

PROCEEDINGS

OF THE

FIRST LEGISLATIVE ASSEMBLY OF BIHAR.

VOLUME I—1937.

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Mr. Yunus should now give some names to be put on the Select Committee. On behalf of the Congress Government I give the following names :—

1. Mr. Jamuna Prasad Sinha,
2. Mr. Indra Dewan Saran Singh,
3. Mr. Hafiz Zafar Hasan,
4. Mr. Jagat Narayan Lal,
5. The Hon'ble Mr. Anugrah Narayan Sinha, and
6. Myself.

The Hon'ble Mr. ANUGRAH NARAYAN SINHA: The Bill may be referred to a Select Committee, consisting of the members proposed by Mr. Harikishore Prashad. But I would like four names may be suggested by members of the non-Congress parties.

The Hon'ble the SPEAKER: There are three groups—Coalition Party, Independent-Ahrar Party and No Party. Out of these groups four names may be given after lunch.

(Interval for lunch.)

ELECTION OF TWO MEMBERS ON THE BOARD OF INDUSTRIES.

The Hon'ble the SPEAKER: The Assembly will now proceed to elect two members on the Board of Industries. Three names were received as below :—

1. Mr. Saiyid Najmul Hasan,
2. Mr. Dip Narayan Sinha,
3. Mr. Hafiz Zafar Hasan.

Mr. Saiyid Najmul Hasan having since withdrawn his candidature, there are only two names left :—

1. Mr. Dip Narayan Sinha,
2. Mr. Hafiz Zafar Hasan,

and they are duly elected.

LEGISLATIVE BUSINESS.

THE BIHAR STAMP (AMENDMENT) BILL, 1937 (BILL No. 6 OF 1937)—(contd.).

Mr. HARIKISHORE PRASHAD: Sir, they have decided the names of the members to be put on the Select Committee. I beg to submit that my motion now consists of two parts :—

(a) That the Bihar Stamp (Amendment) Bill, 1937, be referred to a Select Committee, with directions to submit its report before the 16th September 1937.

(b) That the Select Committee do consist of the following members :—

1. The Hon'ble Mr. Anugrah Narayan Sinha, Finance Minister,
2. Mr. Jagat Narayan Lal,
3. Mr. Indra Dewan Saran Singh,
4. Mr. Jamuna Prasad Sinha,
5. Mr. Hafiz Zafar Hasan,
6. Mr. Shaikh Shafiqul Haqq,
7. Mr. Tajamul Husain,
8. Mr. Muhammad Shafi,
9. Mr. Muhammad Abdul Majeed,
10. Mr. Chakreshvar Kumar Jain, and
11. Myself.

My submission is that the first portion of the motion be put first.

Mr. CHANDRESHVAR PRASHAD NARAYAN SINHA : Sir, I rise to place before you a few words. I want to explain our attitude in this matter. We do not want the Government to understand that at present it is exactly an attitude of non-co-operation that we are giving no names on the Select Committee. The reasons are that on principle we feel that no useful purpose will be served by anybody going there. At any rate that is our idea. If we go to the Select Committee without having the advantage of public opinion before us we may not be able to serve the useful purpose which ordinarily a member should be in a position to serve on the Select Committee. Another reason is that it is not possible for us even to privately gather public opinion in the short time, while every day we are sitting in this House. We feel constrained not to allow any member of our party to go on the Select Committee and this is the reason I wanted to explain before you, Sir.

Mr. BINODANAND JHA :

समापति महोदय, यह एक ऐसा प्रस्ताव House के सामने रखा गया है, जिसके बारे में ज्यादा कहने की गुंजाइश नहीं है। मैं केवल कुछ शब्द इस पर कहना चाहता हूँ। मैं मि० यूनुस की दलील का उत्तर देना नहीं चाहता हूँ। उन्होंने कहा है कि चूंकि मेरी पार्टी का बहुमत है, इसलिए उन लोगों को मेरी पार्टी पर निर्भर करना पड़ता है। इसका निचोड़ यह निष्कर्ष है...

Mr. MUHAMMAD YUNUS : On a point of personal explanation Sir, perhaps I have been misunderstood. What I said was that we had our limitations and as such we could not defy other party's opinion, and, therefore, would have gladly accepted the motion for circulation.

Mr. BINODANAND JHA :

इसलिए मैं अर्ज कर रहा था, कि यह सरकार के अस्तित्व के खिलाफ जाता है। श्रद्धेय सर गणेशदत्त सिंह की दलील के सम्बन्ध में एक दो बातें कह कर मैं बैठ जाना चाहता हूँ। जिस जोश से उन्होंने इस तज़वीज़ का विरोध किया है वह दरअसल मैं.....

The Hon'ble the SPEAKER :

आप किस विषय पर बोल रहे हैं ?

Dr. Sir GANESH DUTTA SINGH : I have supported the motion for circulation, Sir. I have not spoken on the merits of the Bill.

Mr. BINODANAND JHA :

मैं आप से यह अर्ज करना चाहता हूँ कि यदि आप चाहें, तो इस बिल की circulation के लिये भेज या Select Committee में भेजें। अब बिल का introduction stage खतम हो चुका है। बिल के principles जब के House ने accept कर लिया है, तो Sir Ganesh की भी कबूल कर लेना चाहिए। उन्होंने कहा है कि इसके circulation होने में कौन कौन सी आफतें होनेवाली हैं। एक ऐसे ही मौके पर इस प्रान्त में किसी मेम्बर ने दुर्भाग्यवश एक तज़वीज़ पेश की थी कि court fees का rate कम कर दिया जाय, उस समय इस House के सामने सर गणेश दत्त सिंह ने कहा था—

If the revenue increases, it is possible I would get 5 lakhs for recurring grants next year. If you cut down the revenue in this way, it would be impracticable for Government to give you relief. By cutting down your own revenue, practically you are cutting down your own relief. Now you are always thinking that excise is a fortune's purse, but that is not so. You are always against it. How long you will escape I cannot say. The moment it goes away, I do not know how many new taxes will be imposed to meet the loss of revenue under one head.

कि इस तज़वीज़ की Select Committee में refer न करके public opinion के लिए circulate किया जाय। मैं यह मानता हूँ कि इस House में जितने sections of opinion हैं उससे ज्यादा sections of opinion House

के बाहर हैं जो स्वतन्त्रता के साथ इस महत्वपूर्ण विषय पर विचार कर सकते हैं। मैं आपको याद दिलाना चाहता हूँ कि सन् १९३२ ई० में बा० श्रीकृष्ण सिंह ने यह तज़वीज पेश की थी कि Public Safety Act को circulate कर दिया जाय। इतना ही नहीं उन्होंने यह भी कहा था कि कठिनाइयों को कम करने के लिए लोगों की राय जान ली जाय। किन्तु उस पर ध्यान नहीं दिया गया।

आज Finance Minister ने इस तज़वीज को पेश करके कोई नया रास्ता सुलभाने की कोशिश नहीं की है। आप इसे Select Committee में भेज कर इसकी जांच करें। आप देखेंगे कि यह committee House के opinion को reflect करेगी। इस House के सामने इतना मसाला नहीं है जिससे वह यह निश्चित करे कि इस बिल का कौन सा अंश हटाया जाय और कौन सा अंश रखा जाय। आपकी पहली कार्रवाई से आपकी काफी मसाला मिल चुका है।

Mr. CHANDRESHVAR PRASHAD NARAYAN SINHA:

आप उस समय की Government को पसन्द करते हैं ?

Mr. BINODANAND JHA:

जी नहीं, मैंने आपके कामों की आपके सामने रख दिया है।

Mr. CHANDRESHVAR PRASHAD NARAYAN SINHA:

मैं उन दिनों उस तरफ बैठा करता था।

Mr. BINODANAND JHA:

इस House के सामने काफी मसाला है। इस बिल की Select Committee में भेज दिया जाय।

Dr. Sir GANESH DUTTA SINGH: I am thinking, Sir, what the difference is between democracy and autocracy (*Hear, hear*). I am puzzled to solve this, but it strikes me that it depends upon strength, if you have got strength, you are an autocrat and if you are weak, you favour democracy. Sir, two of you, the hon'ble the Leader of the Opposition and you were the members of this Council when we were autocrats and you were then democrats so much so that there were several times walks in

and walks out. We would not walk out. We shall stick to our ground and fight whatever may be the result. Sir, my speech has been quoted. I am never in favour of reducing the revenue and, if not tomorrow, day after tomorrow you will again listen to what I have to say about excise department. I know, Sir, that revenue is the most essential thing for Government. The first duty of Government is to see how to get money and then to proceed with administration. But it must be done in a regular way. Measures and Bills should not be rushed through. It has been just said that it is a popular Government. I admit that it is a popular Government. Further it has been said that whenever a popular Government decide any measure, I know they have got majority and their decision should not be opposed. If that is the meaning of a popular Government, we should rather walk out and leave these places for other members of the popular party, but as long as we are here on this side we have to fight every inch. Our position will be this. We would place matters before Government and it is always open to them to accept or not to accept them. I think it is known to the Government that the motor license fee is paid by non-judicial stamp. That is not covered, I think, by this Bill. At least I know that is not increased. Because if it is increased by 50 per cent, the amount will be not 3½ lakhs, but it will be about 7 to 8 lakhs. I do not know whether they have noticed it or it has been left alone to suit the convenience of many of us. When the Motor Taxation Bill was introduced, there was an open cry all over the province. Every big people was affected—those who had two or three motor cars had to pay two or three fees which they did not like and they sold out their extra cars in order to avoid taxation on more than one. I know of officials, non-officials and many big men who did this. Motor car is a thing of luxury and enjoyment of the rich and for this vehicular traffic better roads are required and, therefore, they should not be left. Perhaps it has not been considered, but if it has been considered, I should like to know the position in regard to the motor license fees.

Now there is another aspect of this case. Perhaps all those popular members who are here know it that in the Registration Department there is a certain class of men who are called scribes and how are they paid, Sir? On the value of the stamp. If the stamp value is Re. 1 they generally get 0-8-0. Perhaps this thing has not been taken into account. The moment the stamp is increased, these scribes will double their charges.

The Hon'ble Mr. ANUGRAH NARAYAN SINHA : How is the remuneration prescribed?

Dr. Sir GANESH DUTTA SINGH : There is no question of regulation. That is a matter of common knowledge known to everybody. I think the Hon'ble the Finance Minister had occasions to go to the Registration Office.

The Hon'ble Mr. ANUGRAH NARAYAN SINHA : Very few.

Dr. Sir GANESH DUTTA SINGH : My idea is this that there is no regulation, but it has become a convention. There are many conventions which govern the Council and that convention governs the Registration Offices that a scribe is paid half the value of the stamp. Just add that amount. If you get $3\frac{1}{2}$ lakhs, at least the scribes will get $1\frac{1}{2}$ lakhs. That means people will not have to pay $3\frac{1}{2}$ lakhs as calculated but people will be out of their pocket to the extent of more than 4 lakhs.

-Then there is another item which is called corruption in the offices. Perhaps I myself tried my best as a member and as a Minister, but I could not stop it. This should also be taken into consideration. That has something to do with the value of stamp. The poor people who will go to the registration office, will have to pay the increased value of stamp. Now you know how difficult it is for those poor people who come to the registration office specially from mufassil. You are taking into consideration the cost of stamp only but there are other factors which have also to be considered. My submission is this that this Bill ought not to be accepted by the Assembly because on the ground that you require money.

Now I come to this point. A number of schemes, which have to be prepared, have not been prepared but have been hinted at in the Finance Minister's speech. But may I ask, Sir, is there any one ready. None. Why, because you have not got funds. The proper course is this, Sir, that prepare a scheme, get it approved by a Committee or Council and then calculate what amount you would require and then tax the people if you have not got money by retrenchments. Congress has been telling people that they are going there for the purpose of reducing the expenditure, for the purpose of economy. Where is economy now? Instead of economy we find taxation Bills. Now the first thing should have been that instead of taxing the people, they would have been satisfied if some measure had been brought forward for reducing some expenditure, but we do not find any. No doubt, if it is considered that they have cut down their own salaries, I do not know whether they had free hands in this or it is according to the Karachi resolution, and Mahatma Gandhi has himself said in one of his letters which was published that he was very thankful for the Karachi resolution.

Mr. BINODANAND JHA : The Karachi resolution was passed by these gentlemen.

Dr. Sir GANESH DUTTA SINGH : Now, Sir, I accept it. It is a very good thing that they have accepted Rs. 500 instead of Rs. 4,000 which the autocratic Ministers used to get. But my submission is this that except this, whether it is the Mahatma's wish or the Karachi resolution, they have not shown anything to the effect that there has been any economy in any department of Government. Till then if the economy does not precede, the taxation Bill should not be accepted by this House. Now, Sir, I know that popular members are guided by the voice of the popular Ministers. True, but do they not think that it will be hard upon those who voted for them? I think, if they think so, where is the harm

in consulting them? When the motion for circulation has been rejected I need not say anything on that. But after passing this Bill or referring this Bill to the Select Committee they will be exposing themselves to this that they came with one promise and adopted another when they entered the Council. I find, Sir, that there is something peculiar with those 4 seats. We were blamed when we occupied those seats for carrying on things according to our own sweet will. But now I find that my friends sitting on the opposite side follow our example and do not like to yield to the demand on our side, whether good, bad or indifferent, on some ground or other. My submission is this, Sir, that in a motion like this, I think, there would have been no harm if it had been postponed for a couple of months but now, Sir, it is quite wrong to move when there is no scheme ready or when there has been no retrenchment. I submit, Sir, that this Bill is quite premature and should be rejected.

Mr. CHANDRESHVAR PRASHAD NARAYAN SINHA : Just a word in personal explanation. The Secretary, Local Self-Government referred to my participation in the Public Safety Bill. I have looked into the proceedings and I do not find that I have objected to the circulation of the Bill. In the first instance when it came up there was no motion for circulation. On the second occasion when it came up, after it had been examined by the Select Committee, for the consideration of the report of the Select Committee before the House there was a motion for re-circulation, and I do not seem to have taken any part in that.

Mr. BINODANAND JHA : When this motion of re-circulation came and that came also on the 16th the hon'ble member had actually taken part in the division on that Bill which will be found at page 565 and that his name appears on the side of "Noes". My submission is that you were there and you missed a golden opportunity of pressing this principle in respect of an important matter, namely, that any Bill which comes before the House should first be circulated for public opinion before it goes for consideration of the House.

The Hon'ble Mr. SHRI KRISHNA SINHA : Sir, I would not have risen to speak had it not been for the fact that it has extremely pained me to find Sir Ganesh Dutta descending from high pedestal on which I was very glad to find him the day when the motion for fixing the salary of Ministers came before this House. Sir Ganesh perhaps thinks that it is the Karachi resolution which has forcibly prevented us from drawing a higher remuneration. But Sir Ganesh will give us at least credit for one thing. He himself said that on some previous occasion when Ministers' salaries were being proposed to be fixed at Rs. 1,000 instead of rupees 4,000, there was a flutter, there was canvassing, and people were seen going round trying to see that Ministers' salary was not cut down to one thousand. I hope he will give this much of credit to us that we remained faithful to our high command on whose order we have come here. He will give us th

credit that we received their command quietly and calmly and there was no further canvassing.

Dr. Sir GANESH DUTTA SINGH : Nobody gives discredit.

The Hon'ble Mr. SHRI KRISHNA SINHA : You have just done that or there would be no meaning in mentioning that but for the Karachi resolution the Ministers would have been very glad to get something more. I do not think why a man of his position should have said such a thing. Coming to the merits of this Bill, Sir, with all my respects for the Leader of the Opposition, I am sorry for the attitude he has chosen to take in this House to day. I know, Sir, that Bills are sometimes circulated for eliciting public opinion. Certainly, Sir, there are occasions when it is very necessary to have public opinion elicited regarding certain Bills but there are matters regarding which we need not undergo this stage and that for two reasons. The one may be that the principles of the Bill have already been so long before the public and they have been subjected to the searchlight of public opinion for so long a time that it is not at all necessary that it should go through this stage. The other reason for not allowing the Bill to go through this stage may be that the principle underlying the Bill may not be a novel one. Now, here what does this Bill propose to do ? There are already certain taxes. This Bill proposes simply to increase that tax. Sir, I was very anxious to hear from Sir Ganesh as to why he opposes the consideration of this Bill. He says, that if you raise this tax if you pass this Bill certain men will have to pay more taxes. Certainly, some will have to pay more, and it will be distasteful to them. I know all taxations are distasteful. People will have to pay something more. I know that any increment in any taxation is disliked by those effected by it, some dissatisfaction must arise in some quarters. We sitting here have to see whether on grounds of public policy it is necessary to have that increase in taxation. It has been argued that the congress, came here with certain pledges. I thought God had left it to Mr. Yunus to remind me of my pledges but I am surprised at a very experienced man like Sir Ganesh reminding me of my pledges. I may tell him that we are determined to keep up our pledges. But because of those pledges we are bound to do such things. We are pledged to prohibition. We are pledged to compulsory primary education. We are pledged to give the youths of my country military training. Can we have money for all these by retrenchment ? Never think for a moment that retrenchments have escaped our attention.

Dr. Sir GANESH DUTTA SINGH : Have you prepared any scheme ?

The Hon'ble Mr. SHRI KRISHNA SINHA : If the hon'ble member will have patience, I will tell him (*Cheers*). I have not prepared any scheme because I have not been in office for 14 years.

We have applied the pruning knife to the salaries of Ministers—we will apply the pruning knife to every department of course within

the limits allowed by that blessed Government of India Act of which so many people are still enamoured. I know, Sir, I cannot effect retrenchments in many departments. We cannot reduce the salaries of the Indian Civil Service officers, we cannot reduce the salary of many others but we are determined to reduce the salary in cases in which we can.

Dr. Sir GANESH DUTTA SINGH : We have to wait to see that.

The Hon'ble Mr. SHRI KRISHNA SINHA : Sir Ganesh Dutta Singh wants that like a magic wand in a moment a beautiful palace can be reared. We are most anxiously thinking where retrenchments can be effected. But even after all these retrenchments we will have to find out new sources of revenue. We will have to educate the youths of our country. We will have to educate the boys who are living in villages. We know the scheme which was prepared by Mr. Yunus when he was in office. That sort of scheme would not work. I know that in spite of retrenchments we will have to tap new sources of revenue and therefore without waiting for effecting actual retrenchments which will come in due course we are tapping new sources of revenue and here is one of such sources. I would have been very glad if Sir Ganesh Dutta Singh had pointed out why this tax should not be imposed. Certainly, people have to pay more. Every taxation means taking out of some money out of the pockets of the people. I expected to hear from him in what way this particular tax is going to affect adversely the economic interests of the people of this province. Instead of saying anything on this point he said that it will be distasteful, but we in this House are ready to incur that displeasure because we want to do something for people. I do not know if my hon'ble friend has allowed some members of his party to be included in the Select Committee. Perhaps, the attitude of my friend in this respect has pained me not a little. My friend the Leader of the Opposition should come up to the ideal which has been just now laid before the House by Sir Ganesh whom he told us that he would fight to the finish. The Leader of the Opposition occupies a very responsible position in this House and though he may have a very small party he commands my respect. I expected that when he had lost one ground he would not run away but would take up the next position and come to the Select Committee. I am sorry, he has selected another course.

If the attitude taken up by the Leader of the Opposition were correct then every motion for circulation must be accepted by the House or otherwise the Leader of the Opposition would walk out saying, "Because the motion for circulation has been rejected, I cannot go into the Select Committee". I think this is not a right attitude taken by the Leader of the Opposition and it has pained me. I do not like to call it unreasonable, because I do not like that I should use that word regarding the attitude of the Leader of the Opposition.

Mr. SAIYID ALI MANZAR : The Hon'ble the Prime Minister has just said that he has no scheme, that is, he has no idea what the programme

will cost. Therefore I think it is premature to ask for any demand before he actually knows what the programme is. He has so many sources at his disposal, say ten sources, and, if after preparing his budget and fixing his schemes he tells us what amount will be required for those schemes it would be proper for us to consider the various sources and to the extent they should be tapped. But at present when there is no fixed scheme, I think it is premature to tax a particular source at our disposal. I, therefore, oppose this Bill.

Mr. JAGAT NARAYAN LAL :

सभापति महोदय, जब मैंने इस House में Stamp Act Amendment Bill move किया था, तो मुझे उम्मीद नहीं थी कि इस पर इतना वादविवाद होगा। इसलिए मैंने कुछ बोलने का ख्याल नहीं रखा था। बहुत बहस सुनाई दी। Government से schemes और estimates ये सब मंगी गये हैं। मैं hon'ble members से स्कीम के बारे में यह कहना चाहता हूँ कि उनको कम से कम यह जरूर मालूम है, जैसा कि Leader of the Opposition ने कहा है, कि we are pledged to prohibition यदि हम लोग केवल prohibition की स्कीम ही को अमल में लायेंगे तो इससे १ करोड़ १७ लाख रुपये का revenue में घाटा होगा। यह कहा गया है कि हमलोगों को retrenchment की तरफ काफी ध्यान देना चाहिए। मुझे ताज्जुब होता है कि hon'ble members ऐसा क्यों समझते हैं, उनके दिल में ऐसी शंका क्यों होती है कि Government की तरफ से retrenchment का ख्याल नहीं किया जाता है। Retrenchment के सम्बन्ध में स्वयं मिनिस्टर लोगों ने ही उदाहरण पेश किया है। Retrenchment को जो axe लगानेवाला है, वह axe योंही नहीं लगाया जायगा। बिना सीचे, विचार और गौर किये यह axe नहीं लगाया जायेगा।

सभी लोगों को मालूम है कि हमलोगों के सामने prohibition का प्रश्न है। इसे कार्यरूप में परिणत करने से हमारे सूबे का १ करोड़ १७ लाख का revenue कम हो जायेगा। इस revenue को हमें पूरा करना होगा। इसके लिए एक दो measures इस House के सामने रखे गये हैं। इनमें से एक Entertainment Bill पास किया गया है।

Dr. Sir GANESH DUTTA SINGH : May I know why you got 3½ lakhs ?

Mr. JAGAT NARAYAN LAL : Because we do not want to increase this, as it is the taxable limit at present.

Dr. Sir GANESH DUTTA SINGH : You adopt the same rate as Bengal, then why do you get 3½ lakhs only ?

Mr. JAGAT NARAYAN LAL : Because Bihar is smaller and poorer than Bengal or United Provinces.

दूसरा बिल यह Stamp Act Amendment Bill है। इस बिल से ३½ लाख की आमदनी की उम्मीद की गयी है। मैं तो समझता हूँ कि इसमें ज्यादा बोलने, रंज होने या किसी तरह के उजुर करने की गुंजाइश ही नहीं हो सकती है।

अब मैं आपके सामने कुछ figures रखना चाहता हूँ। बंगाल में वहाँ के Stamp Act के अनुसार १८२२-२३ ई० में जो दर थे वह हमलोग अपने यहाँ आज पास कर रहे हैं। जितनी duty या rates आज आप लगाना चाहते हैं वे बंगाल में १८२२-२३ ई० में लगाये गये थे, और उनसे बंगाल को १३½ लाख की आमदनी हुई। और वही १८२६-२७ ई० में बढ़कर २६ लाख हो गयी। १८३५-३६ ई० में वह duty और भी बढ़कर हिन्दुस्तान में highest level पर पहुँच गयी। वही duty मद्रास में लगायी गयी है जो ५० प्रति शत बढ़ गयी है और उसकी आमदनी १८३६ लाख हो गयी है U. P. में उस duty से २० लाख की आमदनी हुई है। पंजाब में सन् १८२२-२३ ई० में उस duty से २४ लाख की आमदनी बढ़ गयी है।

यह सब मैंने इसलिये कहा है कि इन figures से आपको मालूम होगा कि all over the country दूसरे दूसरे सूबों की Government ने अपनी duty को बहुत higher level पर रखा है। मैं अब इतना ही कह देना चाहता हूँ कि यह मौका नहीं है कि इस House में खास कर इस बिल पर circulation motion किया जाय। मेरी समझ में इसे Select Committee में भेजा जाय, तो कहीं ज्यादा अच्छा होगा। Leader of the Opposition ने जिन दिक्कतों को कहा है उन्हें (Select Committee) में examine किया जाता, और stamp duty जो बढ़नेवाली है, उसकी भी clause by clause examine किया जाता। और figures और proposals पर विचार होता। इस House में इसका opposition करना बहुत late है।

मैं अब इतना ही कहना चाहता हूँ और आशा करता हूँ कि House इसे मंजूर कर लेगा और यह बिल Select Committee में लाया जायगा।

Mr. SAIYID RAFI UDDIN AHMAD RIZVI: Sir, what I understood the Opposition party stands for is to control the Government from going into excesses and from saving the people from being victimised. That is perhaps I understand to be the real object of the opposition block in this House. But what do we find actually here happening with the opposition block? The taxation will fall on those who can afford and do afford to go to Courts, who have money enough to indulge in litigation. They have already been told that the taxation is to such a limit that it would conveniently be borne by the litigant public. That being the position, I do not think there could possibly be any opposition to the Bill. I distinctly remember when Sir Ganesh was in office I had a talk with him and without any scheme for nation-building departments he had a scheme to tax the carters. He told me that he wanted to tax every carter in the province to the extent of Rs. 20 and his whole calculation then was that that could bring him about 3 lakhs. I knew then that he had no scheme and I still know that he had no definite scheme; if he had any I would like to know from him what this scheme of his was for which he wanted to tax the poor carters. I told him that the agriculturists keep carts only for agricultural purposes and should be exempted but he was not even kind enough to consider that point. He said all the carters should be taxed. Sir Ganesh when a member of Government could tax the poor carters without any scheme, but when he is in the opposition block he must rise up and oppose a measure of taxation on the ground that there is no fixed scheme before Government. We all know and we have been pressing and pressing from all quarters and even the opposition block wanted to have prohibition; they wanted to have immediate introduction of free primary compulsory education. We all know that and the Government have told us that all this they have in view. So, Sir, I submit that if the opposition block is there to serve the poor, to get them exempted from taxation, then they ought to have suggested some other source of revenue. That being not the case, I do not think they are justified in offering opposition to the measure before the House. I hope the opposition block will consider the matter seriously in view of what I have said and the discussion that has taken place, and also in view of what has been said by the Hon'ble the Prime Minister and the Secretary, Mr. Jagat Narayan Lal. In the interest of the people they should consider the matter and come to the Select Committee and consider what exemption, if any, should be allowed to a particular class of people. I think this sort of question should be considered in the Select Committee.

Mr. HARIKISHORE PRASHAD: Sir, with regard to the objection raised by the members opposite, I have little to say because the Hon'ble the Prime Minister has ably met their objections with all the emphasis that he commands. Now, Sir, while listening to all those objections, I was thinking within myself as to what actuated those members on the opposite

side to oppose any and every proposal of taxation. The hon'ble Mr. Chandreshvar Prashad Narayan Sinha has been giving sermon after sermon as to what should be the principle of taxation. He has reminded us of the taxable capacity, this and that. Sir Ganesh Dutta Singh has been inflicting upon us sermons in regard to the Karachi resolution and lots of other things. Sir, I know what is the real motive behind it. They are afraid because the next item on the agenda is agricultural tax, and that is why they are opposing this measure. They have been fighting tooth and nail. The motive may be very simple.....

Mr. CHANDRESHVAR PRASHAD NARAYAN SINHA : The hon'ble member is imputing motive, Sir. This should be stopped.

Mr. HARIKISHORE PRASHAD : Very well, Sir. I would then say that that was the reason.....

Dr. Sir GANESH DUTTA SINGH : I know, Sir, if they want to discuss a matter they will have not only one day but a week.

The Hon'ble Mr. SHRI KRISHNA SINHA : You want one week to place your point of view ?

Mr. HARIKISHORE PRASHAD : Sir, that members representing the rich and the landed magnates of the province have been thinking of the poor is really a revelation to me. Sir Ganesh Dutta has reminded us that the remuneration of the scribes of documents is equal to the value of the stamp of the documents but I may say by personal experience by having seen such documents in the mufassal that the convention of payment to which he has referred is not established in Bihar. Sir, Mr. Manzar has asked as to what scheme is before the Government ? Why they are going to be taxed ? May I remind him, Sir, only the other day Government declared that they are in dead earnest to separate the judicial from executive functions and that they are going to take steps for early materialisation. I say that it will cost Government not less than a few lakhs and without that *Swaraj* is of no value. We have been reminded of the Karachi resolution. But has Sir Ganesh Dutta Singh taken pains to go through the resolution ? I am sure he has not. Our programme is that primary education will be made free and compulsory ; that the condition of the holding will be improved and that cannot be done without having canals, drainage and *bandhs*. These are the objects and many members have demanded that schemes for the prevention of malaria and other schemes for works of public utility should at once be taken up by Government. Government is in earnest to materialise the schemes for the amelioration of the condition of the masses. If he had any genuine feeling for the poor, he must have agreed to serve on the Select Committee like the party of Mr. Yunus. I quite realise the position that they have taken. They are also opposed to the reference of the Bill to a Select Committee. But Mr. Yunus' party having not achieved what they desired, came forward

with an open heart and have extended the hand of co-operation. I can realise their genuine feeling but I cannot realise the position which the hon'ble Babu Chandreshvar Prashad has taken. He explains that he has not taken to non-co-operating attitude. But may I ask him what it amounts to ? When they have not come forward to serve on the Select Committee and to examine all the sections and clauses of the Bill I say that they have resorted to non-co-operation. Sir Ganesh Dutta Singh complained that we are taxing the poor. I tell him that we shall not be made unpopular only because we have voted not for the circulation of the Bill but moved for its reference to a Select Committee. I may tell you, Sir, that we are going to take a bold step and to say that if our people want all sorts of amenities, they must be prepared to shoulder the taxes that are imposed upon them from time to time. I want to tell them that we are not afraid of becoming unpopular for their sake. As representatives of the poor people if we think for their amenities and amelioration of their condition, we have to tax them and we shall fearlessly tax them. I can challenge the members opposite to make us unpopular in our constituency. With these words, Sir, I commend my resolution for the acceptance of the House.

The Hon'ble the SPEAKER : The question is :

That the Bihar Stamp (Amendment) Bill, 1937, be referred to a Select Committee, with directions to submit its report before the 16th September, 1937.

The motion was adopted.

The Hon'ble the SPEAKER : Now, the question is :

That the Select Committee to which the Bihar Stamp (Amendment) Bill, 1937, has been referred do consist of the following members :—

1. The Hon'ble Mr. Anugrah Narayan Sinha, Finance Minister,
2. Mr. Jagat Narayan Lal,
3. Mr. Indra Dewan Saran Singh,
4. Mr. Jamuna Prashad Sinha,
5. Mr. Hafiz Zafar Hasan,
6. Mr. Shaikh Shafiqul Haqq,
7. Mr. Tajamul Husain,
8. Mr. Muhammad Shafi,
9. Mr. Muhammad Abdul Majeed,
10. Mr. Chakreshvar Kumar Jain, and
11. Mr. Harikishore Prashad.

The motion was adopted.