

THE BIHAR LEGISLATIVE ASSEMBLY DEBATES.

The 3rd August, 1938.

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 3rd August, 1938, at 11 A.M., the Hon'ble the Speaker, Mr. Ram Dayalu Sinha, in the Chair.

SHORT NOTICE QUESTION AND ANSWER.

The Hon'ble the SPEAKER : There is a short notice question, but I find that the hon'ble member has not yet come. It has been raining heavily.

Mr. MUHAMMAD SHAFI : Can anybody else put such question ?

The Hon'ble the SPEAKER : Yes on behalf of that hon'ble member.

Mr. MUHAMMAD SHAFI : But I am not acquainted with the facts.

The Hon'ble the SPEAKER : That is for you to consider before you decide to put the question. (*After a pause*) This question will stand over for the next day.

UNSTARRED QUESTIONS AND ANSWERS.

STIPENDIARIES AT THE CO-OPERATIVE TRAINING INSTITUTE, PUSA.

841. Mr. INDRA DEWAN SARAN SINGH* : Will Government be pleased to state—

(a) the number of inspectors of Co-operative Societies recently appointed or selected to be appointed ;

(b) the number of candidates belonging to :—

(i) the scheduled castes,

(ii) domiciled Bengalis,

(iii) Christian community,

(iv) Muhammadan community,

(v) Brahmin, Bhumihar-Brahmin, Rajput and Kayasthas,

*In the absence of the questioner, the answer was given at the request of Mr. Harihar Singh.

(d) whether it is a fact that the Executive Engineer failed to make a detailed design for the reinforced concrete reservoir to supply water to the various Government residences and staff quarters at Ranchi which had to be done by another officer;

(e) whether it is a fact that the said Executive Engineer has been warned by the Superintending Engineer, Public Health Circle, for his habit of making unnecessary correspondence and for his being argumentative;

(f) whether it is a fact that some of the members of his office staff and overseers, who had good reports previously have been badly reported against by the said Executive Engineer?

The Hon'ble Mr. ANUGRAH NARAYAN SINHA: (a) A complaint of poor qualifications and lack of experience of the Assistant Engineer and of the staff under him was made by the Executive Engineer but it was not entertained.

(b) The answer is in the negative.

(c) The answer to the first part is in the negative. As regards the Executive Engineer's report, the efficiency of Babu J. Prasad has, since his promotion to the sub-engineer's grade, fallen off considerably.

(d) The Executive Engineer had no experience of the design of a reinforced concrete reservoir and so this was entrusted to Mr. Whipp of the Drainage Division.

(e) and (f) Such matters are confidential and such information cannot be furnished.

CHECKING OF ACCOUNTS OF 1936 OF THE PANCHAYAT OF CIRCLE NO. XV,
POLICE-STATION SHAHPUR IN THE DISTRICT OF SHAHABAD.

847. Mr. SHYAM NARAYAN SINGH*: Will Government be pleased to state—

(a) whether it is a fact that one M. Hossain Kadri Khan, Sub-Deputy Magistrate, was asked by the District Officer, Arrah, to check the accounts of 1936 of the *panchayat* of circle no. XV of police-station Shahpur in the district of Shahabad;

(b) whether it is a fact that a petition was filed by Ram Newaj Panday and others on the 24th January 1938, before the said Sub-Deputy Magistrate, with a request to examine those assesseses whose payments were not shown in the account of the *panchayat* for the year, 1936, in order to ascertain whether they have actually paid their taxes for that year or not, and whether their prayer was rejected by the said Sub-Deputy Magistrate, and if so, why;

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

(c) whether it is a fact that during the enquiry the said Sub-Deputy Magistrate found that the members of the *panchayat* do not pay their own quota of taxes; if so, the reason for such non-payment ;

(d) whether it is a fact that the revision made by Babu G. P. Verma, Sub Deputy Magistrate, Arrah, in July 1937, was changed by the *panchayat* when preparing assessment for 1938 and that since then more than 125 irregularities have been found to have been made against the provisions of section 65 of the *Chaukidari Manual* ;

(e) if the answer to clause (d) be in the affirmative, what steps Government propose to take against the said *panchayat* ;

(f) whether it is a fact that the Subdivisional Officer, Arrah, ordered to make a reduction of Rs. 46 (5 *per cent.* extra charge) on the 6th January 1938, on the prayer of the objectors filed on the 26th December 1937 ;

(g) if so, whether the above reduction has since been set off from the present assessment list of realisation of the *chaukidari tax* for the year 1938 ;

(h) whether it is a fact that a large number of the people of circle no. XV of police-station Shahpur, Arrah, have filed a petition to the proper authority saying that they are against the present *panchayat* ;

(i) if so, what action is proposed to be taken on the said petition ?

Mr. KRISHNA BALLABH SAHAY : (a) The answer is in the affirmative. The District Officer ordered the checking of the accounts of 1936, as an allegation of misappropriation was made against the circle member *punch*. The allegation on enquiry was found to be without substance.

(b) Babu Rang Nath Sahay, second clerk of the English office of the Shahabad Collectorate, with Babu Ram Newaj Panday, appeared before the Sub-Deputy Collector on the 24th January, 1938, at the time of the local enquiry, with typed interrogatories and wanted him to record the answers to the questions in the interrogatories given to him. The Sub-Deputy Magistrate did not consider it necessary for all the interrogatories to be put to every witness but examined the witnesses in the manner he considered most suitable.

(c) The circle member *punch* and one of the member *punches* Nathuni Ray, had not till then paid their taxes. The explanation offered by the circle member *punch* was that the amount due against him would be adjusted against the commission to which he is entitled. Government have no information as to why Nathuni Ray did not pay his own quota of the tax. It was a matter for the circle member *punch* to see to.

(d) 125 changes were made in the assessment list for 1937 when preparing the assessment for 1938, by the collecting member *punch* including 35 entries revised by Babu G. P. Varma, Sub-Deputy Magistrate. No irregularities have been committed by the collecting member *punch* as under rule 65 of the *Chaukidari Rules* he has power to do so.

(e) Does not arise.

(f) The answer is in the affirmative.

(g) No adjustment was made as the amount of Rs. 46 held under objection and ordered to be reduced from 1938 assessment was not realised.

(h) The answer is in the affirmative.

(i) The circle member *punch* has since resigned and has been replaced by Jugnarain Panday of Narainpur.

REVISION OF RENTS OF RAIYATI HOLDINGS IN CERTAIN VILLAGES OF THE
SARAN DISTRICT.

848. Mr. RAM BASAWAN RABIDAS* : Will Government be pleased to state—

(a) whether it is a fact that a largely signed petition was filed by the tenants of villages Khalpura Bala, Khalpura Kamala, Makhdumganj and Bishunpura, thana Chapra Moffasil, district Saran, to the Hon'ble the Prime Minister direct as well as through the Collector of Saran, praying for issue of a notification for the settlement of a fair rent of their holdings under section 112A(1) (e) of the Bihar Tenancy Act ;

(b) whether it is a fact that the average highest rent in the aforesaid villages varies between Rs. 10 and Rs. 31 *per bigha* ; if so, has the revision of rents of such holdings been undertaken ;

(c) whether it is a fact that Government have issued instructions to the district officers that rents of only those holdings which were enhanced after 1911 should be dealt with under sub-clause (e) of sub-section (1) of section 112A of the aforesaid Act ;

(d) if the answer to clause (c) be in the affirmative, whether Government propose to afford any relief in the case of enhancements made before the year 1911 ?

Mr. KRISHNA BALLABH SAHAY : (a) No such petition has been received yet by Government either direct or through the Collector of Saran.

(b) The rate of rents in the aforesaid villages varies as follows :—

(1) Khalpura Bala from Rs. 4-1-2 to Rs. 16-12-0 *per acre*.

(2) Khalpura Kamala from Rs. 4-10-0 to Rs. 30-2-3 *per acre*.

(3) Makhdumganj from Rs. 3-3-0 to Rs. 14-13-6 *per acre*.

(4) Bishunpura from Rs. 4-14-0 to Rs. 6-1-3 *per acre*.

It is open to the tenants to apply for reduction of rent under the new section 112A(1) of the Bihar Tenancy Act.

(c) The answer is in the negative. No notification under sub-clause (e) of section 112A(1) is necessary in the case of such enhancements. They can be dealt with on an application under sub-clause (a).

(d) Does not arise.

*In the absence of the questioner, the answer was given at the request of Mr. Ram Prasad.