

Clause 143, as amended, was added to the Bill.

Clauses 144 to 155 were added to the Bill.

Clause 156— (Power to make rules) Amendment made:

Page 54,—

for line 16, substitute—

“under” (6)

[Shri Datar]

Shri Sonavane (Sholapur Reserved-Sch. Castes): Without giving us a copy of the amendments.....

Shri Datar: Hearing is as good as seeing or reading it.

Shri Sonavane:so many amendments have been carried out.

Mr. Chairman: The question is:

“That clause 156, as amended, stand part of the Bill.”

The motion was adopted.

Clause 156 as amended, was added to the Bill.

Clauses 157 to 170 were added to the Bill.

The Schedule was added to the Bill.

Clause 1.—(Short title, extent and commencement).

Amendment made:

Page 1,—

for line 7, substitute—

“(2) It extends to the whole of the Union Territory of Manipur except the hill areas thereof.” (2)

[Shri Datar]

Mr. Chairman: The question is:

“That clause 1, as amended, stand part of the Bill.”

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The Enacting Formula and the long title were added to the Bill.

Shri Datar: Sir, I beg to move:

“That the Bill, as amended, be passed.”

Mr. Chairman: The question is:

“That the Bill, as amended, be passed.”

The motion was adopted.

16.38 hrs.

TRIPURA LAND REVENUE AND LAND REFORMS BILL

The Minister of State in the Ministry of Home Affairs (Shri Datar): Sir, I beg to move:

That the Bill to consolidate and amend the law relating to land revenue in the Union territory of Tripura and to provide for the acquisition of estates and for certain other measures of land reform, as reported by the Joint Committee, be taken into consideration.

I shall be very brief so far as the consideration of this Bill is concerned for two reasons. One is that we have already discussed at great length the question of ceiling. In this case we follow the same principle except that we have introduced the words “standard acre”. Here the words “standard acre” have been introduced for the reason that there are two types of land. The definition of “standard acre” has been given in the Bill as it has been approved of by the Joint Committee. As you will see from the definition, “standard acre” means one acre of ‘lunga’ or ‘nal’ or three acres of ‘tilla’ land. There are two types of land. One is inferior and the other is superior. Formerly we had put one acre of ‘lunga’ land and two acres of ‘tilla’ land. It was considered that it might not be proper to put them in that proportion. That is the reason

[Shri Datar]

why the Joint Committee have put one acre in respect of one and three acres in respect of the other. That is the reason why the word 'standard acre' has to be introduced.

I may also point out that in Tripura, there was a class of intermediaries corresponding to zamindars or inamdars, etc. That is the reason why the law had to be very explicit. The law had to give certain substantial rights to the person in possession. The same principle has been followed in all respects. You will find that in regard to land revenue administration, certain other Acts from certain States were adopted. They also were not found satisfactory. That is the reason why Government had to consider the whole question and they have brought forward this comprehensive Bill dealing with the various matters that we dealt with in the Manipur Bill. In addition to that, here, as I stated, we have to provide for the abolition of intermediaries and for other matters dealing with this question. Under these circumstances, what was done was this. It was considered necessary to have a consolidating law dealing first, with the land revenue administration, and secondly, with the regulation of the rights between the various categories of holders. As I have pointed out, there were certain types of estates. One estate was known as kayemi taluks and the other was known as takshichi taluks, and there were a number of them. It is a matter of historical interest to know that in the case of the kayemi taluks, they had been permanently settled on these persons. That also had to be unsettled in view of the fact that these intermediaries, as holders of these estates, had to be liquidated by allowing them, if they were prepared to take land only for personal cultivation. Otherwise, they will not be entitled to hold the land at all. What was done was this. Government had to go into all the classes of persons who were holding land and special

provisions have been made. Therefore, as I stated, land revenue administration has been dealt with at great length almost on the same footing as we have done in respect of Manipur.

Then, provision has been made for survey and for settlement. In this case also, survey and settlement operations have already been started. It will take some more time to have the whole area completely surveyed and settled. As you are aware, these village records, like the record of rights, are very valuable. That is the reason why Government have undertaken a systematic survey extending over a number of years. In a few years' time, that would be completed. So, it was considered necessary that we should have a full and consolidated Revenue administration law. Then, in addition to what was done in the case of the Manipur Bill, here, we have to provide for the abolition of these intermediaries, for giving substantial rights, permanent rights, rights of ownership over the lands to the persons who were holding the lands. The other usual provisions also have been introduced.

So far as the other provisions are concerned, as you are aware, the principle was accepted that, in regard to the intermediary, if he desired to have land for his personal cultivation, equity required that he should be allowed to have the lands for his own personal cultivation. As I explained a few moments ago, the word 'personal cultivation' has to be understood very clearly. Every man with the help of his own family can cultivate the land personally, and the extent or the orbit of the family has to be extended for the purpose to his immediate relatives like his parents, father, wife and children etc. They can all together cultivate the land personally. In case they do not do it, they can have hired labour but on condition that at least there is per-

sonal supervision. So, the minimum required is personal cultivation or personal supervision, and "supervision" has also to be understood in a very careful manner. A man cannot say that he would live in Calcutta and carry on supervision of the land in Manipur or Tripura. What is laid down here, as well as elsewhere, is that for enabling the person to carry on personal cultivation in a proper manner, he will have to stay within a certain radius; in other words, he will have to stay as near the village where the land is situated as possible. Otherwise, it will not be a case of personal supervision, much less of personal cultivation in the sense of himself carrying on the agricultural operations. That is the reason why that particular point had to be mentioned.

After this Act land has to be leased for a period of five years in the first instance, whatever the written contract or oral contract to the contrary, and even after five years, as I have already pointed out, it will be continued for a further period or periods of five years. Circumstances have been mentioned where a tenant can be evicted. There also proper conditions or restrictions have been laid down and provision has been made against improper evictions.

The usual conditions have been laid down so far as ceilings are concerned. As I have pointed out, here Government had to fall back upon the fixation of a standard acre in that there is a clear distinction in quality between two or three types of land. That is the reason why a standard acre has been fixed. A standard acre might be one acre in respect of superior land, and might be three acres in respect of other lands which are of an inferior type. The usual provisions regarding ceilings, transfers and other matters have been fully dealt with, and the provision regarding prevention of fragmentation has been introduced here also as in the case of Manipur.

Thus, for the first time a systematic attempt has been made for the pur-

pose of having a complete revenue administration law just as we have got revenue Acts or revenue Codes in various States of India. For this purpose, for the Territory of Tripura, we have got now an exhaustive law dealing with land revenue administration. I might here again point out that the principles that have been followed in laying down the various provisions here are the same as in other States. We took into account the Bengal, Assam and other laws, and here we have followed generally the same principles subject to such variations, which are not many, as are required by the peculiar conditions of Tripura.

So far as exemptions are concerned, naturally in this case we had to think of the local conditions and the possibility of the land being brought under coffee, tea or even rubber cultivation. There was just a possibility of some land being under sugarcane cultivation also. In respect of these, exemptions have been granted, as they were granted on other lands in respect of other States. Thus, you will find that in respect of exemptions, the same care has been taken to see to it that no one takes undue advantage to defeat the provisions of this law. All of us are anxious that the income of this tiny State should be increased and that the people ought to be more prosperous. That is the reason why a provision has been made that in case certain landowners or agriculturists desire to bring it under tea cultivation or under coffee cultivation or under rubber cultivation or under sugarcane cultivation, then, there ought to be a provision or exemption. That is the reason why in this case, a special provision also has been made.

Similarly, there are special provisions made for the tribal people also, because in this State as in Manipur, their number is fairly large.

So, these are the main provisions in respect of this. I hope the provisions of this Bill, especially as they have been approved of by the Joint

[Shri Datar]

Committee, will lend themselves to the full support of this House.

Mr. Chairman: Motion moved.

"That the Bill to consolidate and amend the law relating to land revenue in this Union Territory of Tripura and to provide or the acquisition of estates and for certain other measures of land reform, as reported by the Joint Committee, be taken into consideration."

श्री राजेंद्र सिंह (रोहतक) : सभा-पति महोदय, मुझे खुशी है कि तेरह साल के बाद मंत्रालय ने उन काश्तकारों की तरफ ध्यान दिया है, जो जागीरदारों और इनामदारों के नीचे दब हुए थे और जिन की किस्मत को ठीक करने के लिए इस देश के दूसरे हिस्सों में काफी साल पहले ही कायदे और कानून बन चुके थे। यह मंत्रालय सीलिंग के बारे में देश के सामने माडल कानून रखना चाहता है। पर वह एक पिछलग्गू की तरह से उन बेकस आदमियों की मदद के लिए इस कानून के मसौदे को लाया है। अगर काम अच्छा हो, तो चाहे वह देर से ही क्यों न हो, उस की तारीफ करनी चाहिए। इस लिए मैं इस की तारीफ किए बगैर नहीं रह सकता।

तीन किस्म के इस्सान हैं, जिन का जमीन से रिश्ता है। एक तो वे, जो कि खुद खेती करते हैं और खुद मालिक हैं। उन के पास थोड़ी जमीन हो सकती है, या ज्यादा जमीन हो सकती है। सीलिंग के कानून से उन पर असर पड़ेगा। दूसरे वे हैं, जिन के पास जागीरदारी इनामदारी थी। उन का जमीन से कोई दास्ता नहीं था। कुछ गरीब आदमी उन की खेती करते थे। इस कानून का उन पर असर होगा, उन पर कुछ पाबन्दी होगी, उन से जमीन का अस्तित्वार कुछ लिया जायेगा। दूसरी तरफ जो खेती

करते थे, उन को अखितायर य ऊंचा दर्जा दिया जाये। लेकिन इस में जो भाई जमीन से सिर्फ जागीरदार और जमींदार का रिश्ता रखते थे, उन के साथ कुछ रियायत की गई है। आप को मालूम है कि आज से कई साल पहले उत्तर प्रदेश में जागीरदारी और जमींदारी को खत्म करने के लिए एक कानून बना। उस में सिर्फ यहां तक रियायत थी कि जो जमीन बंजर थी, उन का उन को अस्तित्वार रह गया, लेकिन जो जमीन चलती थी, उस में जो खेती करता था, उस को हक मिल गया और वह उस का मालिक तसव्वुर कर लिया गया, उस को भूमिधरी का हक मिल गया। लेकिन हम उन सब को भूमिधरी का हक नहीं दे रहे हैं, बल्कि उस के मुकाबले में, जिन जागीरदारों जमींदारों और इनामदारों को आज से छः सात साल पहले पन्त जी ने उत्तर प्रदेश में कोई अधिकार नहीं दिया था, आज हमारा गृह-मंत्रालय उन को भी अस्तित्वार दे रहा है और अगर वे खेती करना चाहें, तो वे कर सकते हैं। उन पर भी रहम की दृष्टि हुई। मेरा नम्र निवेदन यह है कि जिन के बाप-दादाओं के पास जमीन रही, जिन को मौका मिला, जिन के पास राज का साथ रहा, जब वे उस वक्त खेती नहीं कर सके, तो आज क्या करेंगे? जिन के साथ न लोगों की हमदर्दी है और न सरकार की—सिर्फ चन्द अपसरों की हमदर्दी हो सकती है—आज वे काश्तकार नहीं हो सकते हैं। अगर सरकार उन को काश्तकार बनाना चाहती है, तो वे पांच दस एकड़ के काश्तकार नहीं बन सकते हैं। जैसा कि श्री सिंहासन सिंह ने कहा है, वे बिड़ला और टाटा की तरह जमीन के ऊपर भी कैपिटल की मदद से खेती करना चाहें, तो वे शायद कर सकें और उस के लिए उन को बड़ी-बड़ी जागीरदारी और जमींदारी चाहिए। अगर सरकार का मंशा है कि ऐसे बड़े बड़े जागीरदार पैदा करे, तो यह जो सिलसिला रखा गया है वह ठीक है। मुझे

ताज्जुब है कि एक तरफ दिल्ली में एक तारीख रखी गई और प्रतीत होता है कि यह मान लिया है कि उस से पहले बोया हुआ आम का फल मीठा होगा और अगर उस के बाद बोया जायगा, तो वह खारी होगा, इस लिए आम लगाने के लिए, उस बाग के लगाने के लिए, उस तारीख के बाद कोई रियायत नहीं होगी। मैं इस बिल को पूरे तौर पर नहीं पढ़ सका। आप जानते हैं कि मंत्री महोदय की अमेंडमेंट आज आई, पहले सर्कुलिट नहीं हुई। इस सदन के बहुत से सदस्य समझते थे कि यह बिल कल आयेगा और वे रात को इस बिल को पढ़ते। मैं समझता हूँ कि उन्होंने इस में यह ख्याल रखा है कि अगर कोई टी या काफी का फार्म बनाना चाहेंगे, तो उन को एग्जेंप्शन मिलेगी। लेकिन दिल्ली में आम के बगीचे का कोई एग्जेंप्शन नहीं रखा गया है। शायद वह समझते हैं कि दिल्ली में आम तो खारी पैदा होगा और त्रिपुरा में टी और काफी बहुत बढ़िया होगी। शायद वह समझते हैं कि देश में आम बहुत ज्यादा पैदा होता है और टी और काफी की कमी है।

17 hrs.

चूंकि बदकिस्मती से मेरा जन्म देहात में हुआ और एक खेती करने वाले के घर में हुआ, इस लिए मुझे एक फर्क देख कर बड़ा दुख होता है, जिस को मंत्री महोदय ने एक मामूली ही बात कह का टाल दिया कि यह बहुत बड़ा मामला है। मैं उन से पूछना चाहता हूँ कि एक गरीब किसान, जो एक दो पांच एकड़ खेती करता है, जिस की आमदनी ३६०० रुपए नहीं है, उस का फ्रंसला करने के लिए एक कांफ्रेंस मुझे बुलानी है, प्लानिंग कमीशन ने बुलानी है या मंत्रालय ने बुलानी है। मैं समझता हूँ कि इस मसले की अहमियत केन्द्रीय सरकार को उस वक्त मान लेनी चाहिए थी, जब कि हिन्दुस्तान के दो सूबों की असैम्बलियों ने इस बारे

में प्रस्ताव पास किए। आन्ध्र असैम्बली ने यह प्रस्ताव पास किया कि दस एकड़ जमीन पर खेती करने वाले पर कोई लैंड रेवन्यू नहीं लगाया जाना चाहिए और पंजाब असैम्बली ने यह कहा कि पांच एकड़ पर खेती करने वाले पर लैंड रेवन्यू नहीं लेना चाहिए। अगर केन्द्रीय सरकार और प्लानिंग कमीशन को पहले सूझ नहीं आई थी, तो इस तरह दो बार हैम्बर किए जाने पर उन की नींद खुलनी चाहिए थी और उन को प्रदेश सरकारों के रेवन्यू मिनिस्टर्स को कांफ्रेंस बुलानी चाहिए थी और उस मसले पर गौर करना चाहिए था। आज मंत्री महोदय ने कहा कि यह बहुत बड़ा मसला है, इस पर फिर गौर करेंगे। तो उस कांफ्रेंस को डांगे साहब बुलायेंगे या दातार साहब बुलायेंगे ? अगर दातार साहब या प्लानिंग कमीशन को बुलानी थी, तो आज तक क्यों नहीं बुलाई गई ? मुझे दुख इस बात का है कि चाहे मिल्कियत या आमदनी का सवाल है, चाहे टैक्सेशन का सवाल है, इस देश के दो सैक्टर हैं—एक एग्रीकल्चरल सैक्टर और एक इंडस्ट्रियल सैक्टर। इंडस्ट्रियल सैक्टर की आमदनी पर टैक्स लगाने का तरीका मुस्तलिफ है और उस के ऊपर मिल्कियत का भी तरीका मुस्तलिफ है। ये दो किस्म की बातें कब तक इस देश में चलेंगी ? हां, चल सकती थीं, अगर हम को राय का अधिकार न होता। जिस वक्त देश का संविधान बना, उस वक्त बहुत से भाइयों ने यह कहा कि ये देहात के आमदमी पढ़े-लिखे नहीं हैं, इस लिए इन के हाथ में राय का हक दे देना देश के मफ़ाद के खिलाफ़ है। अगर सरकार इस ढंग से चलना चाहती थी, तो वह उस वक्त ही यह व्यवस्था कर देती।

सभापति महोदय : माननीय सदस्य कितना समय और लेना चाहते हैं ?

चौ० शर्वा० सिंह : चार-पांच मिनट।

सभापति महोदय : तब वह खत्म कर लें ।

श्री० रणवीर सिंह : दस मिनट भी हो सकते हैं ।

सभापति महोदय : तब कल जारी रखें ।

The House will now stand adjourned to meet at 11 A.M. tomorrow.

17.01 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, August 3, 1960/Sravana 12, 1882, (Saka).
