

THE BIHAR LEGISLATIVE ASSEMBLY DEBATES.

The 9th February, 1939.

Proceedings of the Bihar Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

The Assembly met in the Assembly Chamber at Patna on Thursday, the 9th February 1939, at 11-30 A.M., the Hon'ble the Speaker, Mr. Ramdayalu Sinha, in the Chair.

UNSTARRED QUESTIONS AND ANSWERS.

POLICE STRIKE IN THIS PROVINCE.

185. Mr. BUDHAN RAI VERMA* : Will Government be pleased to state—

(a) whether it is a fact that several years ago police had gone on strike in many districts of this province ;

(b) if the answer to clause (a) be in the affirmative,

(i) the cause of the strike,

(ii) the date, the month and the year of the strike,

(iii) the places and the districts which were affected by the strike,

(iv) the number of constables, head-constables and other officers who participated in the strike,

(v) the date, the month and the year when the strike was called off and on what terms,

(vi) the number of such strikers as were respectively retained in and dismissed from the force,

(vii) whether the assurances given to the strikers upon which the strike was called off, were fulfilled by Government ?

Mr. KRISHNA BALLABH SAHAY : (a) Yes, in 1921.

*In the absence of the questioner, the answer was given at the request of Mr. Dwarkanath Tiwari.

Mr. KRISHNA BALLABH SAHAY : Government as a general policy have decided that the cases of all those who resigned or were dismissed in connection with the Congress movement, will be considered. The details are being worked out. If there is any aggrieved person, he may even now apply to Government for the reconsideration of his case.

Mr. DWARKANATH TIWARI : How long will it take for Government to consider the cases ?

Mr. KRISHNA BALLABH SAHAY : We are trying to expedite the matter but we cannot say when it will be finally disposed of.

Mr. DWARKANATH TIWARI : Will Government be able to reach the final decision within the term of their office ?

The Hon'ble the SPEAKER : Order, order.

SURRENDER OF A PIECE OF LAND TO THE GAWAN WARDS ESTATE.

186. Mr. SUKHLAL SINGH : Will Government be pleased to state if they are aware that the Manager, Gawan Ward's Estate, forced Babu Prayag Deo of Gadi Gawan, police-station Gawan, district Hazaribagh to surrender .87 acre of his land in village Ghosi, police-station Gawan to the said estate ; if so, what action, if any, do they propose to take to set right this wrongful action of the said manager ?

Mr. SARANGDHAR SINHA : The facts are that Prayag Deo wanted to take settlement of a plot of Bakasht land measuring 1.03 acres in village Ghosi in exchange of a piece of land measuring .87 decimals in the same village Ghosi. This exchange was approved by the Manager ; accordingly, Prayag Deo surrendered his .87 decimals of land in favour of the Estate and in exchange thereof he received from the Estate 1.03 acres of Bakasht land free of any *salami*. One Jugal Rai did not allow Prayag Deo to take possession over the aforesaid newly settled area of 1.03 acres of *Bakasht* land. He was criminally prosecuted by Prayag Deo under section 379, Indian Penal Code. The case ended in acquittal, but Prayag Deo did not choose to retain that land. Consequently the plot of land which was surrendered by him was resettled with him and he was further granted settlement of 1.30 acres of *ratyati* land free of *salami* to make up for the loss he had incurred due to litigation with Jugal Rai. In view of the aforesaid facts, the question of Government taking any action does not arise.

Mr. HARIKISHORE PRASHAD : What right, title and interest has that Jugal Rai in the land ?

Mr. SARANGDHAR SINHA : I ask for notice, Sir.

Mr. HARIKISHORE PRASHAD : What was the allegation contained in the complaint against Jugal Rai ?

Mr. SARANGDHAR SINHA : I could not say without notice, Sir.

Mr. HARIKISHORE PRASHAD : What steps did the Court of Wards take to get possession of the exchanged land ?

Mr. SARANGDHAR SINHA : It is in possession of the Court of Wards.

LEVY OF A PAIN-KHARCHA (VILLAGE CHANNEL TAX) IN THE RAMNAGAR SUBDIVISION OF THE SON CANALS.

187. Mr. BUDHAN RAI VERMA* : Will Government be pleased to state—

(a) whether it is a fact that several villages in the Ramnagar Subdivision of the Son Canal are made to pay a *pain-kharcha*, (village Channel tax) at the rate of four annas per *bigha* of land irrigated per water, while in other parts of the said canal the tax is unknown ;

(b) whether it is the duty of the Irrigation Department to clear the village channels whenever there is any silt in them to the satisfaction of the cultivators concerned but the said work has never been executed ;

(c) whether it is a fact that the cultivators of the said area have petitioned the said Department protesting against the levy of the said tax ;

(d) if the answers of clauses (a) to (c) be in the affirmative, what actions if any, they propose to take in the matter ?

The Hon'ble Mr. ANUGRAH NARAYAN SINHA : (a) A rent is charged for Government owned channels up to four annas per *bigha* to cover the cost of maintenance.

(b) It is the duty of the Irrigation Department to clear silt from Government-owned channels only and this is always done.

(c) Some such petitions have been received and disposed of.

(d) No action is called for.

Mr. DWARKANATH TIWARI : Arising out of (c), will Government be pleased to state the orders passed on the petition of the cultivators ?

The Hon'ble Mr. ANUGRAH NARAYAN SINHA : I want notice, Sir.

*In the absence of the questioner, the answer was given at the request of Mr. Dwarkanath Tiwari.