job on 8th of this month. As the Government did not take any interest in the matter the workers have been compelled to resort to hunger strike before the House to-day. Therefore, it has fulfilled the conditions of Rule 56. It is extraordinary in nature because it concerns

the livelihood of more than 500 families and their dependents. Therefore, it is a matter of grave public importance. This is free from the restrictions laid down under Rule 57. Only one matter has been placed for such motion and we have made one motion. We have not discussed this motion earlier. This is not in the agenda paper. We are not anticipating anything. It is not under adjudication in any Court of Law and this motion will not raise any question of privilege as it is not primarily a concern of the Government of the State, but it is the failure of the Government for which the management is going in such away. Government is having a share in it but till today they have not been able to take effective steps to safeguard the interest of the employees. The management, at the cost of the employees wanted to exploit the Government and at this stage they also exploiting the employees. By considering all these aspects repeated appeals were made from different corners and I went to the present Chief Minister and almost to all other Ministers for taking a decision in the last Cabinet meeting. But nothing has been done. Therefore, it is a clear failure on the part of the Government. These employees have resorted to hunger strike when the Assembly is in session. I consider we should intervene in the matter and come to a solution so that these people who have been working in this esta-

blishment of which the Government has hand we can come to certain solution. Therefore, I submit that it has fulfilled all the conditions of Rule 56 and it is free from the restrictions of Rule 57 and we may be allowed to discuss this matter through an adjournment motion for the protection of life of the poor employees and their dependents.

*Shri Biswadev Sarmah : Industries. Minister Sir, I would like to make a statement before the House but I would also like to point out that the Adjournment Motion is not admissible. Firstly because this has occurred on the last 28th of October-the closing down of the Mill. This is not a matter of recent origin, So, Sir, I hope after making the statement I would like to meet the representatives of the workers outside the House with your permission and explain to them the Government policy in the matter and hope that you will not press for the Adjournment Motion.

Shri Dulal Chandra Barua : Sir, In fact we are not concerned with the closure of the Mill. We are now concerned only with the hunger strike which is being staged outside the House-the situation arising out of the hunger strike.

*Shri Biswadev Sarmah : Sir this sort of hunger strike is happening every year in every session and particularly in other places also after installation of Coalition Governments in other States. But, I hope Sir, after I make the statement.....

*Speech not corrected

*Shri Gaurisankar Bhattacharjya : Let us not take it very lightly.

*Shri Biswadev Sarma. Sir, Associated Industries (Assam) Ltd. was registered in the year 1959, with a capital base of Rs. 60 lakhs, of which Rs. 23.19 lakhs is Government's investment by way of equity and preference shares and the balance by the Jati group. It took a loan Rs. 60,64,486 from I. F. C. and Rs. 10 lakhs from A. F. C. by mortgaging the assets. It has two units- the Textile Unit with 11,500 spinning looms, and the Chemical Unit for the production of Super-phosphate with an annual capacity of 30,000 tonnes. It has also an SO₂ Plant with the capacity to produce 10 tonnes per day. But this Unit could not be commissioned till recently. It is now commissioned for production of 3 1/4 tonnes per day. The Textile spinning Unit went in to production from January, 1963 and the Chemical Unit in September of the same year. The Company has been sustaining loss from the very beginning, and the accumulated loss, without providing for depreciation upto 31.3.70, comes to Rs. 49,71,114. Arrears of depreciation not provided for come to Rs. 63,05,167 calculated on straight line method in respect of plant and machinery, and written down value method on other fixed assets.

The raw materials for the Company both for the Textile and the Chemical Units have to be brought from long distances involving heavy transport cost. For the Textile Unit raw materials

has to be purchased from Northern India and brought all the way to Assam, and for the Chemical Unit rock phosphate used to be imported from outside the country till recently, but now rock phosphate available in Madhya Pradesh is used in this Unit.

The units of this Company being located far away from the sources of raw materials, the cost of production is comparatively a little higher than that of similar units more conveniently situated in other parts of the country. Even then the entire production of yarn from the textile unit of this company is consumed within Assam and the neighbouring States. So far the chemical unit is concerned, it has not been able to go into full production of 30,000 tonnes per year as off-take of Superphosphate within the State itself is low. Unless the chemical unit can produce at least 25,900 tonnes annually and dispose of the producing it cannot avoid incurring loss. Because of the poor off-take, production of Superphosphate during the year 1969-70 had to be restricted to 12,076 metric tonnes or only about 40% of the rated capacity of the unit.

Some of the machineries of the textile unit require replacement. But the Company, due to continuous loss, could not undertake any scheme for necessary replacement of the worn out machineries. This has also reduced the efficiency of the

textile unit. Another factor which badly affected the efficiency of the textile unit is high percentage of absenteeism of workers of this unit.

The working capital accommodation provided by the State Bank is Rs. 25 lakhs only with another Rs. 5 lakhs for discount facilities. This amount of working capital is inadequate for running the Company. The State Government, at the request of the Company, approached the State Bank to raise the limit of the working capital from Rs. 25 lakhs to Rs. 40 lakhs, and the discount facilities from Rs. 5 lakhs to Rs. 10 lakhs. But, in view of the continuous loss sustained by the Company the State Bank has refused to give higher accommodation to the Company unless the State Govt. gave them the necessary guarantee. The State Govt. naturally could not agree to stand guarantee for the Company.

There is considerable variation of prices of raw cotton between the main marketing seasons and the lean months. The general practice of the mills is to purchase cotton in the proper seasons and keep sufficient stock to help them tide over the lean months with high prices. The textile Unit of Company, however, cannot purchase sufficient stock of cotton in season for shortage of funds, and have to purchase cotton in lean months also at higher prices. This also is another cause of loss of the Company.

The Company approached the Government for financial assistance by way of further share participation and loan for its rehabilitation. While the proposal was under examination of Government, the Company closed down its Textile Unit from 20th October last.

The temporary employees of the textile unit numbering 530 were thrown out of employment from 20.10.70 and the permanent employees were served with one month's notice.

Govt. is deeply concerned at the hardship caused to those who have been thrown out of employment by the closure of the textile unit and the repercussions such closure of an established unit may produce in the industrial atmosphere of the State. The possibility of the Govt. taking over the company after reconstruction of its financial base was examined in consultation with the authority of the Industrial Finance Corporation of India. This is receiving Govt's topmost attention and it is expected that Govt. will be able to take a decision within about a fortnight's time after a final round of discussion with all parties concerned..

And Sir, I am going to De'hi to discuss about this matter with the Industrial Finance Corporation .

Shri Debeswar Sarmah : sir, the hon Minister has said that the Government purchased sharee to the tune of Rs. 23 lakhs. Was there any project report, because later in his statement it is stated that the Company suffered loss as raw materials had to be brought from long distance and so on and so forth. Secondly what amount of money the promoters of this concern invested themselves or did they actually start

and do the business all with borrowed money or money from the Government of Assam.

Shri Biswadev Sarmah, : Sir, I have already said that the capital base of the Company was 60 lakhs. Rs. 23'19 lakhs was Government investment. It is obvious that without the project Report no industry can be set up anywhere in the country.

Shri Debeswar Sarmah : What was the amount of money promoters invested ?

Shri Biswadev Sarmah, : Rs. 60 lakhs was the capital basis.

Shri Debeswar Sarmah : Anybody who knows what is what would see that nothing is obvious.

Shri Biswadev Sarmah Industries Minister : The Government share is Rs. 23'19 lakhs.

Shri Debeswar Sarmah : The capital basis of the Company was Rs. 60 lakhs. Out of this, the Government's share is Rs. 23'19 lakhs. Whether the rest was borrowed or was paid in cash by the promoters ?

* Shri Biswadev Sarmah (Industries) : Some money was borrowed from the I.F.C. The figures are not with me now therefore I cannot give all the details at this moment. Some money was borrowed from the I.F.C. and some from the State Bank of India.

Shri Debeswar Sarmah : Therefore it comes to this fact that promoters did not invest a single rupee of this own ?

* Shri Biswadev Sarmah (Minister, Industries) : It is not known to me, it may be known to the Hon'ble Member.

Shri Debeswar Sarmah : Yes, one can start a business without investing anything they transferred a the Jeep scandal in which Mr. Krishna Menon was involved. That company, it was said, had only device^{*} police capital. You can start a business with other people's money. Therefore, we want the Government to probe into the matter. I do not blame the Minister for this. It is not his child he is carrying another man's child in his lap. I only want him to study the matter, go deep into it and then place facts before the House.

* Shri Biswadev Sarmah : This matter came only in connection with the closure of the Textile Unit. So, I am not supposed to give all the details in course of this discussion. If the Hon'ble Member is interested I will certainly give all the details regarding the capital basis. There are two more major points I have mentioned. One is, the project report was made in anticipation that about 30,000 tonnes of superphosphate would be consumed in the northeast-

tern region. Secondly, the cost of the raw materials has gone up of the textile unit outside the country. This has to be brought from within the country. Now the prices have gone up and the production and the consumption has not gone up satisfactorily. Now Sir, words made by the I.F.C. as well as Textile Commissioner, certain measures to revise I.F.C. In the discussion, he says he is to reconstruct financial base and for which a discussion is being held at Delhi on 18th of this month. In taking over this Sir, the statement will be made within the fortnight. I can take some positive steps.

*Shri Gaurisankar Bhattachajyya : May we take up some sort of hope or assurance that the Government is going to take over to see that the unity is running and if necessary taking into tight. Actually the member made out the question about the losing of the concern. This people created some creditors there. There are some children who are their creditors. So as this has debtors and fictitious loan. Government will see that it is not really a losing concern. Government should see that the 530 families be settled. It is only a matter that Government will take some concession besides steps to see that it would be run.

*Shri Biswadev Sarmah : I have already said about the

statement already made to reconsider the financial base of Govt. on the 18th of this month I cannot hope to get in this House. I hop Sir, that it would be possible for us to revise the Government policy as quickly as possible.

*Shri Sainen Medhi : As Minister has said that the Assam Government have 23.19 lakhs rupees as share of equity and 12,000 acres of land also was given to that Company at the rate of 30 per bigha. And nearly 23 lakhs of rupees I.F.C. was given. Government have got a representative there. The Boad of Directors and the Director of almost prior to the notice of the disclsure during that period, it was the duty of the Government to see anything could be done by Government side. That was not done. If the notice had been issued then the Government now we are going to take action. When the Government took decision whether losing concern during that period and would take any steps. What steps they have taken. 500 families will be washed away. Government would have come in a proper way. What action the Industries Minister have taken during that period ?

*Shri Biswadev Sarmah : I am grateful about the statement of the hon.Members. It is absolutely clear what steps we have taken on this. It is clear to the

House that it is a private Company. The State Government have not power. Unfortunately, we would not take over this Company. We will take appropriate assure to take over this company. We have requested the State Government and we brought to the notice to this Company. They declined that it is a losing Concern. The State Government could not intend as to how we can diversity the products of this. How other products can be manufactured in this company with the existing plants and how best we can make the Super Phospet in this Company. At Delhi I have discussed about this concern. That is why I have to go Delhi.

*Shri Dulal Chandra Barua : We want to know the working of the organisation. My hon. friend Shri Medhi wanted to know to take the matter with the Government of India. Now what is the fate of these 530 workers and their familys. Now Government is gnoig to take up this matter with the Govt. of India. That may also take time. Because we have seen inspite of so many assurances given by the Government. The matter has not yet been settled. I want to know the categorical replies from the Hon'ble Industries Minister to help the workers in time that the management can be arranged from the Government side also.

*Shri Biswadev Sarmah : Now I cannot give the assurances. Within the fortnight it may be possible for the Govt. of Assam to take a final decision on this matter.

* Shri Dulal Chandra Barua : We are discussing some thing which is not admissible to the motion. Minister has kind enough to give a statement. As Hon'ble Minister has given a statement we are having admissibility of this motion and it is at your (Speaker) disposal now. We want to know categorically what will be fate of the strike workers.

* Shri Biswadev Sarmah, : Is it not hypothetical ?

* Shri Dulal Chandra Barua : No.

* Shri Gaurisankar Bhattacharyya : Whether there is any proposal of the Government with regard to the workers who are in hunger strike in the Assembly premises.

* Shri Biswadev Sarmah : I met workers at Gauhati and informed the difficulties of this matter. Just now I am prepared to meet the workers in front of the Assembly premises so that I can explain the situation to the Hon-ble members. The situation is really very grave, and to resolve this strike as quickly as possible. But my hands are tight legally.

* Dr. Bhupen Hazarika : Your solution will have some association with the solution of the problems of the hunger-strike during the transitory period till you make it run over their work. Would you kindly explain categorically for the welfare of hunger strike people.

* Shri Biswadev Sarmah : Sir, there is only notice period. During that months i.e. on 28th October till 28 November, they are getting their pay. After 28th a starving situation arose. Then the situation come. As I have said on the 18th I had a discussion at Delhi to finalise it on 18th and 19th and then the situation will be different. How can I give a categorical reply on this point as demanded by this House.

Mr. Speaker : Mr. Bhattacharyya

* Shri Gaurisankar Bhattacharjya : As the Minister have given the statement we will have to wait upto 18th. Whether it can be discussed ? We may wait upto 18th.

Mr. Speaker : Let us pass on to the next item.

Motion for Election of Four Members to the Estimates Committee

Shri Ataur Rahman, Minister, Parliamentary Affairs : Mr.

*Speech not corrected

Speaker, Sir, I beg to move "That this Assembly do elect four Members to the Estimates Committee from amongst the members of the Assam Legislative Assembly to fill the vacancies caused due to cessation of membership under rule 244 (1) of :

- (1) Shri Ataur Rahman,
- (2) Shri Durgeswar Saikia,
- (3) Shri Sadhan Ranjan Sarkar, and
- (4) Shri Golok Chandra Patgiri".

Mr. Speaker : Motion moved. I put the question "That this Assembly do elect four members to the Estimates Committee from amongst the members of the Assam Legislative Assembly to fill the vacancies caused due to cessation of Membership under rule 244 (1) of :

- (1) Shri Ataur Rahman,
- (2) Shri Durgeswar Saikia,
- (3) Shri Sadhan Rajan Sarkar, and
- (4) Shri Golok Chandra Patgiri".

(The date and time has already been fixed for election.)

The motion was adopted.

Re : Election of Deputy Spesker

Mr. Speaker : Under the Rules of Procedure and Conduct of Business in the Assam Legislative Assembly I fixed 13.11.70 as a date 10 A.M. to 11.30 A.M. as the date and time to holding the election of a Deputy Speaker for filling up vacancy caused by the resignation of A. Shri Rahman as Deputy Speaker.

Presentation of the Twenty-fifth Report of the Estimates Committee (And Ruling by the chair)

Mr. Speaker : Item No. 3. Shri Narayan Chandra Bhuyan, Member, Estimates Committee to present the Twenty-fifth Report of the Estimates Committee relating to alleged mal-practices prevailing in the Public Works (R&B) Department.

M. A. Musswwir Ali Choudhury : It has already been circulated.

Mr. Speaker : Yesterday a question arose about the authority of Shri Narayan Bhuyan to present the report of the Estimates Committee. In this connection some hon. Members stated that in the absence of the Chairman, if some other member is to present the Committee's Report, he is to be authorised to do so either by the Committee or by the

Speaker. The rule 220 (1) of the House states as follows :—

“The report of a Committee shall be presented to the Assembly by the Chairman or in his absence by any member of the Committee.”

This is in line with Lok-Sabha Rule 279 (1) which runs as follows :

“The report of the Committee shall be presented to the House by the Chairman or in his absence by any member of the Committee”

I did not find any provision in our rules and those of Lok Sabha—that a Member of the Committee cannot present a Report in the absence of the Chairman without being authorised by the Committee. There may be circumstances in which Chairman may be absent and calling of the Committee to authorise a member may delay presentation. So any member can present the report under this rule without any specific authority from the Committee. Under such eventuality (that when the Chairman of the Committee is absent or not available) the name of a member of the Committee is put in the agenda by the Secretary to present the report with the prior approval of the member concerned. Even during the sitting, when the Chairman is not available any member of the Committee is requested

to present the report. This has the implied approval of the Speaker.

In this particular case when the Deputy Speaker as Chairman of the Estimates Committee was appointed a Minister he ceased to be a member of the Committee under Rule 244. So the name of Shri Narayan Chandra Bhuyan, a member of the Committee was put in the order paper before the Session. Shri Bhuyan did not turn up then Yesterday apprehending that he would not be available office requested Shrimati Lily Sen Gupta to present the report. I did not find anything that the office acted on the distates of some political party in such formal matter as the presentation of a report. There are instances in which under similar circumstances Member of the opposition were also requested to present the report.

Now that Shri Narayan Chandra Bhuyan is present, I will now ask him to present the report before the House.

***Shri Atul Chandra Goswami :** অধ্যক্ষ মহোদয়, কালি আমাৰ সদনৰ সন্মানিতা সদস্যা শ্ৰীযুক্তা লিলি চেনগুপ্তাই নিজেই পৰিস্কাৰকৈ কৈছিল যে ভূঞা সদনত উপস্থিত নথকাৰ বাবে তেখেতক তেখেতৰ পাৰ্টিৰ ফালৰ পৰা কবলৈ কৈছিল। কিন্তু আজি শুনিবলৈ পাইছো যে অফিচেহে পঢ়িবলৈ দিছিল। এই কথাটোহে আমাৰ মাজত এটা

খেলিমেলিৰ সৃষ্টি কৰিছে। গতিকে এই খেলিমেলিটো দূৰ কৰিব লাগে।

***Shri Premade Chandra Gogoi :** অধ্যক্ষ ডাঙৰীয়া, মই আপোনাৰ Ruling ব বিপক্ষে কব বিছৰা নাই। শ্রীযুক্তা লিলি চেনগুপ্তাক ভূঞাৰ অনুপস্থিতিত যদি তেখেতৰ পাৰ্টিৰ ফালৰ পৰা কবলৈ কৈছিল তেন্তে তাত মোৰ কব লগা একো নাই। কিন্তু আজি কোৱা হৈছে যে Assembly Secretary হৈ তেখেতক বিপৰ্টিটো দাখিল কৰিবলৈ কৈছিল। Assembly Secretary জন আপোনাৰ অধিনত যদি হয় আৰু তেখেতৰ অফিচটো যদি এটা বেলেগ অফিচ হয় তেতিয়া হলে কথাটো বেলেগ হব। কিন্তু এতিয়া আমাৰ প্রশ্ন হৈছে যে কংগ্ৰেছ পাৰ্টি আৰু চেক্ৰেটৰীৰ অফিচ দুয়ো একেটা অফিচেই নে বেলেগ অফিচ। এইটো পৰিস্কাৰকৈ আমাক জনাব লাগে।

Mr. Speaker : Now that our Secretariat Office shall not act at the dictate of any political organisation. They will work according to the direction of the Speaker and the Secretary on behalf of the Speaker as had been the practice up till now. Now Yesterdays incident about Mrs. Sen Gupta's saying that who was asked by the Party to present the report. It may be internal affairs. I found that Shri Narayan Chandra Bhuyan was absent. I might ask somebody to move. I also investigated and found that Deputy Secretary also requested her as Shri Narayan Chandra Bhuyan was not available at that time, He was requested

by the Deputy Secretary and the Committee officer. In the meantime there might have been some internal understanding when Shri N.C. Bhuyan was absent. It must be made clear that our Officers shall not act by the request of any political party.

Item No : 3

Shri Narayan Chandra Bhuyan (Member, Estimates Committee) Sir, I beg to present the twenty-fifth Report of the Estimates Committee relating mal-practices prevailing in the Public works (R&B) Deptt. Sir, the printed Report will be placed on the table of the House during this Session.

The Assam Panchayat (Amendment) Bill, 1970

* Shri Ataur Rahman (Minister, panchayat) Sir, I beg leave to withdraw the Assam Panchayat (Amendment) Bill, 1970 ; introduced in the Budget Session of the Assembly, 1970 under rule 92 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly.

Sir, withdrawal sought is in compliance with subrule C of Rule 92 of the Rules of procedure and Conduct of Business in Assam Legislative Assembly. It reads- "the Bill is to be replaced subsequently by

another Bill which includes all or any of its provisions in addition to other provisions." Now, Sir, when this Bill was introduced in the last Budget session it could not be passed as the Session was adjourned. There, after GOVERNMENT for certain urgent reasons had to go in for ordinance regularising provision of the same Bill. Now, by virtue of the Ordinance certain actions have been taken in the meantime. Now, those actions have been regularised in Clause 7, sub-clause 2 of the Bill proposed to be introduced in place of the Ordinance. Therefore, Sir, the Bill proposed to be introduced will include all the provisions of the Bill which was introduced in Budget Session last in addition to other provisions, namely, other provisions are included in Sub-clause 2 of Clause 7 of the Proposed Bill. I would, therefore, submit that the withdrawal sought is quite in order and you may be pleased to have the leave to withdraw the Bill.

Mr. Speaker : I looked into the points raised yesterday and also examined the two Bills and also Section 92 of the Rules of procedure and Conduct of Business in Assam Legislative Assembly. I also find that Clause 7 of the Bill is also an additional provision of the Bill. Therefore, I held that the Motion is in order. Has the Member leave of the House to withdraw the Bill.

(Voices- yes, yes)

The Assam Panchayat (Amendment) Bill, 1970
introduced in the Budget Session, 1970 is withdrawn.

**The Assam Fixation of ceiling on Land Holdings
(Amendment) Bill, 1970**

Shri Ataur Rahman : Sir, I beg leave to introduce the
Assam. Panchayat (Amendment) Bill, 1970.

Mr. Speaker : Motion moved has the member leave of the
House to introduce the Bill ?

(Voices-yes, yes)

Shri Ataur Rahman : Sir I beg to move that the Assam
Panchayat (Amendmet) Bill, 1970 be introduced.

Mr. Speaker : motion moved. The question is that the Assam
panchayat (Amendment) Bill 1970 be introduced

(The motion was adopted)

Mr. Speaker : Item No. 5-Clause by clause consideration
of the Assam Fixation of Ceiling on land Holdings
(Amendment) Bill, 1970.

In this connection there are certain sections
where amendmen's are of similar nature, So, these
can be moved together,

Amendments 1 and 2 relate to the same Clause so they can be taken together, and amendments 3 and 4 are also of similar nature. So, these two also can be taken up together.

Shri Premodhar Bora : I move my amendment.

M. Shamsul Huda : I move my amendment.

Shri Bishwanath Upadhyaya : I move the amendment that "the provisions of Section 4 of this Act shall be deemed to have come into force with effect from the date of coming into force of the principal Act, "In clause in sub-clause (3) the words "on such date as the State Government may, by notification in the official Gazette appoint" shall be substituted by the words "at once".

Here in the Bill it is stated that it shall come into force on such date as the State Government may by notification in the official Gazette appoint. The introduction of the Bill has already been delayed. We expected that the Bill would have been done long ago. Delay has already been caused and if this provision is there then there is no certainty of the Government publishing it in the official Gazette. Therefore, I want to put the amendment.

*M. Shamsul Huda : মাননীয় অধ্যক্ষ মহোদয়, Assam Fixation of Ceiling on Land Holdings (Amendment) Bill 1970

এই বিলখনৰ Clause 1, subclause (3) আছে 'it shall come into force on such date as the State Government may by notification in the official Gazette appoint.

এই Sub-clause ৰ ঠাইত এটা সংশোধনী দিছোঁ—

That the Act shall come into force forthwith

এই বিলখন আইনত পৰিণত হ'ব লাগে অথাৎ পাচ কৰাৰ লগে লগে কাৰ্য্যকৰী হ'ব লাগে। আগেয়ে মাটিৰ সৰ্ব্বোচ্চ পৰিমাণ ১৫০ বিঘা কৰি আইনত পাচ কৰিছিল কিন্তু সেই আইন পাচ কৰাৰ পিছত এই আইনৰ জৰীয়ে কোনো মাটিহীন মানুহক ১ লোচা মাটিও দিব পৰা নাই। এই আইন পাচ হৈছেও সেই সময় ছোৱাৰ ভিতৰত কিছুমান মানুহৰ নিজৰ নিজৰ মাটি, বাপেক পুতেক, জীয়েক, জোৱালেকৰ নামত বিতৰণ কৰি দিলে এনে ভাবে কিছুমান ভুৱা নামৰে মাটি বেনামী ভাবে মাটি হস্তান্তৰিত কৰি দিলে। এনে-কুৱাও দেখা যায় যে কোনো মানুহৰ নামত খাজানা পৰ্য্যন্ত দি থকা হয় অথচ সেই নামৰ মানুহ সেই মৌজাত নাই। এনে ভাবে সেই নাম বিলাক স্থায়ী কৰিছে।

যেনে নমুনা আবেদ আলি নামৰ বাপেক মনিমুদ্দিনৰ নামত ৫০ বিঘা মাটি নামজাৰি হৈ আছে আৰু সেই নামৰ মানুহ সেই মৌজাত নাই। এই দৰেই বেনামী কৰি মাটি ৰখাৰ ফলত ১৫০ বিঘা কৰি আইন পাচ কৰাৰ বহু পিছতো আইন কাৰ্য্যকৰী কৰিব নোৱাৰাৰ ফলত বিগত কালছোৱাৰ ভিতৰত বহু দিনলৈ মহাজন সকলক সুবিধা দিয়া হ'ল। কংগ্ৰেছ চৰকাৰৰ সেই মতে এই মহাজন সকলে যাতে দুখীয়া আৰু গৰীব মাটিহীন সকলে মাটি পাব

নোৱাৰে তাৰ এটা সুব্যৱস্থা কৰি ললে। এই ৭৫ বিঘাৰ ঠাইত ৫০ বিঘা কৰিবলৈ আমি যদিও পৰামৰ্শ আগবঢ়াইছিলো, কিন্তু এই আইন তৎক্ষণাত্‌ প্ৰয়োগ কৰিব নোৱাৰিলে কাৰ্য্যক্ষেত্ৰত কোনো ফল নধৰিব। এই আইনখন প্ৰয়োগ কৰাত এই দৰে পালন কৰিলে মাটিহীন আৰু গৰীব সকলক মাটি দিব পৰা নাযাব। আমাৰ সমাজত ডাঙৰ, ডাঙৰ বুদ্ধিমান নেতৃস্থানীয় সমাজৰ আগবণুৱা নেতৃস্থানীয় লোক আছে যি সকলে এই আইন পাচ কৰাৰ কথা শুনিয়া বাতি বাতি মণ্ডল কাননগুৰ লগত যোগাযোগ কৰি মাটি হস্তান্তৰিত কৰি লয়। আমাৰ মন্ত্ৰী সচাৱ ২০ জন মন্ত্ৰী আছে তাৰে মৌনমহলৰ মন্ত্ৰীৰ নামত কাৰী মৌজাৰ ভালুকবাৰীত ১০০ বিঘা মাটি আছে আৰু সেই মাটি ম্যাদীও হৈ গৈছে। এতিয়া এই বিলখন পাচ হোৱাৰ পিচত প্ৰয়োগ কৰা দেৱী হলে সেই মাটিও হস্তান্তৰ কৰিব পাৰে।

(সময়ৰ সংক্ষেত)

এনে ভাবে গৰীবৰ নামত থকা মাটি বিলাক অঙহি-বঙহীৰ নামত হস্তান্তৰ হয়। বৰ্ত্তমান কামত মন্ত্ৰীৰ নামতো মাটি নামজাৰি হৈ আছে অৱশ্যে তেনে কোনো certificate নাই।

Shri Mahendra Nath Hazarika (Minister, Jails, etc) :

অধ্যক্ষ মহোদয়, মোৰ সম্বন্ধে উল্লেখ কৰিছে যেতিয়া কওঁ, আমাৰ ভট্টাচাৰ্য্য ডাঙৰীয়াই এই বিষয়ে উত্থাপন কৰিছিল, মোৰ অৱশ্যে সিমান মাটি নাই। আৰু **Transfer** হোৱা নাই।

M. Shamsual Huda : তেখেতৰ নামত নাই যদি ভালেই কথা।

গতিকে এনেভাবে যাতে মাটি হস্তান্তৰ নহয় তাৰ বাবে আইনবিলাক পাচ কৰি তাত প্ৰয়োগ কৰিব লাগে। আগৰ ৰাজহমন্ত্ৰীয়ে এই আইনখন ordinance কৰি আইনখন কাৰ্য্যত পৰিণত কৰা হলে

১৫ কোটি মানুহৰ আশীৰ্বাদ পালেহেঁতেন। সেই কাৰণে কৈছো যে আইন খন পাচ হোৱাৰ লগে লগে কাৰ্য্যত পৰিণত কৰিব লাগে তেতিয়াহে এই সংশোধনী সকলো সদস্যই গ্ৰহণ কৰিব।

Mr. Speaker: As the hon. Members are very much desirous of passing all the stages of the Bill so that it may come to light during this session, I would request them to be as short as possible.

Shri Gaurisankar Bhattacharyya: Mr. Speaker, Sir, I beg to move that in clause I sub-clause (3) shall be substituted by the following:—

“(3) It shall come into force at once”

Mr. Speaker: Motion moved.

*Shri Gaurisankar Bhattacharyya: অধ্যক্ষ মহোদয়, মই ভাবো এই যিখন বিল সদনৰ ওচৰত আছে, এই বিলখন এই অধিবেশনতে পাচ কৰি কাৰ্য্যকৰী কৰাটোত সকলোৰে সদইচ্ছা আছে। এই ৪৫দিন অধিবেশনত কি কি বিষয়ে আলোচনা কৰা হ'ব, এই সম্পৰ্কত যেতিয়া কথা উঠিছিল তেতিয়া বিজিনেচ এডভাইজৰী কমিটিয়ে এই বিলখনক অগ্ৰাধিকাৰ দিছে। গতিকে যেনেতেনে হলেও এই চিলিং আইনখন পাচ কৰিবই লাগিব। ইয়াত কোনো হেমাৰি নহয়।

তাৰ ভিতৰত অন্যতম বিধিপথালি হৈছে আমোলা তন্ত্ৰ: চেপ্তেম্বৰ মাহতেই ৰাজ্যপালৰ 'এচেন্ট' হ'ল কিন্তু চেক্ৰেটাৰীয়েটত নবেম্বৰৰ ২ তাৰিখ পৰ্য্যন্ত আহি নোপায়হি। শ্ৰীশইকীয়াই তকদাৰ কৰোতেহে ২ নবেম্বৰত চেক্ৰেটাৰীয়েট পায়হি। যিহেতু সকলোৰে উৎকৰ্ষ আনকি Prime Minister ৰো খুউব উৎকৰ্ষ। কাগজে

পত্ৰে আমি পাই আছো। তত্পৰি প্ৰধান মন্ত্ৰীৰ inspiration তেই হওঁক বা তেখেতৰ নিজৰ inspiration তেই হওঁক এই ক্ষেত্ৰত আমাৰ মুখ্যমন্ত্ৰী সমানে উৎকৰ্ষিত। কিন্তু আইনখন পাছ কৰিলেই নহব। তাক কাৰ্য্যকৰী কৰিবলৈকো যথোচিত ব্যৱস্থা লব লাগিব। কিন্তু ইতিমধ্যে যি সকলে এতিয়ালৈকে মধ্যস্থত ভোগ কৰি আছে তেওঁলোকো কিন্তু বহি নেথাকে। তেওঁলোকে ইতিমধ্যেই মোকো খবৰ কৰিছে—যে এই বাবেই হবনে নহয়? তেওঁলোকে কেতিয়া হস্তান্তৰ কৰিব পাবে? যদি চৰকাৰ এই ক্ষেত্ৰত সচাঁকৈয়ে উৎকৰ্ষ তেন্তে অচিৰেই এই বিলখন কাৰ্য্যকৰী কৰি গৰীব খেতিয়ক সকলক সহায় কৰিব। তাৰ প্ৰমান হব—বিলখন পাছ হোৱাৰ মুহূৰ্ত্ততে চৰকাৰে ৰাজ্যপালৰ assent লব পাৰিবনে নোৱাৰিব। এই খন কাৰ্য্যকৰী কৰিব পাৰিবনে নোৱাৰিব। এই ক্ষেত্ৰত চৰকাৰী পক্ষৰ পৰা আপত্তি হোৱাৰ কোনো কাৰণ নাই আৰু থাকিবও নোৱাৰে। আমি দেখি বৰ আনন্দ পাইছো যে—চৰকাৰৰ পক্ষৰ পৰা শ্ৰীবিষ্ণুনাথ উপাধ্যায়ে তেখেতৰ উৎকৰ্ষা প্ৰকাশ কৰিছে। গতিকে আমাৰো ইচ্ছা এই বিল খন পাছ হওঁক আৰু লেঠা বিলাকো মৰি থাওক। বাদবাকী আনুসঙ্গিক লেঠা বিলাক মৰি যাব। এই বিলখনৰ সম্পৰ্কে মই ইয়াকে কৈ সংশোধনী প্ৰস্তাৱটো মই সমৰ্থন কৰিলো।

*Shri Govinda Kalita : অধ্যক্ষ মহোদয়, মোৰ Amendment টো হৈছে এই : In Clause I, sub-clause 3 shall be re-numbered as sub-clause 4 and the following shall be inserted as sub-clause 3 namely the provision of Section 4 of this Act shall be deemed to have come into force with effect from the date of coming into force of the principal Act.

মই কথাটো কৈছো এইটোৰেই যে ১নং Clause ৩ নং Sub-Clause ৪নং Sub-Clause ত ধৰিব লাগে। মূল আইনখন বলবৎ হোৱাৰ তাৰিখৰ পৰাই বলবৎ বুলি ৰাখিব লাগে। অৰ্থাৎ ৪ নং Clause ৰ সংশোধনৰ motion টোৰ সম্পৰ্কত মই এই কথা কেইটাকে কব খুজিছো। মূল কথা হৈছে যে এই চিলিং আইন খনৰ মূল উদ্দেশ্য কি আছিল ?

এই আইনখনৰ মূল উদ্দেশ্য আছিল ভূমি সংস্কাৰ কৰা আৰু ক্ৰমে মাটিৰ ওপৰত থকা ব্যক্তিগত মালিকৰ ৰাজত্বৰ অবসান ঘটোৱা আৰু উৎকৃষ্ট মাটিখিনি মাটিহীন মানুহৰ মাজত ভগাই দিয়া। কিন্তু বাস্তৱ ক্ষেত্ৰত এই উদ্দেশ্য সফল হোৱা নাই আৰু ইয়াৰ মূল উদ্দেশ্য সম্পূৰ্ণ ব্যৰ্থ হৈছে। ইয়াৰ মূল কাৰণ হৈছে বৰ্তমান চৰকাৰৰ সকলো ইচ্ছা নাই। ৰাইজৰ হেচা আৰু দাবীৰ ফলত অনিচ্ছা স্বত্বেও তেখেতসকলে এই কাম কৰিব লগা হয়। সেয়েহে এই আইন প্ৰণয়ন হোৱাৰ ১৪ বছৰৰ পিছতো আমাৰ ৰাইজক উৎকৃষ্ট মাটি অকণো দিয়া হোৱা নাই। আমি ভাটি কব পাৰো যে কাম-কৰাৰ মোৰ নিজৰ সমষ্টিতে, মুখ্য মন্ত্ৰীৰ সমষ্টিতো কোনো মানুহকে অন্ততঃ ১ ইঞ্চি মাটিও দিয়া হোৱা নাই। এইটো মই জোৰ দিয়েই কব পাৰো। আমাৰ কংগ্ৰেছ চৰকাৰৰ যি সকল মুখীয়াল লোক তেওঁলোকৰ বেছি ভাগেই হ'ল মাটিৰ গৰাকী বা মাটিৰ মালিকসকলৰ পৃষ্ঠপোষক। অৰ্থাৎ আমাৰ হোজা ৰাইজক আভুৱা ভৰাৰ কাৰণেই বিধান সভাৰ মজিয়াত এই আইন খন পাছ নকৰিলেও আমাৰ মূল উদ্দেশ্য ব্যৰ্থ কৰাত চৰকাৰী বিষয়া আৰু চৰকাৰ সিদ্ধ হস্ত। ১৯৫৭ চনতে চিলিং আইন খন প্ৰণয়ন হোৱাৰ পিচতো চৰকাৰে তেওঁলোকৰ Revenue Reforms Department, Tenancy Branch ৰ নামত বেনামী বা বে-আইনী কাম সমূহক ইয়াত আইন সিদ্ধ কৰিব পাৰে। ইয়াৰ বাস্তৱ উদাহৰণৰো অভাব নাই। আমাৰ পশ্চিম জংলুকবাৰীৰ Gauhati University ৰ গাতে লাগি থকা শ্ৰীশৈলেন ফুকন নামৰ মানুহ এজনৰ এই খন পট্টাত মাটি আছে।

মাটিৰ পৰিমাণ হ'ল ৪২২ বিঘা ২ কঠা ৭ লোচা। এই মাটিখিনি
চিলিং আইনত গ'ল। চিলিং আইনক ফাকি দি চিলিং আইমৰ
উদ্ভত্ত মাটি বিক্ৰী কৰিলে।

কবোতা সকল :—

এক নম্বৰত—শ্ৰীদিননাথ বড়া

পিতাৰ নাম—

মাটিৰ পৰিমাণ :—৪৭ বিঘা ১ কঠা ২ লোচা।

দুই নম্বৰত—শ্ৰীৰাজবালী দাস

পিতাৰ নাম—

মাটিৰ পৰিমাণ :—৫৭ বিঘা।

তিনি নম্বৰত—

পিতাৰ নাম—

মাটিৰ পৰিমাণ : ৫৪ বিঘা।

চাৰি নম্বৰত—শ্ৰীমতী আনন্দা দেবী

স্বামীৰ নাম—

মাটিৰ পৰিমাণ:—২২ বিঘা ২৩ কঠা

ইয়াৰ ভিতৰত শ্ৰীজোৰাৰ মগ নামৰ জনে মাটি বেচিলে তেওঁৰ
কথাটোত বহস্য আছে। চিলিং আইনত মাটি গ'ল; কিন্তু এই
সকলোখিনি যোৱাৰ পিচত হ'ল কি মণ্ডলক ধৰি মেলি ভৌজি
খাজনা দিয়ে আৰু মাটি বিলাক জঙ্গল হৈ পৰি থাকে। তাত কোনো
নাই।

Government of Assam, Revenue Reformat
Department Tenancy Branch Dated Shillong, the
28th September, 1970.

No. RRT/61/67/33 in Column 7 and 8 of this
Department Notification No. RR/29/63/148 dated,
12th August 1968.

Please delete the following dag

No. are 43.

Please read total area 299 bigha 3 khata 18 lecea
2kata 7 lecea and the area 299 bigha 3 kata and 2 lece.

Sd/by P.K. Bora,
Deputy Secretary to the
Government of Assam.

Copy forwarded for information and necessary
action to Deputy Commissioner, Kamrup. 2. Super-
intendent of Assam Government Press, Shillong

এই খিনিতে মই আৰু এটা কথা কব খুজিছো যে ধাবাপুৰ
গাৱঁৰ গড়াখহনীয়া পীড়িত লোক সকলেও কোনো মাটি পোৱা নাই।
তেওঁ বিলাক মথাউৰিৰ ওপৰতেই আছে। তেওঁলোকক মাটি দিবলৈ
চৰকাৰে কোনো ব্যৱস্থা কৰা নাই।

অলপ Explain কৰিব লাগিব। সদনৰ জ্ঞাতাৰ্থে Explain
কৰিব বিছাৰিছো। Revenue Reform Department অপদাৰ্থ
হোৱা বাবে এই গুৰুপতি সকলে মাটি লৈ আছে। বিশেষকৈ
জোৱাৰমল গয়া নামেৰে এজনে সেই নামেৰে কিছুমান ঠাইত মাটি
লৈছে আকৌ জুৱাৰমল জৈন্য নামেৰেও কোনো কোনো ঠাইত মাটি লৈছে
মানুহ কিন্তু একেজনাই। তেওঁ বিখ্যাত Pipes candle ৰ
নায়ক। তেওঁ কয় যে Revenue বিভাগ তেওঁৰ হাতৰ মুঠিত।
তেওঁ পিচ দিনাই স্থলঙলৈ আহিল আৰু Revenue Department
ৰ Reform Branch এ একে দিনাই কাম কৰি দিলে। একে
দিনাই Reform হৈ গ'ল। Petitioner আছিল জোৱাৰমল গয়াৰ
ঘৈণীয়েক আনন্দ দেৱী। ১৯৭০ চনৰ ২৬ চেপ্তেম্বৰৰ দিনা Govern-
ment of Assam ৰ যিটা Order সেইটো হ'ল ...

(সমন্বয় সংকেত)

সোনকালে বেল দিলে নহব। আৰু কবলগীয়া আছে। এই ধৰণৰ হৈছে Revenue Department ৰ কাম। বহুতে নিজৰ পুতেক, ঘৈণীয়েক আৰু ভায়েকৰ নামত মাটি লৈ আছে। এই বিলাকে চৰকাৰী মাটি লৈছে গুৱাহাটী টাউনৰ ভিতৰতেই। আকৌ Acquisition of Religious enrolment Act মতে কামাখ্যা দেৱালয়ৰ মাটি চৰকাৰে ললে কিন্তু তাতো জোৱাৰেমলৰ নিচিনা মানুহে মাটি তৌজী কৰি লৈছে। সেই বিলাক দাগ নম্বৰ পৰ্য্যন্ত দিব পাৰো।

দ্বিতীয় কথা হৈছে Refinery ৰ ওচৰৰে গাওঁ এখনৰ পান্নাদেৱী আগৰৱালা নামে এজনে বহু শ বিঘা মাটি লৈছে। তাৰ পিচত চিলিং Act হোৱাত নিজৰ পুতেক বাধা মোহন গোয়েন্ধাৰ নামত বিক্ৰি কৰি দিলে চিলিং Act ৰ উদ্ধৃত্ত খিনি। এইটো ১৯৫৭ চনৰ ৭ মে'ৰ কথা। সিদিনা দলিল কৰিছে। এতিয়া চিলিং আইনো তেওঁৰ ওপৰত প্ৰযোজ্য নহয়। পিচত আকৌ P.C, Dan Sray ৰ পৰাও প্ৰায়ে এশ বিঘা মাটি Fee Sample Grant ত কিনি লৈছে। এই খন দলিল হ'ল ১৬/৪/৫৮ তাৰিখৰ। এতিয়া মাকৰ মাটিও ললে আকৌ Fee Sample Grant ৰ মাটিও ললে অথচ চিলিং আইনে ঢুকি নাপায়। ঢুকি পোৱাৰ কোনো ব্যৱস্থা নাই।

মোৰ তৃতীয় উদাহৰণ হৈছে এইটো যে বৰ্ত্তমান আমাৰ মুখ্যমন্ত্ৰী আৰু ভূতপূৰ্ব ৰাজহমন্ত্ৰী ডাঙৰীয়াৰ সমষ্টিৰ কথা কব খুজিছো। এখেতৰ সমষ্টিৰ ডিমৰিয়া মৌজাৰ খংগানামৰ গাৱঁত চিনাৰাম লাল সিং নামৰ এজন মানুহৰ ৯৫৭ বিঘা মাটি আছে। কিন্তু এই জন মানুহক এই চিলিং আইনে লৰাবকে পৰা নাই।

চতুৰ্থতে মই এইটো কথা কব খুজিছো যে কেনেকৈ এই আইন কৰ্ত্তা সকলে এই আইন ভংগ কৰে। এই সময়ত আমাৰ আইন কৰ্ত্তা আছিল আমাৰ ফকৰুদ্দিন আলী চাহাব।

* Shri Mohendra Mohan Choudhury, (Chief Minister) :

চাৰ এইটো ভুল। কাৰণ, এই আইন খন পাচ হয় ১৯৫৬ চনত। সেই সময়ত তেখেত ৰাজহ মন্ত্ৰীটো নাছিলেই আনকি তেখেত সেই সময়ত মন্ত্ৰী সভাটো নাছিল।

* Shri Govinda Kalita : কিন্তু এই ফকৰুদ্দিন চাহাবৰ কামৰূপ জিলাত শ শ বিঘা মাটি আছে। ৰজিয়াৰ ওচৰত আমুচং গাৱত এখেতৰ ৪৮২ বিঘা ৪ কঠা ৯ লোচা মাটি আছে। বৰ্তমান এই মাটি চৰকাৰে লৈ মিলিটেৰী camp ক দিছে। ইয়াৰ পাচত গনেশ সেন নামৰ এজন মানুহৰ ৯১১ বিঘা ২ কঠা ১১ লোচা আছে এই মাটিৰ উপৰিও শ্ৰীপি চি গুহৰ ২০৪ বিঘা ৪ কঠা ১১ লোচা। এই মাটি আজি পাচ বছৰৰ পিচত ৬৩৩৬১ তাৰিখে চৰকাৰে অধিগ্ৰহণ কৰে আৰু মিলিটেৰীক দিয়ে ১৯১৬২ তাৰিখে। এইটোৰ পৰা বুজা গ'ল যে ১৯৫৭ চন ক'ত আৰু ১৯৬২ চন ক'ত। আজি এনেকৈ এই সকলে চৰকাৰৰ পকেট কাটি আছে। এই মাটিৰ ক্ষতি পূৰণ হিচাবে পোন প্ৰথমে ফকৰুদ্দিন চাহাবে পায় ৫,২০,১৭২'৩৭ টকা তাৰ পাচতো ফকৰুদ্দিন চাহাব সন্তুষ্ট নহল।

(গুণগোল)

ইমান পইচা পোৱাৰ পিচতো ফকৰুদ্দিন চাহাবে হাইকৰ্টৰ আশ্ৰয় ললে। তাৰ পাচত পুনৰ পালে ৫লাখ ৭৫,৮'৩০-৭১ পইচা। তাৰ পিচত তৃতীয় বাৰ পালে ৫৯,৩৯৪'৫৮ পইচা। মুঠ পালে ১২ লাখ ৫৬ হাজাৰ ৪০০ টকা। এইটো হল ফকৰুদ্দিন চাহাবৰ ক্ষতিপূৰন মই এই কথাটোত প্ৰত্যক জন মন্ত্ৰীকে challenge কৰিব পাৰো। দ্বিতীয়তে, হ'ল এই গনেশ সেনে পোন প্ৰথমতে পালে ১৩ লাখ ৪৪ হাজাৰ ৬৯৩ টকা তাৰ পাচত হাইকৰ্ট কৰি পালে ১১ লাখ ৩৬৭১'৮০ পইচা। মুঠ পালে ২৪,৪৮,৩৭৪'৮০ পইচা। Mr. গুহাই নিলে পোন প্ৰথমে ৫৭ হাজাৰ ১৩৪'৩৭ পইচা। তাৰ পাচত আপিল কৰি

পালে ২ লাখ ৭৭ হাজাৰ ২১২'৩০ গইচা। মই মাত্ৰ এই বিলাক আইন কৰ্ত্তাৰ কথাহে কৈছো। তাত যি বিলাক বায়ত আছিল আৰু তেওঁলোকৰ পৰা যি টকা লৈছিল সেই টকাৰ লগত যোগ কৰিব লাগিব। আজি ফকৰুদ্দিন চাহাবৰ নিচিনা মানুহে আমাৰ বায়তক ঠগিছে। তেওঁলোকে এই মাটি ৬'৩৬'৬১ তাৰিখে লৈছে আৰু চৰকাৰৰ হৈছে ১০'১৬'৬১ তাৰিখে। আজি বায়তক আমাৰ নেতা সকলে এই দৰে শেষ কৰিছে।

(সময় সংকেত)

মই আৰু অলপ সময় লম। এই আইন যদিও ১৯৫৭ চনতে হ'ল কিন্তু এই আইনত এই সকল ব্যক্তিৰ কাৰোবেই মাটি নগল। ১৯৬২ চনতহে তেওঁলোকে মাটিৰ দ্বিত্ব চৰকাৰক দিছে। আজি এই দৰেই লক্ষ লক্ষ টকা চৰকাৰৰ হানি হৈ আছে। এইটো বৰ বহস্য জনক কথা। চাহ এই আইনত মই এই কাৰণেই Amendment আনিছো যাতে ইয়াৰ Retrospective ফল হয়। আজি যাতে ততে বহুত মাটি বেআইনী ভাৱে হস্তান্তৰ হৈ আছে। আজি চাহ বাগানৰ মাটিৰ ক্ষেত্ৰত চাহ বাগানৰ মালিক সকলে সস্তা দামতে মাটি বিক্ৰী কৰিবলৈ আৰম্ভ কৰি দিছে। ফলত ইয়াৰ পৰা যি Ancillary Purpose Serve হব লাগিছিল সেইটো হোৱা নাই। সেই কাৰণে মই আশা কৰো মই আজি যি সংশোধনী আনিছো ইয়াৰ সপক্ষে গৈ এই প্ৰস্তাৱটো গ্ৰহন কৰে।

* Shri Phoni Bora : Mr. Speaker, Sir, in support of the amendment may I say a few sentences? If the purpose of the Ceiling Act lowering the ceiling is not for propaganda alone and if it is for removing the feudal cyclic that still exists in the rural economy in our country no one can ever reject this

amendment. If one only wants to support or propose this amendment of Ceiling Act for the purpose of propaganda he should think before whether it is implemented. But for real implementation of such an Act for the benefit of the poor people, for bringing a change in the rural economy that is to say an economy based on some reforms. I do not say and mean socialism. I do not feel that. Our Chief Minister Shri Mahendra Mohan Choudhury may very well do something, but he cannot build socialism. I am not one with those who consider that Indira Gandhi and her follower are out to build socialism in the country. They are for certain reforms in conformity with their own class interest. Anybody who has got little knowledge of socialism and contradiction he knows that bourgeoisie has got a contradiction with the feudalism. It is everywhere and bourgeoisie and capitalism do not with the interest of feudalism. We are out to take this contradiction. Let us not forget about their contradiction. Socialism cannot be brought by them ; it is to be brought by the working class. Not only you cannot do it in your life, if the bourgeoisie sit in the power they will not be able to bring socialism. They can bring certain amount of reform in the land relationship. They will once move from this side to that side like a pendulum. One should be very clear about his capability and one should

know what he can do. In this connection, Sir, I support the contention of my friend Shri Govinda Kalita. One day just about a month back I had a talk with a Minister, I do not name the Minister and he himself knows that lands are being fragmented in the name of daughters, daughter-in-law, sons and son-in-law. In this country, in this State and here all these things are going on. Not only that. Even in tea gardens, particularly in Cachar I found all kinds of manipulations are being resorted to in order to avoid enforcement of the Ceiling Act. Fragmentation has already taken place. I was insisting again and again, I was appealing to the Government again and again to do something to prevent this fragmentation. But the Government did not do anything. Therefore, I have got every doubt about their intention whether they themselves can do something today about the land relationship. Unless there is a retrospective effect the purpose will not be served. Because, for example, if we believe that the present rural economy is based on feudal relationship the intermediaries are exploiting the blood of the rural cultivators and if we want to bring a radical change in the rural economy then, Sir, as a result of this Ceiling if land is divided in the name of different families thereby giving effect to the Ceiling Act will it bring a change in the economy ? I say, it will not. Last time,

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when Mr. Moti Ram Bora was alive Land Ceiling Act was passed I told him how could he bring a change by such Ceiling Act. He told me that one thing was there and that was that the lands were being divided and this was their achievement. If this is the idea of a Ceiling Act then I want to tell the Government that you are not doing the justice what you propose to do. You are saying this like hypocrates and you are not trying to implement in real practice. This is not the aim of the Ceiling Act. We are supporting not the fragmentation and division but we are supporting it to implement the Ceiling Act truly and effectively so that we can bring a change in rural economy. If we sincerely want to do it then, Sir, retrospective effect must be there. In many cases Government can succeed. For example, if a family has divided 1,000 bighas of land among the members of the family and if retrospective effect is given then all the land can be taken back and distributed among the cultivators. But if you do not give retrospective effect then the land that is divided, you can not get hold of it. And for this the whole purpose of the Ceiling Act will be frustrated. Therefore, I would say, I believe by this you will succeed by this Ceiling Act to the extent of some reforms in the land relationship but not to the extent of socialism. I told one of my friends you do not believe this bourgeoisie. They can never bring socialism. It is the working class who will have to work for it. For the present we want to take advantage of the contradiction between the bourgeoisie and faudalism.

(A voice) You may not understand contradiction. The contradiction between the bourgeoisie and feudalism is going to develop it and we are helping to develop it and we are gaining and the people of India are gaining. Nobody will be able to prevent it. Whoever may try to prevent it but they will fail,
[The House then adjourned for lunch till 2 p.m.]

(After lunch)

*Shri Dulal Chandra Barua : Mr. Speaker, Sir, while supporting the amendment from this side of the House, I would like to make certain observations. It is a very good thing that the Bill seeks to give relief to the common peasants, specially to the common cultivators. But in respect of enforcement of the Bill it says here, it shall come into force on such date as the State Government may by notification in the official Gazette determine. Sir, many such Bills have been adopted here in this House but it takes very long time to give effect to the Bill and thereby the main purpose of the Bill gets frustrated.

Shri Kamini Mohan Sarma : অধ্যক্ষ মহোদয়, আমার এই বোলিং পার্টির ওপৰত আহ্বান নাই নেকি যে চাৰি গৰাকী মন্ত্ৰীৰ বাহিৰে ইয়াত উপস্থিত নাই এইটো অসম্ভৱ দুখৰ কথা।

Shri Debeswar Sarmah : তেখেতে নাজানে ১৫ মিনিট আগতে পাৰ্টি মিটিঙৰ পৰা টৈ ভাত কেইটা গিলি আহিছো।

Mr. Speaker : Our whips should be more alert.

Shri Mahendra Mohan Choudhury : Sir, this party's difficulties have been described by Mr. Sarmh. I do not want to repeat.

*Shri Dulal Chandra Farua : Though the purpose of the Ceiling Act was a good one, at the time of implementation of the same it could not give any good effect, neither could it solve even a percentage of the land problem ; so it could not give any relief to the common people. For instance, when the Ceiling Act was proposed to be passed by this House, the landlords, mainly many of the tea garden owners—I can mention the name of Jalan Tea Company in Dibrugarh—sold out many of their lands to individual persons and also they have divided their land among their own sons and daughters. This company also constructed many buildings on those lands and have rented them out to Government. A big area of land in that locality has been allotted by backdoor method to individuals of the same family, for which the Ceiling Act could not be given effect to. In the same way the Jokai Tea Estate have also managed to sell out big plots of land to various individuals at a high price and at the same time to divide lands among their own kith and kin for which the Ceiling Act could not be given effect to. In the meantime, you will be surprised to hear that when this legislation was under preparation by the Government, somehow or other it came to their knowledge and many of the tea garden owners have started selling their land to individuals, and so the land could be given neither to ex-tea garden population nor could be

*Speech not corrected

acquired for public purposes for settlement of the landless people, In Cinnamara the Jorhat Tea Company have sold out big portion of surplus land very recently. When the matter was brought to the notice of the Deputy Commissioner, an order was passed by the Deputy Commissioner, but even by flouting the Deputy Commissioner's order they have very recently sold out big plots of land. The same company have also made arrangements to sell out more land before the Act comes into force, Therefore, Sir, it has been observed that unless the Act is given immediate effect, its purpose will not be served. It will simply be a slogan for the party in power for propaganda in the next general election; it will never serve the interest of the common people. Therefore, Sir, as I have already said, before coming up with such an Act, Government ought to have set up a proper machinery for its implementation, make proper assessment of available land and draw up definite schemes for rehabilitation and settlement of landless people. Without having these things ready it was not wise on the part of the Government to come up with this proposal. Sir, we welcome this Bill, but unless it serves the purpose for which it is intended there is no use passing it, Sir, as our leader rightly pointed out yesterday, this Government will stand first among

the States in India in regard to the number of Bills we have passed, but in respect of implementation it will come last. Therefore, Sir, Government should not sponsor any legislation in a half-hearted manner. If this Government under the leadership of the present Chief Minister treat this merely as election propaganda we have nothing to say but if they are aiming or thinking seriously about solving the problem of the landless persons, if they want to reorient the land reforms policy, then I do not see any reason why it should be delayed. It is stated that this Act will come into force on such date as the State Government may by notification in the official Gazette declare. Sir, it will be a long gap and will be very harmful to the people. Therefore, by considering all these aspects I feel that Government should not hesitate to enforce the Bill as soon it is adopted in this House. They should immediately build up such kind of machinery which will see to the successful implementation of this Act. Therefore, Sir, I hope that the amendment which has been moved from this side of the House will be accepted by the Government for successful implementation of this Bill and also to achieve the main objective of the Bill.

Thank you, Sir.

Shri Debeswar Sarmah : Mr. Speaker, Sir, the amend-

ment moved by Shri Kalita is no doubt attractive. But what are the legal implications? I wish Mr. Bhattacharyya may enlighten us. For example the amendment seeks to give retrospective effect from the date of the principal Act (the principal Act was passed in 1956 I suppose and thereafter it came into effect); it embraces all sorts of lands including tea garden lands.

Up till now there was an arrangement and bi-partite understanding between the Government and Tea Plantation that 1:2 formula will be applicable. Now, I am feeling attracted towards this amendment. In my own constituency in Borhalla tea estate, a large area of road-side land were sold out in parcels, I made representations to Government and also certain local people wired to Government. But nothing was done. But this was give retrospective effect. Whether the Tea gardens will be discriminated against other lands? Will it be legal? Therefore I seek a clarification from the proposer of the amendment or from the other friends. Whether retrospective effect can be given for 12 or 15 years back. Discrimination will creep in between New Lease Grants and other Kherai cultivable lands. I am seeking clarification on this point.

Mr. Speaker : It is legislative competency of accepting a

motion or Bill. As regards constitutional matters whether clause (b) is ultra vires that may be left to the proper court to decide.

Shri Gaurisankar Bhattacharyya : We cannot be the Supreme Court nor arrogate the function of the High Court. That will be declared by the Court. In the voting the hon. Members should bear in mind that the amendment is perfectly a constitutional thing.

Shri Debeswar Sarmah : Any way the hon. Member Shri Gaurisankar Bhattacharyya may say if this amendment is in accordance with law.

Shri Gaurisankar Bhattacharyya : Even Courts, even the High Courts are found to be wrong. Now that is a point of view of the Constitution, because of the respective nature the hon. Member may think it is illegal. I am not here as a lawyer and cannot give opinion as a lawyer.

Shri Mahendra Mohan Choudhury : We are not lawyers here. We are simply law-makers. While making the laws, we should see the pros and cons that might be remembered by the hon. Members. There is a Court of course to see whether there is any constitutional provision of law or not.

Mr. Speaker : There are many amendments in the same amendment.

Shri Gaurisankar Bhattachasya : So far as our amendments are concerned, their purport is that the Act should come into force at once. My hon'ble friend Shri Govinda kalita has said that it should retrospectively come into force in 1967.

Mr. Speaker : There are many hon. Members intending to speak. They are submitting several amendments. Members will have to be adjusted otherwise it will take a a long time. Already 5 or 6 hon. Members have spoken. I am taking next third amendment. That will be convenient. This one amendment has taken about two and half hours.

Shri Promode Chandra Gogoi : অধ্যক্ষ ডাঙৰীয়া, মই সকলো বিষয় সম্পৰ্কে কওঁনে নকওঁ কব নোৱাৰো, কিন্তু এইটো পইণ্টত এইটো দেখা গৈছে অবিজিনেল বিল খনত এইটো কথা দিয়া আছে। গতিকে যিখন চিলিং আইন চৰকাৰৰ ফালৰ পৰা অনা হৈছে তাত স্পষ্ট নহয়। তথাপিও চৰকাৰে এই বিলখন কাৰ্য্যকৰী কৰিব লাগিলে এক বছৰেই হব পাৰে বা ছয় মাহৰ পাচত কৰিব পাৰে বা আজিয়েই কৰিব পাৰে। এতিয়া এই কথা চৰকাৰৰ বিবেচনাৰ ওপৰতে নিৰ্ভৰ কৰিছে। কিন্তু এতিয়া, অধ্যক্ষ ডাঙৰীয়া, আগৰ কথা বাদ দিলে জুন মাহত যেতিয়া এই বিল উত্থাপন কৰিছিল...

Shri Mahendra Mohan Choudhury : এপ্রিল মাহত।

Shri Promode Chandra Gogoi : এই এপ্রিল মাহৰ পৰা নৱেম্বৰ মাহলৈকে এই সময়ছোৱাত চাহ বাগানৰ মালিক সকল বহি নাথাকে। এই এপ্রিলৰ পৰা নৱেম্বৰ মাহলৈকে মোৰ হাতত যিখিনি তথ্য আছে

তাৰ দ্বাৰা জানিব পাৰিছো যে তেওঁলোকে মাটি বিক্ৰী কৰি চিলিং আইনক ফাঁকি দিছে। এইটো প্ৰমাণ হয় এই কেই মাহৰ ভিতৰতে চাহ বাগানৰ মালিক সকলে মাটি বিক্ৰী কৰিছে বা হস্তান্তৰ কৰি আহিছে।

Shri Debeswar Sarmah : এপ্ৰিল মাহত Amendment হোৱাৰ পৰা।

Shri Promode Chandra Gogi : হয়, শিৱসাগৰৰ বৰহাট চাহ বাগানৰ মালিকে এপ্ৰিল মাহৰ পৰা আজিনৈকে ইতিমধ্যে যথেষ্ট সংখ্যক মাটি বিক্ৰী বা হস্তান্তৰ কৰি দিছে। থিক সেইদৰেই কালুবাৰী চাহ বাগিচাৰ মালিকে তেওঁলোকৰ অতিৰিক্ত মাটি খিনি এপ্ৰিল মাহৰ পাচতেই হস্তান্তৰ বা বিক্ৰী কৰি দিয়ে। আৰু এই প্ৰস্তাৱ অহাৰ লগে লগেই চাহ বাগিচাৰ মালিকসকলে চৰকাৰক আবেদন কৰিছে আৰু মাটিবিলাক লগে লগেই বিক্ৰী কৰি আছে। চৰকাৰে আজি ভাবিছে নেকী যে এই এপ্ৰিল মাহৰ পৰা নৱেম্বৰ মাহলৈকে এই সময়ছোৱাত এই মালিকসকল হাত সাবতি বহি আছে ? আজি আমি কওঁ যে এই বিল ততালিকেই এই সদনত পাচ কৰি কাৰ্য্যকৰী কৰক। বাৰ নৱেম্বৰ তাৰিখৰ পৰাই এই বিল কাৰ্য্যকৰী কৰা হওঁক। আৰু এই ১২ তাৰিখৰ ভিতৰত যিবিলাক মাটি হস্তান্তৰিত কৰিছে সেই মাটি বিলাক কি হব ? এই মাটি ১ বিঘা, ২ বিঘা নহয়। বহুত মাটি এইদৰে কম দামত বিক্ৰী কৰি আহিছে আৰু যাতে এতিয়াৰ পৰা কোনো আইনক ফাঁকি দিব নোৱাৰে তাৰ ততালিকে কাৰ্য্যকৰী ব্যৱস্থা লব লাগে। আৰু যদি এইটো ১২ তাৰিখৰ পৰা কাৰ্য্যকৰী কৰে তেনেহলে মাটিৰ মালিক বিলাকে আইনক ফাঁকি দি যিবিলাক মাটি বিক্ৰী কৰিছে সেই বিলাকো আইনসম্মত কৰা হব। এনেকুৱা ব্যৱস্থা কৰিব লাগিব যাতে যিবিলাক বে-আইনী কৰি বিক্ৰী কৰিছে সেইবিলাকো হস্তগত কৰিব পৰা হব আৰু ভবিষ্যতেও বিক্ৰী কৰিব নোৱাৰিব। গতিকে এই আইনৰ ফালৰ পৰা ১৯৫৭ চনতে যি সংশোধনী আনিছিল সেইটো কাৰ্য্যকৰী কৰিবলৈ সম্ভৱপৰ হবনে

নহয় সেইটোও চাব লাগে। আমি যেতিয়া চৰকাৰক অনুৰোধ কৰিছিলো যে আইনখন থকাৰ সময়তেই এখন ordinance জাৰি কৰা দৰকাৰ আৰু বিক্ৰী বন্ধ কৰা হওক, চৰকাৰৰ পক্ষৰ পৰা কোনো ordinance কৰা নহ'ল। এই কেই মাহৰ ভিতৰত যি মাটি কৰিলে, উচ্ছেদ কৰিলে হস্তান্তৰিত কৰিলে সেইটো বন্ধ কৰিবৰ কাৰণে ordinance জাৰি কৰিবৰ কাৰণে অনুৰোধ কৰিছিলো। আৰু এই আইন পাচ হলে এইবিলাক বন্ধ কৰাৰ ব্যৱস্থা বাখিব লাগে, যাতে যিবিলাকে বিক্ৰী কৰে সেই বিলাক বে-আইনী হয়। শ্ৰীগোবিন্দ কলিতাই যিটো প্ৰস্তাৱ আনিছে সেই প্ৰস্তাৱ নীতিৰ ফালৰ পৰা মইও এই কথাটো সমৰ্থন কৰিছো। আইনৰ ফালৰ পৰা ১৯৫৭ চনৰ পৰাই সম্ভৱপৰ হয়নে নহয় মই নাজানো। সেই বিলাক আমি বন্ধ কৰিব লাগিব। গতিকে আইনখন ততালিকে কাৰ্য্যকৰী কৰিব লাগে যাতে সেইবিলাক অবৈধ হয়।

***Shri Mehehdra Mohand Choudhury :** অধ্যক্ষ মহোদয়, এটা কথা কোৱা হৈছে যে চৰকাৰে এই বিলখন পাচ কৰাৰ পিচত বিলখন কাৰ্য্যকৰী কৰিবৰ কাৰণে আন্তৰিকতাৰে চেষ্টা কৰিবনে নাই। সেই সংক্ৰান্তত মই বিশেষ জোৰ দি কব খুজিছো যে, চৰকাৰৰ ফালৰ পৰা অতি আন্তৰিকতাৰে এই বিলখন কাৰ্য্যকৰী কৰিবৰ কাৰণে সম্ভৱপৰ সকলো প্ৰচেষ্টা চলোৱা হব। কিয় ordinance কৰি অনা ন'হল সেই কথা আলোচনা কৰিছে। মোৰ মনত আছে বিলখন সদনত ডাঙি ধৰা সময়ত মই এই বিষয়ে এটা উত্তৰ দিছিলো, আমি এই বিলখন ordinance কৰিবৰ কাৰণে আমি চেষ্টা কৰিছিলো। আৰু সেই চেষ্টাৰ ফলত বাষ্টপতিয়ে আমাক এই বিলখন ordinance কৰি জাৰি কৰিবৰ কাৰণে অনুমতি দিছিল। দূৰ্ভাগ্যবশতঃ আমাৰ ফেব্ৰুৱাৰী মাহৰ বিধান সভা বহাৰ চাৰি দিনৰ আগতে আহিছিল। গতিকে আমি এই বিলখনৰ ordinance জাৰি কৰিব নোৱাৰিছো।

আৰু এনেকৈয়ে জাৰি কৰিব নোৱাৰব ফলত তেতিয়া কিছুমান মানুহে এই বিলখন কাৰ্য্যকৰী নহ'বৰ কাৰণে কিছু বাৰস্থা গ্ৰহণ কৰিছে সেই কথা মই কেতিয়াও অস্বিকাৰ কৰিব নোৱাৰোঁ। সেই বিলাকৰ প্ৰতিবন্ধকতাৰ কেনেকৈ কৰিব পাৰে, সেই বিষয়ে যি ব্যৱস্থা গ্ৰহণ কৰা হয়, সেইবিলাক কথা আমি সকলোৱে চিন্তা কৰা উচিত। শ্ৰীগোবিন্দ কলিতাই উত্থাপন কৰিছে যে, এই বিলখন যেতিয়া প্ৰথমতে পাচ হ'ল ১৯৫৬ চনত তেতিয়াৰ পৰা সেই বিল অনুসৰি কাম হোৱা নাই। আৰু কিছুমান ধনী প্ৰভাৱশালী মানুহে এই বিলখন যিবিলাক ধাৰা সেই ধাৰ-বিলাক ভঙ্গ কৰিছে আৰু ভঙ্গ কৰি লাভবান হৈছে। এই সংক্ৰান্তত কলিতা ডাঙৰীয়াই মোক অলপ জৰিত কৰিছে। এইটো হ'ল আজি এই সদনৰ কাৰ্য্যকালত এই চাৰি বছৰৰ এনে এটা অধিবেশন যোৱা নাই তেখেতে এই Pipe Scandal ৰ কথাটো লৈ হকে বিহকে উত্থাপন কৰি থকা নাই। এইটো এটা মতলব লৈ মোক সমাজত হয় প্ৰতিপন্ন কৰিবলৈ চেষ্টা চলাইছে। কিন্তু মই ক'ব খুজিছোঁ যে, এটা ৰাজহুৱা জীৱন যাপন কৰা মানুহৰ চৰিত্ৰ বিচাৰ কৰিব কোনে? যিবিলাক জীৱন ৰাজহুৱা জীৱনৰ লগত জৰিত সেই মানুহৰ চৰিত্ৰ বিচাৰ কৰে জনসাধাৰণে, যিবিলাক মানুহে নিৰ্বাচনত ভোট দি প্ৰতিনিধি নিৰ্বাচিত কৰে সেই বিলাক মানুহে ৰাজহুৱা জীৱনৰ লগত জৰিত জীৱনৰ চৰিত্ৰৰ বিচাৰ কৰে সেই জনসাধাৰণে। সেই কাৰণেই মই শ্ৰীগোবিন্দ কলিতা ডাঙৰীয়াক ক'ব খোজোঁ যে, এই সদনত মই যোৱা ২২ বছৰ ধৰি ৰাইজক প্ৰতিনিধিত্ব কৰিছোঁ আৰু পাঁচোটাকৈ General Election ত ৰাইজৰ সন্মুখীন হৈছোঁ। প্ৰত্যেক সাধাৰণ নিৰ্বাচনতে ৰাইজে মোক যথেষ্ট সংখ্যক ভোটাধিক্যত মোক এই সদনলৈ পঠিয়াইছে। এইটোৱে প্ৰমাণ কৰিছে যে মোৰ চৰিত্ৰত কলঙ্ক নাই। আৰু বাবে বাবে মোক সমালোচনা কৰি হয় প্ৰতিপন্ন কৰিবলৈ চেষ্টা কৰিছে। তেখেতে কৈছে যে আজি আমি চৰকাৰৰ ফালৰ পৰা বে-আইনি ভাৱে মানুহক সহায় কৰিবৰ বাবে চেষ্টা কৰিছোঁ। কিছুমান মানুহে এই আইনখন অক্লতকাৰ্য্য কৰিবৰ কাৰণে চেষ্টা কৰিছে। কিছুমান মানুহে

তেওঁলোকৰ উদ্দেশ্য সিদ্ধি কৰিবৰ কাৰণে এই বিলখনৰ অকৃত-
কাৰ্য্যতা হ'ব বাবে চেষ্টা কৰি আহিছে। আৰু ৰাইজৰ ওচৰত মোক
হেয় প্ৰতিপন্ন কৰিবলৈ কু-অভিসন্ধি কৰাৰ কাৰণে মই দুখ পাইছো।

আজি আদালত এটা নহয়। আজি মালিক ক'ট, জাজ কট,
হাই কট, সুপ্ৰিম ক'ট ইমানবিলাক আদালতৰ প্ৰয়োজন কি
কাৰণে; কাৰণ একেখন আইনৰ বহুতো ব্যাখ্যা আছে। সেইবোৰো স্তৰ-
আদালত আছে। একেখন আইনৰ বিভিন্ন স্তৰৰ আদালতে বিভিন্ন ব্যাখ্যা
কৰিছে। সেই কাৰণে এই Human in genuity ত ব্যাখ্যাৰ উদ্দেশ্য
ব্যৰ্থ হোৱা আমাৰ দৃষ্টিত নপৰা নহয়। এইবিলাক স্বত্তেও আমি এটা
সজ চেষ্টা, সজ প্ৰচেষ্টাৰ দ্বাৰা আন্তৰিকতাৰে আমি জনসাধাৰণৰ কল্যাণ
কৰিবৰ কাৰণে কিছুমান কাম কৰিব লাগিব। আজি আমাৰ আইন
কৰা হৈছে। আমাৰ কিছুমান প্ৰভাৱশীল মানুহে অতিৰিক্ত ভাৱে
তেওঁলোকৰ ক্ষতি পূৰণ পাইছে। কিন্তু মই সদনত জনাব খুজিছো যে,
আমাৰ সদনত বহুতো আইনজ্ঞ লোক আছে, আমাৰ বহুতো আইন
আছে, ব্যৱস্থা আছে কিন্তু আজি কলিতা ডাঙৰীয়াই কৈছে যে, ফকৰদ্দিন
চাহাব, গণেশ সেন আৰু ডি, চি, গুহই বেচিকৈ ক্ষতিপূৰণ লৈছে।

Shri Atul Chandra Goswami : বেচিকৈ টকা পোৱাৰ কথা নহয়।
ফকৰদ্দিন আৰু গণেশ সেনৰ মাটি চিলিং আইন থাকোঁতে অধিগ্ৰহণ
কৰা হোৱা নাই কিয়?

Shri Govinda Kalita : তেওঁলোকৰ ১৫০ বিঘাতকৈ মাটি বেছি থকাটো
সচা।

*** Shri Gaurisankar Bhattacharyya :** মই ভাৱো মাননীয় মন্ত্ৰী
মহোদয়ৰ হাতত সেই File নাই আৰু থকাটো সম্ভৱপৰো নহয়। মই
সেই মকদ্দমাৰ এজন উকিল আছিলো। মই আনিচুল হকৰ হৈ উকিল
আছিলো— আৰু তাৰ এটা কেচৰ Appeal High Court ত

বিচাৰধীন হৈ আছে। ফকৰুদ্দিন চাহাবৰ কেইবা হাজাৰ বিঘা মাটি Defence Party য়ে লৈছে। কলিতা ডাঙৰীয়াই প্ৰশ্ন কৰিছে যে, চিলিং আইন ১৯৫৬ চনত পাচ হৈ ১৯৫৭ চনত কাৰ্য্যকৰী হয়। মিলিটেৰীয়ে মাটি ললে ১৯৬১ চনত আৰু ১৯৬২ চনত ক্ষতি পূৰণ পালে। ১৯৬৭ চনৰ পৰা ১৯৬১ চনলৈকে এই কেইবছৰে এই আইন খন কাৰ্য্যকৰী নকৰাৰ ফলত এই টকাখিনি তেখেতে লৈ গ'ল। ধনী বায়ত সকল পুৰুষানুক্ৰমে আছে আৰু তেওঁলোকৰ মাটি চৰকাৰে Acquire কৰিছে।

*Shri Mahendra Mohan Choudhury : মোৰ হাতত আগৰ সমস্ত Fact নথকাত কিমান অতিৰিক্ত মাটি আছে কব নোৱাৰিলো। কিন্তু এটা কথা কব খুজিছো যে ক্ষতিপূৰণৰ ক্ষেত্ৰত আদালতেহে দিছে চৰকাৰে বেছিকৈ দিয়া নাই। আমাৰ Land Acquisition ৰ যিটো দাম ধাৰ্য্য কৰা হয় সেইটো আইনৰ কোনো ধাৰাই কমাৰ নোৱাৰে কিন্তু বঢ়াবৰ কাৰণে Reference কৰিব পাৰে।

(Voice from the Opposition)

এই অভিযোগবোৰ সত্য নহয় গতিকে মই সেই বিষয়ে উল্লেখ কৰাটো উচিত হ'ব।

Shri Atul Chandra Goswami : এইটো অসত্য কথা নেকি যে তেখেতৰ বজিয়াটো কেবা শ বিঘা মাটি আছে আৰু জাগীটো ?

*Shri Mahendra Mohan Choudhury : এই সম্পৰ্কে আপোনাৰ অনুমতিক্ৰমে মই সকলো তথ্য পাতি দাখিল কৰিম। আমাৰ যিবিলাক বায়তক ক্ষতিপূৰণ দি দিয়া বুলি কৈছে সেইবিলাকৰ Records of right নাই আৰু যিবিলাক বায়তী আছে সেইবিলাকৰ Record নাই। Hand over কৰাৰ কাৰণ নাই, চীঠাত নাম নথকাৰ কাৰণে ইত্যাদি।

(A Voice : সেইটো Revenue D. ptt. ব দোষ)

Shri A. N. Akram Husain : ফকৰদীন চাহাবৰ মাটিৰ Record
লাগে।

Shri Atul Chandra Goswami : তেখেতৰ বিবৃতিৰ লগত আন এটা
কব খুজিছো যে মণ্ডল কাননগু S. D. C. ৰ খতিয়ান লোৱা নাই।
২৩ জন মন্ত্ৰীৰ Ceiling Act ত যিমান থাকিব লাগে তাতোকৈ
বেচি মাটি আছে।

*Shri Mahendra Mohan Choudhury : যদি কোনোবা মন্ত্ৰীৰ চিলিং
Act ত তকৈ বেচি মাটি আছে সেইটো কটা যাব।

Mr. Speaker : Order; Order; Please. Hear the Chief
Minister. If you all speak at a time, then how
the Chief Minister will reply ?

Shri Hiralal Patwary : On a point of clarification, Sir, So
far I know under Section 16 Government can pass
an order for spot verification. May I know
whether Government has passed any order for
spot verification ?

*Shri Mahendra Mohan Choudhury : যিবিলাক মানুহৰ চিলিং
Act ত কৈ বেচি মাটি আছে তেওঁলোকে এটা statement
দাখিল কৰিব লাগিব কিন্তু এই statement দাখিল কৰাত কোনো
কোনো ক্ষেত্ৰত হেঁমাহী কৰা দেখা যায় আৰু সেই কাৰণে চিলিং
ধাৰ্য্য কৰাত পলম হয়। আৰু এটা অসুবিধা হৈছে যে মোকদ্দমা
যেতিয়া হয় সেইটো একতৰফীয়া হয়, যদি দ্বিতীয় পক্ষ নাথাকে

বা যদি কোনোবা তলতীয়া বায়তি থাকে আৰু চিলিং Act ত Appeal কৰা হয় আৰু contest নকৰে। আমাৰ চৰকাৰৰ Land Revenue Staff আছে। কিন্তু বিশেষ মনোযোগ দিয়া দেখা নাযায়।

তাৰ পাচত আমাৰ ওটা সংশোধনী দিয়া হৈছে। এক নম্বৰ হ'ল At once ২নং Forthwith আৰু অন্য Retrospective effect শ্ৰীগৌৰীশঙ্কৰ ভট্টাচাৰ্য্য, শ্ৰীবিষ্ণুলাল উপাধ্যায় আৰু ছামসুল হুদাই এই তিনিদফীয়া সংশোধনীটো গ্ৰহণ কৰিছে।

Shri Debeswar Sarmah : যোৱা এপ্ৰিল মাহৰ পৰা কৰিব নোৱাৰি নে কি retrospectively ?

Shri Mahendra Mohan Choudhury : Amendment অনা হৈছে।

All transfers and partitions made after the 20th day of January, 1968 but before the commencement of this Act, shall be deemed, unless the contrary is proved to have been made in anticipation of, or in order to avoid or defeat the object of this Act.

এইটো Clause I, sub-section 3 ৰ পিচত আহিব।

Section 4 সংশোধনৰ বাবে পিচত আহিব। আগৰ থিনি সংশোধন কৰাত অলপ অসুবিধা আছে।

Shri Gaurisankar Bhattacharyya : এইখিনিতে এটা কথা কব খুজিছো পিচত ভোটা-ভোটিৰ কাৰবাৰ এবাবলৈকে। শ্ৰীনকুল দাস আৰু শ্ৰীভূঞা ডাঙৰীয়াই যি সংশোধন দিছে সেইটো গ্ৰহণ কৰাৰ আশা আছে নেকি ?

Shri Mahendra Mohan Choudhury : সেইটো আমি গ্ৰহণ কৰিব খোজা নাই।

Shri Gaurisankar Bhattacharyya : যদি আগ ডোখৰ এৰি পিচৰ ডোখৰ কৰা হয়, কেনে হব বাক? আগৰ ডোখৰ Malafide Transfer আৰু পিচৰ ডোখৰ ব্যাখ্যা কৰিছে, গতিকে আগৰ ডোখৰ এৰি পিচৰ ডোখৰ কৰিলে কেনেকৈ সম্পূৰ্ণ হব? এইটো out of context হব।

Shri Mahendra Mohan Choudhury : আমি গোটেই ডোখৰ কৰিম।

Mr. Speaker : So far as the amendment moved by Shri Bhattacharjee, Shri Shamsul Huda and Shri Biswanath Upadhyay is concerned, clause I, sub-clause (3) shall be substituted by the following :—

(3) It shall come into force at once.

(The amendment was passed by voice vote).

The amendment is passed.

***Shri Govinda Kalita :** এইটো As a whole নহয় এটা particular clause ৰ কথাহে কৈছো। In clause I, sub-clause (3) shall be renumbered as sub-clause (4) and the following shall be inserted as sub-clause (3), namely :—

(3) The provisions of Section 4 of this Act shall be deemed to have come into force with effect from the date of coming into force of the principal Act.

গতিকে মোৰ Amendment টো গ্ৰহণ কৰিলেহে চিলিং

এক্সন ভাল হব।

Shri Mahendra Mohan Choudhury : গোটেই কেইটা সংশোধনী
প্রস্তাব clause I, sub-clause 3 আৰু শ্রীগোবিন্দ কলিতাৰ
clause I, sub-section 3 বিয়ুলাল উপাধ্যায়ৰ clause I
sub-section 3.

Mr. Speaker : In view of amendment No. 1 Shri Kalita's
amendment is now redundant. The question is that
Clause I, as amended, stands part of the Bill.

(The question was adopted).

Shri Atul Chandra Goswami : অলপ আগতে হোৱা চাহ-বাগানৰ
1:2 Formula থাকিব নে নাথাকে ?

Shri Mahendra Mohan Choudhury : সেই আইনখন লোৱা নাই ।

***Shri Gaurisankar Bhattacharyya -** মোৰটো হ'ল clause 2, sub-
section I, clause (1) তাৰ পিচতহে ডক্টৰ হাজৰিকাৰ । গতিকে
মোৰটো আগতে আহিব ।

I move my amendment. "(1) In clause 2, in
sub-clause (1), at the end of proposed clause (c) (i)
the following proviso shall be inserted." I want
insertion of a proviso :

Provided that the lands used for ancillary
purposes shall not exceed 25 per cent of the lands
under tea bushes."

In clause 2 after sub-clause (1), a new sub-clause
(2) shall be inserted as follows :

“(2) In clause (c) (ii) the figure and word ‘150 bighas’ shall be substituted by the figure and word ‘75 bighas.’”

But the principal amendment is the first part. What I propose to this amendment is this. If a tea estate has under tea bushes 400 bighas then it will have 100 bighas as the reserve for future expansion.

Of course, 25 percent and not more than that. I do not want to go to the statistics because, as Johnson said, there are three types of statistics. So, statistics are often misleading. For example, some people giving figures they compare figure with tea estates of 1840 and today and at that time in Assam there were 1228 tea estates. We have 752 tea estates but all tea estates are not of equal size. There are big tea estates, medium tea estates and small tea estates. Now the fact of the matter is—so far as small tea estates and even medium tea estates are concerned they have practically no surplus lands even to the extent of 25 percent. It is only very big tea estates which have got surplus lands—more than 25 percent and it is they who are hood-winking, and to use the word of Chief Minister, they are applying all human ingenuity. Now, the trend of the development of the tea industry shows that during the last 130 years they have not

been able to expand on the average more than 20 percent and the life of the tea bushes is not 130 years ; it is much less ; it may be 40 or 50 years. From the trend of the development of tea estates it is seen that if they have fair percentage of land as reserve that should suffice. If there are a few gardens which have brought under cultivation more than 25 percent they are very few and they are only exceptional. The rule is that the overwhelming percentage of tea estates of Assam have expanded within 130 years 20 percent of their original cultivation. Therefore, if they have a reserve of 25 percent, I think, that will suffice. It may be said that it will be a very big job. Now the Government by an administrative arrangement had entered in to an agreement with the tea garden owners for the 1:2 formula according to which if they have only 100 bighas under tea estate they will have 200 bighas as reserve. I think, this is abnormal and obnoxious in the present state of affairs in our country. If these tea planters can have so much in reserve for future expansion why then all the agriculturists should not have ? Why ? So far as cultivation of paddy and other things are concerned, we are bringing the ceiling down and down. If modern developments have taken place they have taken place not only for the tea industry but in the field of agriculture also. Inspite of the

fact that power tillers are coming, tractors are coming and mechanised cultivation is coming, so far as the agriculturists are concerned, we are shrinking their holding. Why ? Because there has been a great pressure on land, because not to speak of the British regime, even after 23 years of Independence, we have not been able to develop our country industrially to the desired extent and so we have to depend mostly on agriculture as the means of livelihood of our overwhelming number of people. Therefore there has been a great pressure on land because we have not been able to solve that problem and therefore we have curbed the size of land. If that is applied in the case of 80 percent of our people, why should there be a favoured treatment for those who are holding tea estates ? I do not say that there should be discrimination against them. But we should see that the industry lives and that it flourishes and develops and prospers. But it must not get an opportunity of utilising the land holdings for exploiting others in a feudalistic manner. Every hon. Member of the House has got information that during the last one decade at least those tea garden owners have utilised those lands for the purpose for which grants were not given. They were given for special cultivation of tea. They were not given for raising betelnuts. My friend, Shri Biswanath Upadhyaya

will bear me out that in Cachar quite a number of tea estates have utilised lands for growing betelnuts but those lands were not given for betelnut plantation. There are again others who have brought people from outside the State and they have ousted former tea garden labourers and brought new people from outside the State and they have been put there as ryots. This matter was also agitated during the last session of the Assembly and Government also appointed a committee of enquiry with probably the D. C., Cachar as its Chairman and Shri Biswanath Upadhyaya as one of the members. I do not know whether Shri Jagannath Singh was also a member but another INTUC member was a member in that committee. This Committee also had found all these allegations as true, they found that when the European planters went away and when the estates went into the hands of our patriotic Indian tea garden owners, they rooted out the tea bushes and planted the betelnut trees. In this way they are doing some sort of feudalistic exploitation. In Barhmaputra Valley itself, as my respected friend, Shri Sarma had to say that only there have been some transfers of valuable lands which originally belonged to the tea estates and for tea cultivation purposes. From the very big tea estates the Government will really get sizeable quantities of lands and then the Govern-

ment will be in a position to distribute lands among the landless ex-tea garden labourers and among the local people. Therefore I think that there should be drastic cut in the reserve of the tea gardens and it should be reserved to the extent of 25 percent. With these few words, Sir, I commend my Motion.

Shri Debeswar Sarmah : Mr. Speaker, Sir, the amendment which was now moved by hon. Member Shri Gaurisankar Bhattacharyya provide that land utilised for ancillary purposes shall not exceed 25 per cent of land under the tea bushes. This properly comes under clause 4, because clause 4 deals with (2) "Notwithstanding anything to the contrary in any law, custom or agreement no person shall be entitled to hold as owner or tenant lands for special cultivation of tea in excess of such land as has been used for special cultivation of tea and purposes ancillary thereto on the appointed day." The point of ancillary purposes comes under clause 4. "Provided that the State Government may allow more lands to be held for ancillary purposes and for increase in area under special cultivation of tea in accordance with the rules as may be prescribed." Then comes the explanation of "ancillary purposes." Now if that amendment is allowed to be moved, it will anticipate all other amendments under clause 4 in this connection. Now, I would suggest the Chair

may be pleased to do one of the two things either postpone this amendment till clause 4 comes up, or those of us who have tabled the amendment under clause 4 in respect of the very item may be allowed to move our amendments.

Shri Bhadreswar Gogoi : মাননীয় মন্ত্রী মহোদয়ক মহি স্মৃতিব খুজিছে যে, চাহ খেতিৰ কাৰণে মাটি অতিৰিক্ত হিচাবে ৰাখিবৰ বাবে যি স্মৃতিবা দিছে, সেই দৰে, আমাৰ খেতিয়কৰ মাজতো বহুটো প্ৰগতিশীল খেতিয়ক আছে যিসকলৰ উন্নত ডাঙৰ তামোলবাৰী, খেৰ বাৰী, কুহিয়াৰ বাৰী, আনাৰসৰ বাৰী, কমলা টেঙাৰ বাৰী আদি আছে। সেইবিলাকৰ কাৰণে আচুতীয়াকৈ মাটি দিয়াৰ ব্যৱস্থা আইনত ৰাখিছে নে কি? বহুতো প্ৰগতিশীল খেতিয়কৰ ৪.৫ পুৰা কৈ উন্নত স্থায়ী (Permanent) বাৰী আছে। সেইবিলাকৰ প্ৰগতি কৰিবলৈ স্মৃতিবা দিব লাগিব।

Shri Mahendra Mohan Choudhury (Chief Minister) : যিবিলাকৰ তেনে বাৰী আছে সেইবিলাক orchard হিচাবে থাকিব। সেইবিলাকৰ ক্ষেত্ৰত অতিৰিক্ত ১০ বিঘা মাটি দিয়াৰ ব্যৱস্থা আছে।

Mr. Speaker : Because it deals with separate section. Whether both can be discussed together if the House desires ..

Shri Debeswar Sarmah : Otherwise the amendment move by the hon. Member rightly and properly falls under clause 4 because the point of ancillary land comes under clause 4 and not under clause 3. Therefore if the Chair is pleased to

permit me to move it now then our amendment may also be permitted, or the Chair if it so pleases then it may be postponed till the amendment under clause 4 is discussed.

Shri Mahendra Mohon Choudhury : Amendment may be taken up along with clause 4.

*Shri Gaurisankar Bhattacharyya : I put it here because here under clause 2 (c) (i) "Lands held and utilised for special cultivation of tea and purpose ancillary thereto."

Shri Glasuddin Ahmed : Amendment may be ascertained from here just above the explanation "provided that the State Government may allow more lands to be held for ancillary purposes and for increase in area under special cultivation of tea in accordance with the rules as may be prescribed; Provided that the lands utilised for ancillary purposes shall not exceed 25 per cent."

Dr. Bhupen Hazarika : I propose my amendment in clause 2 in the same sub-clause 1. In proposed clause (c) in between the words 'utilised' and 'for' the words 'or to be utilised' shall be inserted. My contention is this. It is not a very important amendment. It is rather an omission on the part

of the drafter. I understand this clause; land held and utilised for special cultivation of tea and purposes ancillary thereto. Now in order to back (in page 2) 'provided that the State Government may allow more lands to be held for ancillary purposes and for increase in area under special cultivation of tea' in accordance with the rules as may be prescribed. I have suggested 'or to be utilised.' To me it is a matter of drafting. It is a grammatical mistake only.

Shri Promode Chandra Gogoi : তেখেতৰ যিটো Amendment আছে মই তাৰ বিৰোধিতা কৰিছো।

Shri Atul Chandra Goswami : মাননীয় সদস্য হাজৰীকাই যিটো Amendment আনিছে তাৰ দ্বাৰা চাহ বাগিচাৰ মালিকসকলক মাটি লোৱাৰ সুবিধা কৰি দিছে। কিন্তু আমি আৰু মাটি তেওঁলোকক দিব খোজা নাই কাৰণ ইতিমধ্যে আমাৰ হাতত থকা তথ্যপাতিৰে প্ৰমাণ হৈছে যে, তেওঁলোকে চাহ শিল্পত মূলধন বিনিয়োগ কৰিবৰ দিনৰে পৰা আজিলৈকে যিখিনি মাটি লৈছে সেই খিনিও চাহ বাগান বঢ়াবৰ বা অন্যান্য Ancillary Purposes ৰ কাৰণে সম্পূৰ্ণকৈ ব্যৱহাৰ কৰা নাই। বহু মাটি এনেয়ে পেলাই ৰাখিছে আৰু কিছুমানত চাহৰ বাহিৰে অন্যান্য খেতি কৰা হৈছে। গতিকে হাজৰীকী ডাঙৰীয়াই যি সংশোধনী আনিছে তাৰ দ্বাৰা এই বিলখনৰ মুখ্য উদ্দেশ্য নষ্ট হৈ যাব। গতিকে এই Amendment ৰ বিৰোধিতা কৰিছো।

Dr. Bhupen Hazarika : মাননীয় সদস্য শ্ৰীঅতুল গোস্বামীয়ে বোধহয় বুজা নাই। মই কাৰো দালালী কৰিবলৈ যোৱা নাই। যোৱাবাৰ

সদনত মাননীয় সদস্য শ্রীযোগেন শইকীয়া ডাঙৰীয়াৰ জাতীয়কৰণৰ বিষয়ে কৰা প্ৰস্তাৱ শুনি আমি খুব ভাল পাইছিলো। আমি সমৰ্থনো কৰিছিলো। মই অসমত নিজে দেখিছো বহুতো সৰু সৰু বাগান আছে যিবিলাকত ২শ বিঘাৰ পৰা ৫শ বিঘা পৰ্য্যন্ত মাটি আছে অথচ তাৰ মেনেজাৰে ধুতি পিন্ধে, তাত কল ঘৰ নাই, চাহৰ পাত থলুৱা মানুহে তুলি আনি দালাল আদিক দি পাত মৰাই লয়।

আমাৰ ইয়াত Democracy ত দেখা যায় যে এমেচাৰ সকলেই সবজান্তা হয়। এমেচাৰ I. A. S. এ Pine-wood হোটেল চলাই আৰু Film-Studio টো চলাব খোজে। ফলত শাসনতন্ত্ৰই য'তে ত'তেই অসফল হৈছে। আমাৰ ফণী বৰা ডাঙৰীয়াই কৈছে যে আমি চাহ বাগানৰ পৰা গাখীৰ খীৰাই আছে। অৰ্থাৎ চাহ বাগিচাৰ উন্নতি নকৰে। মোৰ জনাত এজোপা চাহ গচ ৪০ বছৰ জীয়াই থকাৰ পিচত উৰালি পেলাব লাগে। গতিকে এনে ধৰণেই এই উদ্যোগ বৰ্দ্ধমান নহব। এইটো অনাদি অনন্ত সংখ্যাৰ মাটিত বৰ্দ্ধমান হৈ নাথাকিব। আজি আমি কিছুমান বাগানত দেখিছো বহুতো অতিৰিক্ত মাটি লৈ আছে। মই যে “or to be utilised” বুলি কৈছো সেইটোৰ দ্বাৰা মই বান্ধসৰ দৰে মাটি লৈ থাকিবলৈ চাহ বাগিচাক অনুমতি দিম বুলি কোৱা নাই। মই মাত্ৰ এইটো Grammatical mistake বুলিহে কৈছো, Political বুলি কোৱা নাই।

Shri Promode Chandra Gogoi : অধ্যক্ষ ডাঙৰীয়া, হাজৰীকা ডাঙৰীয়াই কৈছে যে, এইটো Grammatical মই কৈছো এইটো Political কাৰণ ইয়াত এই সংশোধনীটোত কোৱা হৈছে যে, Land utilised or to be utilised” ইয়াৰ অৰ্থটো হৈছে এইয়ে যে, বৰ্দ্ধমান চাহ বাগান বিলাকত যিমান মাটিত চাহ খেতি কৰিছে আৰু ভৱিষ্যতে যিমানখিনি চাহ খেতি কৰিব, সেইটোৰ কোনো সীমা নাই। অধ্যক্ষ ডাঙৰীয়া, কাৰণ আমি যদি চাহ বাগানৰ বুৰঞ্জীৰ কথা

চমুকৈ চাওঁ, তেতিয়াহলে দেখিম যে, ১৮৪০ চনতেই অসমত চাহ শিল্প আৰম্ভ হৈছে আৰু ১৯৬৮ চনত চাহ বাগান বিলাকৰ হাতত মাটি আছিল ১২ লক্ষ ৮৪৮.৭১ একৰ আৰু সেই চনতে চাহ বাগান বিলাকত চাহ খেতি কৰা মাটিৰ পৰিমাণ আছিল ৪.৩৮৮৬ একৰ। এইটো হিচাব হৈছে চৰকাৰী মতেই। যোৱা অধিবেশনটো মই এই প্ৰসঙ্গত এটা প্ৰশ্ন দিছিলো।

(এটি স্বৰ : আৰম্ভ কেতিয়া হৈছিল ?)

১৮৪০ চনত। এতিয়ালৈকে চাহ বাগান বিলাকত যিমান খিনি মাটিত চাহ খেতি আছে বোধহয় তাকৈ আৰু বেচি মাটিত এই চাহ-খেতি সম্প্ৰসাৰণ কৰিব নোৱাৰিব। বৰং চৰকাৰৰ লগত যিটো বুজা পৰা আছিল সেই মতেই আৰু দুগুন মাটি ৰাখিব পাৰে। গতিকে এইটোত চাহ বাগানৰ চাহ খেতি সম্প্ৰসাৰণ কৰাৰ কাৰণে কোনো নতুন মাটি নথকাৰ কথা নাছিল। সেই কথাটো বাস্তব তথ্যৰ ফালৰ পৰাৰ প্ৰমাণিত নহয়। চাহ বাগান বিলাকৰ হাতত যিমান মাটি আছিল তাৰ এক-তৃতীয়াংশ মাটিতহে চাহ খেতি কৰিছে, বাকী খিনিত কৰা নাই। এতিয়া প্ৰশ্নটো ইমান জটিল হৈছে এই কাৰণেই হৈছে যে, চাহ বাগানত যিবিলাক মাটি দিয়া হৈছে সেইখিনি বিশেষ খেতিৰ কাৰণেহে দিছে। কিন্তু তেওঁলোকে এই বিশেষ খেতিৰ ঠাইত কাৰোবাক আধি খণ্ডৰাতহে দিছে বা কাৰোবাক বিক্ৰী কৰি দিছে। এইটো চাহ বাগানক মাটি দিয়াৰ উদ্দেশ্য নাছিল। গতিকে এতিয়া চাহ বাগান বিলাকত বৰ্তমানলৈকে যিমান মাটিত চাহ খেতি কৰিছে সেই মাটিখিনি মোৰ বক্তব্যৰ মতে যথেষ্ট আৰু যেনেকৈ ধান খেতিত মেনিয়াৰ দি উন্নত কৰিব পৰা যায় তেনে কৈয়ে চাহ খেতি কৰাও অসম্ভৱ নহয়। বৰ্তমান চাহ বাগান বিলাকত থকা মাটিত মালিক-বিলাকে অন্য খেতিও কৰিছে আৰু কৰিব পৰা যায়। আমি যদি এতিয়া কওঁ যে, সেই বিলাকত ভৱিষ্যতে খেতি কৰিব আৰু তাৰ

কাৰণেই এই মাটি বিলাক থাকিব, তেতিয়াহলে চাহ বাগানৰ কোনো অতিৰিক্ত মাটি কোনো ব্যক্তে নাপায়।

তেওঁলোকে যদি কয় যে, বৰ্তমান পাছ লক্ষ্য একৰ মাটিত চাহ খেতি আছে আৰু বাকীখিনিত ভৱিষ্যতে কৰিম ! কিন্তু ভৱিষ্যত মানে কেতিয়া ? ভৱিষ্যত মানে ১০০ বছৰ, ৫০০ বছৰ বা ১০০০ বছৰো হ'ব পাৰে কাৰণ ভৱিষ্যতৰ কোনো সীমা নাই। তেখেতসকলক ভৱিষ্যতে চাহ খেতি কৰিবলৈ বা কৰিব বুলি বাখিবলৈ দিয়াত উচিত হ'বনে নহয় ? এতিয়া ইয়াত আমাৰ বিশেষকৈ যিখিনি মাটিত চাহ বাগান বিলাকে যোৱা ১৩০ বছৰৰ ভিতৰত ব্যৱহাৰ কৰা নাই সেই মাটিখিনি ভৱিষ্যত সম্প্ৰসাৰণৰ কাৰণে চাহ বাগান বিলাকৰ হাতত ৰাখি থোৱাৰ কোনো কাৰণ নাই। ইয়াৰ আগৰ আলোচনাতো আমি এইটো কোৱা নাই যে, চাহ শিল্পটো উঠাই দিব লাগে বা চাহ শিল্পটো নষ্ট হ'ব লাগে। এই কথা কোৱা নাই। চাহ শিল্প বন্ধা কৰাটো আৰু উন্নত কৰাটো আমি বিচাৰো। কিন্তু চাহ বাগানৰ মালিক বিলাকে ব্যৱসায়ক যি ভাৱে শোষণ কৰিছে বা যি ভাৱে উচ্ছেদ কৰিছে আৰু চাহ বাগানৰ বনুৱাক Provident Fund ৰ টকা নিদি-
য়াকৈ যি অন্যায় কৰিছে এই বিলাক কথা একেবাৰে নজনা নহয়। এতিয়া আমাৰ ইয়াত হাজৰীকা দেৱে যি এটা অৰ্থাৎ এই কথাটো কৈছে সেইটো অৰ্থ কৰিবলৈ গলে আমাৰ আইন খনৰ উদ্দেশ্যই নাথাকিব। অৰ্থাৎ চাহ বাগানৰ কোনো মাটিকেই খেতিয়কৰ মাজত বিতৰণ কৰিবলৈ পোৱা নাযাব। তেখেতে যিটো সংশোধনী আনিছে আৰু তাৰ যিটো অৰ্থ কৰিছে সেই অৰ্থত আমাৰ আইন খনৰ উদ্দেশ্য নষ্ট হৈ যাব অৰ্থাৎ মাটিহীনক মাটি দিয়াৰ উদ্দ্যেটোৱেই নষ্ট হৈ যাব। সেই কাৰণে এই দৃষ্টি কোণৰ পৰা মাননীয় সদস্য হাজৰীকা ডাঙৰীয়াই যিটো সংশোধনী আনিছে তাৰ বিৰোধীতা কৰিছো আৰু যদি এই সংশোধনীটো গ্ৰহণ কৰা হয়, তেতিয়াহলে আইনখনৰ উদ্দ্যেটোৱেই নষ্ট হৈ যাব।

Mr. Speaker : We are still under the same clause. There is another amendment in the name of Shri Jogen Saikia.

Shri Kamini Mohan Sarma : হাজৰীকা ডাঙৰীয়াৰ সংশোধনীটোৰ বিৰোধীতা কৰিছো।

*Shri Bhupen Hazarika : এইটোৰ এটা Statistics আছে। ১০ জন মানুহে দহটা বাকচ নিনি ট্ৰেক্টৰেৰে নিয়াইছে আৰু এটা কথা Statistics ত ওলাই পৰে যে Assam has at present 1.77 hectares under tea; produces 100 million kg' of tea. চিলনত ২২৪ মিলিয়ন কেজি production কৰে। কিন্তু সুবিধা পালে অসমে পৃথিবীৰ ভিতৰত বেছি চাহ উৎপাদন কৰিব পাৰিব। ইয়াত কোনো Political গোল্ক নাই। মই সদৃ উদ্দেশ্যেই এইটো কৈছো। সকলো Industry বঢ়োৱাৰ tendency ৰখাৰ বাবেহে মই সদনক অনুৰোধ কৰিছো।

*M, Shamsul Huda : ডঃ হাজৰীকাই যিটো সংশোধনী আনিছে Section 2, Sub-section 1 সেইটো in clause 2, sub-clause (1) in proposed clause (c) (ii) between the words "utilised" and "for the words "to be utilised " shall be inserted.

তাত ডঃ হাজৰীকাই এটা শব্দ সোমোৱাৰ খুজিছে সেইটো হৈছে to be utilised এই দুটা শব্দ এটা চিন্তা কৰিহে হাজৰীকাই দিছে কিন্তু মই যেনে ভাবে ভাবো এই শব্দ দুটাই বিলখন নষ্ট কৰি দিব। পয়মাল কৰি দিব এই to be utilised শব্দটোৰ কাৰণে। আজি প্ৰায় ১৩০ বছৰ চাহ বাগানৰ মালিক সকলে প্ৰায় ১২ লাখ একৰ মাটি চাহ বাগানৰ নামত ৰাখিছে। তাৰে ৪ লাখ একৰত

খেতি কৰিছে আৰু ৮ লাখ একৰ খেতি কৰিবৰ কাৰণে বাধি থৈছে। কিন্তু অসমৰ প্ৰায় ১১ লাখ গৰীৱ খেতিয়কে মাটি পোৱা নাই। যদি বিৰোধী দলৰ হেচাই হওক বা আন কোনো কাৰণতেই হওক চৰকাৰে এই বিলখন আনিছে, কাম কি হয় নাজানো, চাহ বাগানৰ মালিকৰ পৰা to be utilised ৰ নামত যি ৮ লাখ একৰ মাটি আছে সেইবিলাক আমি যাতে হালোৱা খেতিয়কৰ মাজত বিতৰণ কৰি দিব লাগে। মালিকসকলে কিছুমান plan and project কৰি দেখুৱাই দিব যে চৰকাৰক loan ৰ কাৰণে scheme দিছো, হোৱা নাই। অৱশ্যে ডঃ হাজৰীকাই চাহ শিল্পৰ উপকাৰৰ কাৰণেই কৈছে কিন্তু মই ভাবো সেই সংশোধনী গ্ৰহণ কৰিলে তেওঁ বিলাকৰ পৰা অতিৰিক্ত মাটি আনিব পৰা নাযাব। আৰু আমাৰ লক্ষ্যও ব্যৰ্থ হবলগীয়া হব। আৰু বিলখন অকামিলা আৰু অকাজী হৈ পৰিব। সেই কাৰণে মই তেখেতৰ এই সংশোধনৰ লগত একমত নহৈ বিৰোধীতা কৰিব বিচাৰিছো।

ইয়াৰ লগতে কওঁ যে চাহ বাগান হওক বা গাঁৱতেই হওক তামোলবাৰী কৰি এশ বিঘা মাটিৰ জমিদাৰী কৰিলে প্ৰকৃত পক্ষে হালোৱাই মাটি নাপাব।

(সময়ৰ সঙ্কেত)

সেই কাৰণে এই to be utilised ৰ লগত একমত হব নোৱাৰো আৰু মই ইয়াৰ বিৰোধীতা কৰিছো।

Shri Upendra Nath Sana'an : চেয়াৰমেন মহোদয়, এই Land Settlement Act ৰ কথা ইয়াত যে আহিছে ই কোনো গাদী বক্ষাৰ কাৰণে নহয়। এইটো হৈছে পিছপৰি থকা সমাজৰ উন্নয়নৰ কথা। বৰ্তমান মুখ্যমন্ত্ৰী আগতে Revenue Minister হৈ আছিল। তেখেতে বহু কথা চিন্তা কৰি চাইহে বিলখন আনিছে। কেৱল মালিক পক্ষৰ কথা কোৱা নাই, বৰঞ্চ চাহ বাগানত যে লাখ

লাখ নিবহুৰা বৃদ্ধি হৈ গৈছে সেই কথা লক্ষ্য কৰিহে আৰু তেওঁ-
লোকৰ জীৱন উন্নত কৰিবলৈহে এইখন বিল আনিছে।

এতিয়া চাহ বাগিচাৰ কাৰণে কিমান মাটি ৰাখিব পাৰিব,
কিমান মাটি এৰি দিব লাগিব আজি আমি তাৰে আলোচনা
কৰিছো। আজি আপোনালোকে চাহ বাগানৰ বহুৰা সকলৰ কথা
ভাবি চাইছেনে ? তেওঁলোকৰ নিজৰ নামত ১ বিঘাও মাটি নাই
আনকি চৰকাৰৰ চাকৰিও নাপায় Interview দিলেও নাপায়।
আমি কওঁ চাহ বাগানৰ মাটি যিবিলাক acquire কৰা হয় সেই
বিলাক মজতুৰ সকলক দিব লাগিব। নহলে তেওঁলোক জীয়াই
থাকিব নোৱাৰিব। আৰু আমাৰ যিটো চাহ Industry আছে
তাৰ কাৰণেও মাটি ৰাখিব লাগিব। নহলে এই Industry টো
ভীয়াই ৰখা টান হৈ পৰিব। আৰু এই Industry টোৰ কোনো
উন্নতি নহব। এই কথা যেন চৰকাৰে বিশেষ ভাবে চিন্তা কৰে
আৰু লগতে এই মানুহ বিলাকৰ চাকৰি বা মাটি নাই সেই কাৰণেই
এই Industry টোৰ কাৰণেই মাটি ৰাখিব লাগিব।

দ্বিতীয় কথা হ'ল এই চাহ বাগানবিলাকত যিবিলাকত
অতিৰিক্ত মাটি আছে এই মাটি বিলাক চৰকাৰে লব লাগে। আৰু
কোনোবাই যদি এই ধৰণৰ অতিৰিক্ত মাটিত বাস কৰিছে তেন্তে
তেওঁলোককো উচ্ছেদ কৰিব নোৱাৰিব। তাৰ বাহিৰেও কিছুমান
কথা কৈছে, যে আমাৰ টিলিং আইন হলে বহুত সুবিধা হব।
বহুত মাটি চাহ বাগানৰ আছে। এই মাটিবিলাক Acquire
কৰিবৰ কাৰণে চৰকাৰে Company বিলাকক Harassment
দি আহিছে। মালিকবিলাকে অজস্র সম্পত্তি নিজৰ দখলত ৰাখি
আহিছে। সেই বিলাক অধিগ্ৰহণ কৰিব পাৰিলে বাইজৰ কাৰণে ভাল
হব। আৰু সেই অতিৰিক্ত সম্পত্তিবিলাকৰ শতকৰা এক ভাগকৈ বহুৰাৰ
কাৰণে ৰাখিব লাগিব, যাতে বহুৰাৰ সুবিধা হয়। আপোনালোকে
বহুৰাৰ কথা কি জানে ? মই বহুৰাৰ মাজত থাকো।

(গণ্ডগোল)

মই মোৰ নিজ অভিজ্ঞতাৰ পৰা কৈছো। এই বনুৱাসকলৰ কাৰণে মাটি বখাৰ উপৰিও এই চাহ Industry টোৰ কাৰণেও মাটি এৰিব লাগিব। এতিয়া কথা হ'ল কিমান Percent কৈ মাটি এৰিব পাৰিব। আৰু চাহ বাগানৰ কাৰণে থিমান মাটিৰ আৱশ্যক সিমান মাটি বাখি বাকী অতিৰিক্ত মাটিখিনি বনুৱাৰ মাজত বিলাই দিবলৈ মই মন্ত্ৰী মহোদয়ৰ ওচৰত অনুৰোধ জনাওঁ। তাৰ নিবনুৱা বনুৱা লৰাৰ কাৰণে আজি চৰকাৰে চিন্তা কৰিব লাগিব। নহলে তেওঁ-লোকৰ প্ৰতি অবিচাৰ কৰা হব। আৰু এইদৰে কৰিলেহে জনজাতীয় লোকসকলৰ কাৰণে কল্যাণ কৰা হব। আৰু চাহ বাগানৰ বনুৱা-সকলক কোনোবাই Reserve ত মাটি ললেও উচ্ছেদ কৰিব নোৱাৰিব। তেওঁলোকক যদি এই দৰে Reserve ৰ পৰা উচ্ছেদ কৰে বা চাহ বাগানৰ অতিৰিক্ত মাটি নিদিয়ে এই ঘৰ-বাৰী নাইকীয়া মানুহ বিলাক কেনেকৈ জীয়াই থাকিব? এই মানুহবিলাক মৰি যাব লাগিব। তেওঁলোকৰ অৱস্থা কি হব—চৰকাৰে ভাবি চাইছে নে? মই চৰকাৰক অনুৰোধ কৰিছো যে এই বাগানৰ বনুৱাসকলৰ কাৰণে যেন ভাল দৰে চিন্তা কৰে। আৰু এই চাহ Industry টোৰ কাৰণেও বিশেষ ভাবে চিন্তা কৰে। যাতে এই Industry টোও জীয়াই থাকে, লগতে চাহ বনুৱাবিলাকো জীয়াই থাকে।

Shri Hiralal Patwary : অধ্যক্ষ মহোদয়, মাননীয় সদস্য উপেন সনাতনে Support কৰিছে নে oppose কৰিছে?

Shri Soneswar Bora : মাননীয় অধ্যক্ষ মহোদয়, আমাৰ মাননীয় সদস্য শ্ৰীভূপেন হাজৰীকা ডাঙৰীয়াই যিটো সংশোধনী আনিছে সেইটোৰ মই বিৰোধিতা কৰিছো। এই বিষয়টো সম্পূৰ্ণ অর্থনীতিৰ বিষয়। মই তথ্যপাতি সহ সদনত কব খুজিছো।

অসমলৈ বৃটিছ কোম্পানী অহাৰ লগে লগেই অসমৰ অর্থনীতিত বৃটিছ পুঁজিপতিয়ে এনেদৰে গ্ৰাহ কৰিলে যে মাখনৰ দমত তৰুৱাল

বহুৰাওতে যিমান সহজ সাধ্য ঠিক সিমান সহজেই। আৰু আমাৰ হাজৰীকা ডাঙৰীয়াৰ সংশোধনীটোৱে বিদেশী আৰু স্বদেশী পুঁজিপতিসকলক আৰু বেচিকৈ গজগজিয়াহে কৰিছে।

মই কব খুজিছোঁ: ১৮৩৫ চনতেই বৃটিছ কোম্পানী চৰকাৰে গৰীক্ষামূলক ভাবে অসমত চাহ খেতি আৰম্ভ কৰে। এই প্ৰথম চাহ খেতি চাহুৱাতেই আৰম্ভ কৰিছিল। ১৮৩৮ চনত এই চাহুৱাৰ চাহ পোন প্ৰথম বাৰৰ বাবে বিলাতলৈ নিয়া হয়। তাৰ পাচত ১৮৩৯ চনত তেখেতসকলে অসম কোম্পানী গঠন কৰে। এই কোম্পানী-টোৱে চাহৰ বাদেও তেল, কয়লা, সোন, কাঠ আদিৰ ওপৰত চকু ৰাখে। তাৰ পাচত বৃটিছ চৰকাৰে ১৮৪৪ চনত ১৯ নং আইন পাচ কৰি অসম কোম্পানীক আইন মতে সংগঠিত কৰে। আৰু বিলাতত পাচ হোৱা এই আইনৰ বলৰে এই কোম্পানীটোৱে অসমত যিমান লাগে সিমান মূলধন খটাৰ পাৰিব। আৰু যিমান অৱশ্যক সিমান মাটি দখল কৰিব আৰু যিমান বছৰলৈ “লীজ” লব খোজে সিমান বছৰলৈ লব পাৰিব আৰু যিমান লাগে সিমান বেচিব বা কিনিব বা হস্তান্তৰিত কৰিব পাৰিব। Special Grant Rules মতে পোন প্ৰথমে চৰকাৰে ৩৩,৬৬৫ একৰ মাটি এই কোম্পানীক দিয়ে। এই কল মতে গ্ৰাণ্ট পোৱাৰ ৫ বছৰৰ ভিতৰত ৪ ভাগৰ একাংশ মাটি আবাদ কৰিব লাগিব। ৪ ভাগৰ এভাগ মাটি চিৰকালৰ কাৰণে খাজানা মফ পাব আৰু বাকী মাটি ২০ বছৰলৈ খাজানা দিব নাপাৰিব। ইয়াত-কৈয়ো সহজে বৃটিছ পুঁজিপতিসকলে যাতে অসমত চাহ খেতি কৰিব পাৰে আৰু মাটি ৰাখিব পাৰে তাৰ বাবে উদাৰ ভাবে আইন তৈয়াৰ কৰি ১৮৬১ চনত “ফী চিম্পল” ৰোলছ কৰা হ’ল। এই ৰোলচৰ মতে অসমত দেখাৰ মাটি কোম্পানী বা পুঁজিপতি সকলে ৰাখিবলৈ সক্ষম হ’ল।

১৮৫৯ চনত অসমত দ্বিতীয় বৃহৎ “যোৰহাট চাহ কোম্পানী” গঠিত হয়। এনেকৈয়ে ১৮৬৪ চনৰ ভিতৰতে অসমত ১৫ টা Registered কোম্পানী আৰু ১৫ টা Registered নোহোৱা কোম্পানীয়ে

চাহ খেতি আৰম্ভ কৰে। এইদৰে কুৰি শতিকা আৰম্ভ হোৱাৰ আগতেই অৰ্থাৎ ১৯শ শতিকাৰ শেষৰ ফালেই অসমত ১১ লাখ একৰ বিঘা মাটি ৰুটিছ কোম্পানীৰ হস্তগত হৈছিল।

লক্ষীমপুৰ জিলাত ৰুটিছ বণিকসকলে স্থানীয় বাইজুক খেদি চাহ খেতি কৰোতে বাইজুৰ মাজত ৰুটিছ সকলৰ বিৰুদ্ধে বিদ্রোহ হয়। আৰু তেতিয়াই “ইনাৰ লাইন বেণ্ডনেচনচ্” প্ৰৱৰ্ত্তন কৰে। ইয়ৰ ফলত বিচক্ষণ নেতা মণিৰাম দেৱানৰ ফাঁচি হয়। ১৮৪৪ চনত অসম কোম্পানীত দেৱান কৰিও মণিৰাম দেৱানে দুখন বাগিচা নিজাকৈ খুলিছিল যদিও ১৮৫৮ চনত ৰুটিছে তেওঁক ফাঁচি দিয়াৰ পাচতে বাগান দুখন কোম্পানীয়ে হস্তগত কৰি ললে।

চাহ উদ্যোগ আৰম্ভ হোৱাৰে পৰা ৰুটিছ কোম্পানী বা ভাৰতীয় দেশীয় কোম্পানীত প্ৰত্যেকতে কিমান মাটি আছে গুৰুকৈ কোৱা টান। অসম চৰকাৰৰ হাতত এতিয়ালৈকে বোধ হয় তাৰ হিচাব নাই। এইটো ঠিক যে অসম চৰকাৰে ১৯২৬-২৭ চনত ভাৰতীয় ষ্টেটিউটৰী কন্মিছনৰ ওচৰত দিয়া স্মাৰক পত্ৰমতে সেই সময়ত ১৫,৭৭,০৪৮ একৰৰ মাটি চাহ খেতিৰ বাবে বন্দোবস্তি দিয়া হৈছিল। তাৰে ৯০ ভাগ মাটি ৰুটিছৰ হাতত দিয়া হৈছিল। আৰু বাকী ১০ ভাগ ভাৰতীয়ৰ হাতত আছিল। সেই হিচাবত ৰুটিছ কোম্পানীৰ দখলত আছিল, ১৪,১৯,৩৪৪ একৰ। ১৯৪৭ চনত ভাৰতে স্বাধীনতা লাভ কৰাৰ পাচত বহুতো বাগান ৰুটিছসকলে ভাৰতীয় বণিকসকলক বিক্ৰী কৰে। তাৰ পিচত ১৯৫৬ চনত লোকসভাত ভাৰত চৰকাৰৰ কৃষি মন্ত্ৰীয়ে দিয়া বিবৃতি অনুসৰি সেই বছৰত ৰুটিছ কোম্পানীৰ দখলত ৮,৮৪,০০০ একৰ মাটি আছিল। আনহাতে চাহ অনুসন্ধান আয়োগৰ প্ৰতিবেদন মতে এনে মাটিৰ পৰিমাণ হ’ল ৭,৯৬,৯০৮ একৰ। কিন্তু ১৯২৬-২৭ চনত উল্লেখিত অসম চৰকাৰৰ স্মাৰক পত্ৰমতে এই দুয়োটা সংখ্যাই ভুল। এটা ডাঙৰ মন কৰিবলগীয়া কথা যে, ভাৰতীয় চাহ খেতিয়কসকলৰ বাগিচাবোৰত খেতি নকৰা মাটি কম ৰুটিছ সকলে চাহখেতি কৰা বাগানত এনেই পৰি থকা মাটি

বহুত বেছি। তথাপি দুয়োটাৰ একেলগ কৰি হিচাব কৰিলে দেখা যায় যে শতকৰা ৩৭ ভাগ মাটিতেহে চাহ খেতি আছে। উদাহৰণ স্বৰূপে অসমত ৩৯ টা ব্ৰিটিছ চাহ কোম্পানীৰ হাতত মুঠ ৮,১৪,৩০৭ একৰ মাটি আছে। এটা চৰকাৰী তথা আৰু হিচাব মতেই ১৯৪৬ চনত চাহ খেতি হৈছিল ২,০০০,৩৫ একৰত আৰু ১৯৫৭ চনত ২,১৪,২০৫ একৰত। চাহ অনুসন্ধান আয়োগৰ মতে বাগানত এনেই পৰি থকা মাটি বিলাক চাহ খেতিৰ বাবে অনুপযোগী কিন্তু অন্যান্য খেতিৰ বাবে উপযোগী। এই হিচাবত দেখা যায় এই কোম্পানীৰ হাতত প্ৰায় ৬ লাখ একৰ মটিত চাহ খেতি নকৰে, এনেয়ে পেলাই থয়। গতিকে আজি মাননীয় সদস্য শ্ৰীভূপেন হাজৰীকাই যিটো সংশোধনী আনিছে তাত আমি একমত হ'ব পৰা নাই। এটা কথা মন কৰিবলগীয়া যে ১৯৫১ চনত এই অসম চৰকাৰে যুগুত কৰা এটা হিচাব মতে আৰু সেই সময়ৰ অসমৰ বিত্তমন্ত্ৰী ডাঙৰীয়াই অসম বিধান সভাত এই মজিয়াতে ১৯৫১ চনত দিয়া বাজেত বক্তৃতাত কোৱা মতেই সাধাৰণ নিৰিখত মাটিৰ খাজনা নিৰ্দ্ধাৰণ কৰা হলে ১৮৫৮ চনৰ পৰা ১৯৫১ চনলৈ খাজনা পাব লাগিছিল ১১,৭৫,২৪,৪৭৪ টকা কিন্তু পাইছিল মাত্ৰ ১,০৪২,৯৭,৬১০ টকাহে। এই হিচাব মাত্ৰ ২ লাখ একৰ মাটিৰ ওপৰতহে। সাধাৰণ নিৰিখত বিদেশী আৰু দেশী কোম্পানীৰ সকলো মাটিত খাজনা লগোৱা হলে আমি প্ৰায় ২৫ কোটি টকাৰ বেছি পালোহেতেন। ইয়াৰে ৫ কোটি দেশীয় কোম্পানীৰ আৰু ২০ কোটি ব্ৰিটিছ কোম্পানীৰ পৰা লোকচান হ'ল। এই সাধাৰণ হিচাবত দেখা যায় যে যদি আমি আৰু এই নীতি বেছি দিন সমৰ্থন কৰি থাকোঁ আমাৰ চৰকাৰে বাগানবোৰৰ গুৰু জৰীপ কৰি মাটিৰ হিচাব এটাও উলিয়াব নোৱাৰিব। এনেকৈ শোকোতাকে মুকুতা বুলি ধৰি থকাৰ আজি আৰু আমাৰ সময় নাই। এই সংশোধন আমি সমৰ্থন কৰিলে মই পুণৰ কওঁ যে, অসম ভূমিত দেশী আৰু বিদেশী পুঁজিপতি সকলক মাখনন দমত তৰুৱাল বহোওৱা সহজ কোমল সুবিধাৰ দৰে অসমৰ অৰ্থ নীতিত শোষণ কৰিবলৈ অধিক সুবিধা

দিয়াছে হ'ব। গতিকে মই এই সংশোধনীটোৰ বিৰোধিতা কৰিছো।

Mr. Chairman (Shri Rothindra Nath Sen): Yes. Mr. Sarmah :

Shri Debeswar Sarmah : Mr. Chairman, I am trying desperately to appreciate the utility of the clause 2 of this amending bill. In my humble opinion, there is no use for this clause and why I have so felt, let me elaborate briefly. This clause says that in Section 2 of the Principal Act, clause e(i) shall be substituted for the following, namely, e(i) lands held for special cultivation of tea of purposes ancillary thereto. Now this amending clause emphasises "on lands held and utilised" This word "utilised" would have its utility, provided it was not covered by clause 2 of this amending bill in Section 4 of the principal Act. This clause 2 reads like this, "Notwithstanding anything to the contrary in any law, custom or agreement, no person shall be entitled to hold as owner or tenants, lands which exceed the limit of 150 bighas in the aggregate."

Therefore, from this clause it transpires that certain area of land will be allowed for ancillary purposes. When certain area is allowed for ancillary purposes that is "to be utilised." If the bill would have been a precise one with so many acres to be allowed for rotational crop,

so long, for such particular specified purposes, then this clause c(i) "land held and utilised" I underline, the word "utilised". Now what is the purpose of this term 'utilised'? When we set apart certain area it is utilised for ancillary purposes, 5 per cent "to be used" for rotational purpose. Let me therefore repeat we set apart certain areas "to be used" for "ancillary purpose", we set apart 5 per cent to be utilised for rotational crop. Therefore, this amendment itself to my mind is redundant, incompetent and unnecessary. Now my friends to my right have talked about, or debated upon, the amendment moved by the hon. Member Dr. Bhupen Hazarika's amendment seeks only to set right the anomaly or to put what should not have been there. The clause in the original Act was quite good. Clause c(i) was government by the proviso and explanation to be used, the connotation or even denotation of the word "to be utilised" is in the womb of this clause 2 and clause 2(viii). Therefore, I am afraid this amendment in Section 2 is mis-conceived. Unfortunately, Mr. Chairman, on the one hand our Ministers during recent period, particularly I am talking of the erstwhile Revenue Minister, and now Chief Minister, was understandably very busy to attend to this complicated amending bill, it requires time to study and to give earnest thought.

Besides so many difficulties called upon to tackle, so many problems to solve, a man required to rush about from Shillong to Delhi and sometimes to Madras and Kanyakumari, he could not bestow on this bill and less time than required-unfortunately and I am sincerely pained to have to say that he was not advised properly: His advice was tendered with an eye to Kerala. I was a member of the Select Committee of the Tenancy Bill and attended one or two sittings. Unfortunately, the people who have deep sense of involvement in this State are not there to advise the Minister in this matter. I do not ascribe malafide. Some of our Secretaries coming from outside Assam want to leave their foot-print in Assam. They look to Delhi for promotion and keeps an eye to Bangalore, Calcutta Lake area and Delhi Defence Colony for settlement.

Shri Phani Bora : This is not a relevant on this issue.

(Voices)

Shri Debeswar Sarmah : My second point is that my friends to the right are obsessed with the ideas of the pre-independence days of tea plantation. We remember those days when the Chief Commissioner of Assam went to Jorhat and stayed in Jorhat Tea Company's Superintendent's house

but not in the Jorhat Circuit House (Noise)

তেখেতসকলৰ গাৰ ওচৰ পালেই জিক-জিকাই উঠে । সাধু কথা দৰকাৰী, সাধু কথা নকলে লুপুজে । (এটি স্বৰ: অসমীয়াত কলে দেখান) ভাটৌ চৰাইৰ ডিঙিত খৰিলে চেহ কৰে । ঠিক সেই দৰেই মাতৃ ভাষা উলাই আছে ।

Yes, I was saying in English that our Government was ill-advised in the drafting of this bill. About the other point I will come later. I beseech my friends to my right to appreciate that when Shri Sanatan was speaking on this bill, he was saying something which came from his heart. I very much appreciate that rather than his language. He did not have the advantage of education and other conveniences which many of us have. He has not spoken for the 'malik'. My friends are always afraid of the shadow. I take this opportunity, Mr. Chairman...

Shri Kehoram Hazarika : সাধু কথা শুনিব অহা নাই ।

Shri Debeswar Sarmah ; Mr. Chairman, there is another Sadhukatha. They must be prepared to listen.

(Voices)

Mr. Chairman : Order, Order. The hon' Member has given some reference to carry out the relevancy. The hon. Member also tries to give relaxation

by giving these references. I wish he will give some more references.

Shri Debeswar Sarmah : Mr. Chairman even if you excuse me, out of your goodness, for irrelevancy, I will not excuse myself. Because I am not only a senior member of this House but also a senior member of the Bar. What I am going to say is, I feel, perfectly relevant. The proprietor of Neghriting Tea Estate at Dergaon, Golaghat, did not come to the garden when Shri Naren Sarma and Shri Chatra Gopal Karmakar were fasting. This is a sad story and the lesson of it should be learnt by all of us. When we talk of tea gardens I talk of an industry as a whole which is of vital importance to the State. Now, Mundhra purchased the Brahmaputra Tea Company, borrowed 80 lakhs of rupees from the Bank of India to purchase this Brahmaputra Tea Company. Ltd. Later on this Company went to liquidation and one Shri Ramgopal Saharia purchased it. Ramgopal Saharia completely mismanaged it and there was strike and lock-out. Several workmen died of starvation because the workman were without employment and income. I think about 30 or 31 labourers died of starvation. On the day I went there a child of about 11 or 12 years died of starvation. That day I said, that things cannot go on like this. The C. I. sheets on the factory

roof should be sold out and the labourers should be fed. There were the S.D.O., Golaghat and other officers and gentlemen also, because Shri Naren Sarma and Shri Chattra Gopal Karmakar were on hunger strike. Shri Tripathi went to Neghriting Tea Estate and to Jorhat Circui House. Shri Tripathi telephoned to Shri Ramgopal Saharia to come to Jorhat for discussion but he did not come to Jorhat. Thereupon Tripathi went to Dibrugarh and somehow the work ng of the garden started. Then again, the garden authorities did not even deposit the provident fund amounts which were deducted from the workmen's wages. There was a civil suit filed for the provident fund amounts and the property is now in the hand of the Receiver appointed by the Court. Mr. Chairman, the Britishers appear to be gradually leav ng the industry in India. They took the investment and profit, out of it during the last hundred years and gradually they seen to be transferring their capital elsewhere. Now, the other people are purchasing tea gardens and their policy is not to keep any local man in any position from the Manager down to the Paniwalla, Chowkidar and Durwan. What will happen supposing we squeeze the industry in such a way that it is no longer profit-yielding. Obviously our Government will have to take these over because large labour population is involved. I

am happy to find that Shri Gogoi said "we do not want to kill the industry". I hope he is earnest and sincere. I believe him when he says "we do not want to kill the industry". This tea industry concerns us vitally. We will have to think of this industry of today and its future. British tea interests seem to be going out of Assam and circumstances also are making it increasingly difficult for them to stay on. My point is this, when we take of the tea industry, when we discuss this Bill, let us not think of particular planter or planters, I am for taking land from tea gardens, where there are plenty of lands. I am only asking you to visualise when we come to the position of the Brahmaputra Tea Company. What will happen if we come to the position of Brahmaputra Tea Company at Dergaon ? We will have to devise in such a way that the industry may thrive. This is not a small industry. In the world it is one of the biggest industries. This is an industry on which we depend for foreign exchange earning. This is an industry which pumps in 67 lakhs of rupees in cash, being the cash wages of the tea labour every week. Therefore, I would request my friends to my right and to my left through you, Mr. Chariman, to understand the industry, to understand the implication of this Bill in relation to the industry.

Therefore, the next best thing would be to

accept Shri Bhupen Hazarika's amendment which carries some sense since we keep land for some ancillary purposes. Therefore this amendment is in the fitness of things and I recommend for the acceptance of the House.

*Shri Dulal Chandra Barua : Mr. Speaker, Sir, From the trend of discussion on this amendment I have not been able to understand whether we are trying to acquire land alone from the tea gardens or we are going to acquire land from those persons who are having excess land. From the discussion it appears we are going to acquire land mainly from the tea garden-owners. If it is so, we are not going to have more land from the tea gardens ; because the conditions of tea gardens are not as before. It is completely different now. There are only few gardens surviving to-day.

The question is we want to know from the Government whether they have made any assessment about the availability of land from the tea gardens. If so, what is the area ? Unless we do not know it is not possible to fix a more for the tea gardens. In one hand we are saying of mobilising the tea industry, we are also thinking of nationalising the tea industry in the order. If we allow the tea industry to die prematurely then of

course we can grab all the lands. But if we are to keep the industry in fact then we will have to from a norm as to how much land they should be allowed to keep. Therefore, Government should make an assessment. If after such assessment and after laying down a norm it is found that they have land in excess of what they are entitled, that land alone should be acquired. Until and unless this is done no amount of amendment will serve the purpose. Therefore my demand is that on what basis the Government is coming up with the bill.

Mr. Chairman : Mr. Barua, we are discussing the amendment moved by Shri Hazarika, so I would request you to confine yourself to that amendment alone.

*Shri Dulal Chandra Barua : My question is whether any norm has been fixed by the Government. If we are to take over the entire land of the tea gardens whether the tea industry will survive ? I am one with the Government if they are willing to take over all the tea gardens of the speculator like Brahmaputra Tea Co. ; but if the Government is keen to keep the tea industry they should consider all the sides. My contention is if the Government or the House is not willing to accept the amendment of Dr Hazarika, then what is their line of thinking ? In what way they want to safeguard the tea Industry ?

*Shri Gaurisankar Bhattacharyya : As Dr. Hazarika has stated, the purpose of his amendment is grammatical ; but some hon'ble Members have said that whatever may be his purpose they consider it as political. They are quite free to hold any opinion. But in my opinion this clause 2 sub-clause (c) i) by itself does not carry much meaning unless and until we consider clause 4 and also the definition in the original Act. If we read this along with clause 4, then we find that in sub-clause (8) there is a provision of keeping 5% for rotational cultivation. So, as a matter of fact there is a provision of 5% of land to be utilised, so what Dr. Hazarika stated is that when in clause 4 (8) you have made a provision for land to be utilised then why it should not be put in the definition and that is why he has stated repeatedly that whatever may be said by others his purpose in bringing the amendment was grammatical. If it is grammatical I do not see anything wrong in it. Nobody has given any amendment with regard to sub-clause (8) that 5% is not to be kept for future utilisation. Everyone has agreed it appears. But the point is if you keep for ancillary purpose only 25% in place of present 200 and if already 20% is utilised then there remains 5% to be utilised. I fully see that actually this amendment is redundant in the original bill. Dr.

Hazarika says that the English is incorrect. Sometimes wrong grammar also goes into laws. What I say is that it is injustice, it is uncharitable to impute any motive to a gentleman who has again and again said that the purpose of his amendments is grammatical. Here he does not say that it should be 100 or 200. Nobody has given any amendment to this clause. If I understand English at all, my understanding of English is definitely defective, and I do not claim that I understand English properly. When you keep 5% for rotational cultivation you keep it for future use, you keep this 5% for a specific purpose. What is this specific purpose that is, for rotational cultivation.

As for me, I do not mind whether Dr. Hazarika's amendment is there or not. Even if these words remain as they are, it does not make any difference but the point is that he wanted to improve the English and to make it grammatically correct. That is what he asserted. The hon'ble member has said that some political motive is there; that is uncharitable. In my opinion, this amendment is not necessary if we take Clause—IV because whether there is amendment of the definition or no word of definition if there are 5 percent of the rotational cultivation and 25 percent for other purposes then our purpose will be served. My point is actually what percentage of land we are

going to allow for the tea estates apart from what they have under tea bushes. That is the pertinent question. Whether we call it ancillary or otherwise, it does not matter. If we give more than 25 percent i. e., more than what is proper than we are giving them premium. And if you give them less then you are not giving them premium. Whether you are going to take all the surplus lands from the tea estates, this is a fundamental point to my mind. I beg to submit that let us come to the fundamental point and that fundamental point is what percentage, apart from what is under tea cultivation, we are going to allow for the tea garden.

*Shri Phani Bora : I do not see that this thing is so simple as that. Had it been so simple there would have been no controversy about it. Actually, the point is nobody should try to impute any motive. I would seek patience in the matter on the part of every hon. member. Everybody may commit mistake and therefor let us not go into that. My point is about section—2(c)(i), i. e., land held and utilised for special cultivation of tea and purposes ancillary thereto.

That means “to be utilised” is added to it. It not only means to be utilised for special

cultivation of tea.' it also means 'and ancillary purposes thereto,' Both of them will be meant. It will mean that there can be an exemption or this Bill will never come into force. So far as these lands are concerned whether tea bushes are in existence and contemplated to be planted for future plantation, these are specifically for rotation and that is not for ancillary purpose. Fifth cent is specifically for rotational cultivation and not for ancillary purposes.

Shri Gaurisankar Bhattacharyya : This is a misinterpretation because rotation is within ancillary purpose.

Shri Phani Bora : May be.

Shri Gaurisankar Bhattacharyya : Not may be but to be.

*Shri Phani Bora : Let it be so. Even then I want to say that rotation cultivation is one thing i. e., extension of tea plantation is one thing and the cultivation of paddy in the name of ancillary purposes is another thing. Plantation of tea is one thing and the plantation of bamboo trees for ancillary purpose is quite another thing. That is where I want to make a demarcation. Our point is for the purpose of maintaining the plantations, for the purpose of the development of the tea industry, nobody should have any misunderstan-

*Speech not corrected

ding and nobody this side is against the development of the tea industry. There should be no mistake about it. I do not say that Dr. Hazarika has meant it but it can be meant and therefore the caution. Nobody should be angry about it. Here if that clause is deleted, that is one thing that is not necessary, the definition is not necessary; other things will be automatically covered. If that is the proposition, that is one thing. I do not know, I am not a lawyer neither I am a draftsman of Bills. That is to be considered. But if to be utilised" is added for making it grammatically correct, even for that grammatical correction I am opposed to it because it will mean something else.

(At this stage Dr. Hazarika wanted to speak).

Mr. Chairman : We have got so many processes. Somebody might have apprehension and somebody might have expectation and somebody might be taking to express their amendment in respect of this particular affair. If the discussion goes on like this, then there would be no end of it. As the Minister will reply on this, I would request Mr. Bora to finish his speech. And if even after the reply of the Minister any confusion arises, then Dr. Hazarika will be given chance to speak in the matter.

*Shri Phani Boro : So far as this section 2 clause c(i) is concerned my position is absolutely clear. With regard to the other thing I want to club them together. Here I want to make it clear that for the development of the industry as a basis of our big economy as my Hon'ble Leader Shri Sarmah expressed I agree but I think there are so many other things which are to be fulfilled for the purpose of helping the industry. We should not think only about the industry at the cost of these people who have not even a little plot of land even to cremate them when they die. During their life-time they have no place of their own. Even after their death they have no place for their burial. There are lakhs of people like this. Mr. Chairman, Sir, here in the tea garden itself as you are aware Rukmini Tea Estate of Cachar district, there I have seen how these poor labourers were in their own garden they are like beggars and how they have been tortured by the management of the tea estate and here if in the name of future utilisation of the tea industry these people are not looked into. Their conditions are not considered. This will not be fair. Today all over the world development of the tea industry and agriculture are not based on the conception of expansion but on the conception of mechanisation. Utilisation of

a single plot of land for the better production. This is the conception. Now not only in the case of agriculture it is the conception which has been utilised in the case of tea industry as well. I am not saying that it is only grammatical process. For example I know that most of the tea gardens in Assam which have been left out by the Europeans they will require replantation. They have utilised 40/50 years of age, I have got statistics in my possession to show that from the Government enquiry report that in most of the cases of Assam tea plantation there are large percentages of tea gardens where uprooting and re-plantation will be required in order to develop the tea industry. That will also require labour and, therefore, when I say mechanisation and utilisation of that small plot of land for better and intensive cultivation I do not forget about the labour and the labour can be utilised in that respect. Therefore, Sir, I think all the pros and cons should be considered and on that basis decision should be arrived at.

*Shri Mahendra Mohan Choudhury (Chief Minister) : Mr. Chairman, Sir, the intention of the Government is not to kill the tea industry. The intention of the Government is to render all possible help is for the development of the industry. What we find that certain planters are trying to destroy the indus

try: Therefore, the whole purpose of the bill is to 'save the industry. Sir, with out saying much I want to speak only on the amendment. One thing I want to clear here on this point is that if the planters would have honoured the gentleman's agreement with the Government and the planters voluntarily entered into and if that would have been honoured then I think the bill would have no basis today. But they did not honour the agreement one way or the other. Then again, Sir, lands belonging to the tea industry are sold being for purposes other than tea industry. If this process goes on where will the industry stand? I appeal to the lovers of the industry to see that this process of elimination of lands for other purposes then tea should be stopp'd. The main purpose of this bill is, therefor, to prevent sale and transfer to tea gardens for the purposes other than tea industry. Next point of this amendment I beg to submit, Sir, is that both the view points have been adjusted in the bill. Mr. Sarmah has raised a point that this clause is redundant. I cannot agree. This clause is necessary. Because this clause is exception in the original bill. That lands held for special cultivation, tea and purposes ancillary thereto : this amendment of the provision of the Act is necessary because we want to put some limit in making

exception of land for special cultivation. Then again, Sir, the point which has been raised about the grammatical amendment or something like that I beg to submit, Sir, I referred to clause 4 sub-section 8; land used as may be needed for rotational plantation to maintain the planted areas as on the appointed day but not exceeding 5 percent of the planted area. These 2 provisions are necessary because we want that we have a limit of expansion. Then, Sir, in the ancillary purposes we have stated the lands utilised as may be needed for rotational plantation. If we accept the amendment the amendment will create confusion. Sir, it will create confusion and it may be misconstrued. The word 'utilised' is a vague thing and if the 'words to be utilised' are inserted in the bill, then the main purpose of the bill will be frustrated. Sir, I met the argument of hon. Member Shri Hazarika.

This provision has been inserted because we have put in ancillary purposes a maximum of 5 percent of the planted area, and this is necessary for rotational plantation. In all the tea gardens when the tea bushes become older than 40 years these are needed to be uprooted and in the uprooted area no plantation is possible in the next year and the land must get rest for five years after which the land again becomes suitable for planta-

tion. In this way every year the tea bushes will be uprooted and, therefore, for rotational plantation there should be some provision and that is why we have provided 5 percent of the planted area for rotational plantation because we want to see that the production of the gardens is not affected. If we do not keep any provision for rotation then the tea industry will suffer.

•Shri Dulal Chandra Barua : I want to have a clarification. In page 2 of the Bill it has been stated "land used as may be needed for rotational plantation to maintain the planted areas as on the appointed day but not exceeding 5 percent of the planted area". From our side we did not moved any amendment to this. What Dr. Hazarika means to say is that even this 5 percent is to be utilised. Again it has been stated in the proviso to Clause 4(2) "provided that the State Government may allow more lands to be held for ancillary purposes and for increase in area under special cultivation of tea in accordance with the rules as may be prescribed," This is corollary to that.

Dr. Bhupen Hazarika : Sir, in order to help you, I want to say a few words. The hon. Members have always come down to page 2, but they have not

gone through these lines "Provided that the State Government may allow more lands to be held for ancillary purposes and for increases in area under special cultivation of tea in accordance with the rules as may be prescribed." Therefore, this is for cultivation of tea and not bamboo or any other thing. (Noise). ইয়াতনো কি political motive থাকিব পাৰে ?

(আন এটি স্বৰ : আগৰ কথা কৈছোঁ, পিছৰ কথা নহয়)

*Shri Mahendra Mohan Choudhuay : I do not say that there is a political motive because I am not a person to look at it from that angle. But I find a difference between rotational plantation 'and to be utilised'.

*Shri Sailen Medhi : Sir, in clause 2, it is stated "lands held and utilised for special cultivation of tea and purposes ancillary thereto." In page 2 ancillary purposes have been defined. There are 8 times and it is only in item No. 8 that the limitation of 5 percent has been given and not in others. In others, how much land will be given that will be decided by the State Government by rule to be framed. Only for one ancillary purpose, viz., rotational cultivation, a limitation has been put in the Act itself. Therefore, we must not confuse

between rotational cultivation and ancillary purposes. Rotational cultivation is only a part of the ancillary purposes. Therefore, if we say that for ancillary purposes there should not be any limitation of land that is to be utilised then there will be difficulty.

Mr. Chairman : I have understood your view point. Now, let the Chief Minister give his views and thereafter, questions may be asked.

Shri Mahendra Mohan Choudhury : If there be any doubt in any of the provision under Claus 4 then I think that can be taken up in appropriate time. At the moment I am not dilating on the clauses and I am confining myself only to this amendment. When I find that there is a difference between the two, it is difficult for me to accept the amendment. There is another amendment that in clause (c) (ii) the figure and word "150 bighas" shall be substituted by the figure and word "75 bighas". This I accept.

Mr. Chairman : Now, Dr. Hazarika, are you going to withdraw your amendment ?

Dr. Bhupen Hazarika : Yes.

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

Mr. Chairman : Now we are left with only a few minutes.
Let the hon. Member Mr. Bhattacharjee put his amendment.

Shri Gaurisankar Bhattacharyya : My amendment in this clause has been accepted. My amendment is that instead of 150 bighas it should be 75 bighas.

Mr. Chairman : The question is that in Clause 2 (c) (ii) of the Bill the figure and word "150 bighas" shall be substituted by the figure and word "75 bighas".

(The amendment was accepted)

The amended Clause 2 does form part of the Bill.

The House stands adjourned till 10 A.M. tomorrow.

ADJOURNMENT

The House then adjourned till 10 A. M. on
Wednesday, the 11th November 1970.

U. Tahbildar,
Secretary,

Shillong

The 10th November 1970

Legislative Assembly, Assam