

THE BIHAR LEGISLATIVE ASSEMBLY DEBATES.

The 4th October, 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 Wednesday, the 4th October, 1939, at 11-30 A.M., the Hon'ble the Speaker, Mr. Ramdayalu Sinha, in the Chair.

SHORT NOTICE QUESTION AND ANSWER.

ADMISSION OF LAWYERS IN VARIOUS COURTS IN THE DISTRICT OF THE SANTAL PARGANAS.

3. Mr. BUDDHINATH JHA* : Will Government be pleased to state—

(a) whether Government have admitted new lawyers to practise in the district of the Santal Parganas in pursuance of the recommendation made by the Santal Parganas Enquiry Committee Report ;

(b) if the answer to clause (a) be in the affirmative, whether the aforesaid lawyers have been put on the " approved list " to enable them to practise in the Santal Courts ;

(c) the date on which the orders putting the aforesaid lawyers on the " approved list " were issued ;

(d) whether the Government orders, referred to in clause (c), have been carried out by local officers ; and whether a copy of the same has been issued to the lawyers concerned ; if so, on what date ?

Mr. KRISHNA BALLABH SAHAY : (a) The answer is in the affirmative. Government have admitted to practise in the Santal Parganas lawyers whose applications for permission to practise in the district were pending for orders on the 28th November, 1938, and who are natives of or domiciled in the Santal Parganas. The question of admitting more lawyers for practice in the Santal Parganas will be reconsidered in the beginning of 1940.

* The question was due to be answered on the 3rd October, 1939, but was postponed at the request of Government vide Legislative Assembly debates of that date.

travelling allowances to members of the Committees when they attend meetings of the said Committees ;

(b) whether it is a fact that a circular letter has been issued to all the Agricultural Advisory Committees calling for an estimate of expenditure likely to be incurred in the event of the aforesaid proposal being accepted by Government ;

(c) if the answer to clauses (a) and (b) be in the affirmative, whether they have arrived at any decision in the matter ; if so, what ; if not, how long will they take to arrive at the decision ?

Mr. SARANGDHAR SINHA : (a), (b) and (c). Out of 62 Advisory Committees in the province, 13 have recommended that travelling allowance should be paid to the members for attending Committee meetings. The matter is under the consideration of Government.

Mr. HARIKISHORE PRASHAD : Do Government propose to take the opinion of the remaining Advisory Committees ?

Mr. SARANGDHAR SINHA : The decision will not depend on the opinion of the Advisory Committees.

Mr. HARIKISHORE PRASHAD : Do Government consider the desirability of taking the opinion of the remaining Advisory Committees or not ?

The Hon'ble the SPEAKER : It is either a matter of opinion or a request for action.

Mr. HARIKISHORE PRASHAD : Do Government propose to take the opinion of the remaining 49 Advisory Committees ?

Mr. SARANGDHAR SINHA : No, Sir.

SPEEDY RECOVERY OF RENT.

113. Mr. BARA LAL KANDARP NATH SHAH DEO* : Will the Hon'ble the Prime Minister be pleased to state—

(a) whether the recent legislative changes have placed obstacles in the way of speedy recovery of rent by suit ;

(b) if the reply to clause (a) be in the affirmative, whether Government propose to change the law so that the rent receivers may realize their dues without difficulty ?

Mr. SARANGDHAR SINHA : (a) The answer is in the negative.

(b) The question does not arise.

* In the absence of the questioner, the answer was given at the request of Mr. Leeki Nandan Prashad.

Mr. SAIYID NAIMUL HAQ : Does not the provision which relates to the sale of only a portion of the holding, stand as a bar to speedy realisation ?

Mr. SARANGDHAR SINHA : Not that I am aware of.

Mr. SAIYID NAIMUL HAQ : Is there any changed provision in the Bihar Tenancy Act which has now empowered the courts to sell only a portion of a holding ?

The Hon'ble the SPEAKER : The Act is there.

Mr. SAIYID NAIMUL HAQ : The Parliamentary Secretary has said "not to his knowledge".

Mr. SARANGDHAR SINHA : I said that it did not act as a bar.

Mr. HARIKISHORE PRASHAD : Will Government be pleased to state whether the legislative changes not followed by the requisite change of heart on the part of the landlords impede collection of rent ?

The Hon'ble the SPEAKER : Order, order.

MAINTENANCE OF COURT DIARY BY MR. N. P. THADANI, I.C.S., AS DEPUTY COMMISSIONER OF SINGHBHUM.

114. Mr. SUKHLAL SINGH : Will Government be pleased to state—

(a) whether it is a fact that each court has got to maintain a court diary; if so, whether there is a rule that the court is required to sign each page of such diary in token of its sitting and that the hours of its sitting and rising have to be noted;

(b) if the answer to clause (a) be in the affirmative, whether the aforesaid diary is being maintained by Mr. N. P. Thadani, I.C.S., Deputy Commissioner of Singbhum, and whether he daily signs the diary and notes the hours as required under the aforesaid rule ?

Mr. KRISHNA BALLABH SAHAY : (a) The reply is in the affirmative.

(b) A court diary has always been maintained, but it was not being signed by the Deputy Commissioner and the hours of sitting and rising were not being noted. This was in accordance with the previous practice in the district. Since 31st July, 1939, the diary is being maintained according to rule.

Mr. SUKHLAL SINGH : Sir, the answer is that this was in accordance with the previous practice. I want to know if Government approve of this practice.

Mr. KRISHNA BALLABH SAHAY : No, we do not approve of this practice.