

1408
PROCEEDINGS

OF THE

Council of the Governor of Fort St. George

ASSEMBLED

FOR THE PURPOSE OF MAKING LAWS AND REGULATIONS
FROM JULY 1917 TO JUNE 1918

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TO THE

PROCEEDINGS OF THE COUNCIL OF THE GOVERNOR OF FORT ST. GEORGE

ASSEMBLED FOR THE PURPOSE OF MAKING

L A W S A N D R E G U L A T I O N S

FROM JULY 1917 TO JUNE 1918

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The Council assembled at the Council Chamber, Fort St. George, at 11 a.m. on Tuesday, the 20th day of November 1917.

PRESENT:

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.I.E., Governor of Madras—*Presiding.*
The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.
The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.
The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.
The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O.
The Hon'ble Mr. L. E. BUCKLEY.
The Hon'ble Mr. A. BUTTERWORTH, C.S.I.
The Hon'ble Sir ROBERT CLEGG, K.C.I.E.
The Hon'ble Mr. M. E. COUGHMAN.
The Hon'ble Mr. L. DAVIDSON, C.S.I.
The Hon'ble Mr. W. J. J. HOWLEY.
The Hon'ble Mr. A. R. KNAPP.
The Hon'ble Mr. S. B. MURRAY.
The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.
The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).
The Hon'ble Mr. J. H. STONE, C.I.E.
The Hon'ble Mr. O. G. TODHUNTER.
The Hon'ble Mr. T. RANGA ACHARIYAR.
The Hon'ble the Rev. G. PITTENDRIGH.
The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.
The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU Garu.
The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
The Hon'ble Mr. P. SIVA RAO.
The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.
The Hon'ble Mr. B. V. NARASIMHA AYYAR.
The Hon'ble Mr. K. SADASIYA BHAT.

(Mr. Narasimha Ayyar.)

[20TH NOVEMBER 1917.]

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.
 The Hon'ble Mr. K. RAMA AYYANGAR.
 The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU.
 The Hon'ble B. RAJA RAJESWARA SETUPATI *alias* MUTTURAMALINGA SETUPATI Avargal, Raja of Ramnad.
 The Hon'ble Mr. B. VENKATAPATI RAJU.
 The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
 The Hon'ble Mr. K. KUMARAN RAMAN KAVALAPPARA MUPPIL NAYAR.
 The Hon'ble YAQUB HASAN SAHIB Bahadur.
 The Hon'ble Mr. GORDON FRASER.
 The Hon'ble Mr. C. H. HIGGINBOTHAM.
 The Hon'ble Mr. E. F. BARBER.
 The Hon'ble Sir GHULAM MUHAMMAD ALI SAHIB Bahadur, Khan Bahadur, G.C.I.E., Amir-i-Arcot or Prince of Arcot.
 The Hon'ble the Most Rev. JOHN AELEN, D.D.
 The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.
 The Hon'ble Mr. T. RICHMOND.
 The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
 The Hon'ble Rao Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.
 The Hon'ble Sri SOBHA CHANDRA SINGH DEO, Zamindar of Seruguda.

NEW MEMBERS.

The following gentlemen took the prescribed oath or affirmation of allegiance to the Crown and then took their seats:—

The Honourable Mr. ALAN BUTTERWORTH, C.S.I.
 The Honourable Mr. WILLIAM JOHN JOSEPH HOWLEY.
 The Honourable Mr. MALCOLM EDWARD COUCHMAN.

QUESTIONS AND ANSWERS.

[Order made by His Excellency the President under rule 11 of the statutory rules for the asking of questions in the Council—

(1) Printed copies of all the questions and answers to be put and given at the meeting shall be placed on the Council table half an hour before the President takes his seat. The questions shall be numbered consecutively as printed.

(2) The questions shall be put and answered in the following manner:—

The Secretary shall call the name of each interpollator in turn, specify the serial numbers of his questions and make a sufficient pause to allow the Honourable Member a reasonable opportunity of rising in his place, if he is desirous of asking any supplementary questions. Supplementary questions must be put immediately after the principal questions to which they relate.]

The Hon'ble Mr. B. V. Narasimha Ayyar.

Selection of a burial-ground by the Coonoor municipal council.

1 Q.—(a) Will the Government be pleased to state if they have received a largely signed memorial from the Indians of Coonoor regarding their grievances in the matter of the Coonoor Municipal Council's selection of an unsuitable burial-ground;

(b) will the Government be pleased to take action in regard to the complaint contained in the memorial?

1 A.—(a) The answer is in the affirmative.

(b) The Government understand that a sub-committee of the Council has recommended that the site objected to shall not be used as a burial-ground. The Government do not propose to take any action at present.

2 Q.—Will the Government be pleased to state—

(a) whether their attention has been drawn to pages 37 and 38 of *Madras Law Times Journal* portion, dated 19th September 1917, Volume XXII, regarding the issue of a circular by the Guntūr District Judge to the Judicial officers in the district calling for information which members of the legal profession were taking interest in the Home Rule leagues and Swadesi movements;

(b) whether such a circular was issued;

(c) whether the same will be placed on the table; and

Circular of a district judge.

20TH NOVEMBER 1917.] (Mr. Narasimha Ayyar; Mr. Ahmad Tambi Marakkayar.)

(d) whether the Government have issued any instructions to the judicial or executive officers in their service to ascertain and report on the matters referred to in the said circular?

2 A.—(a) The Government have now perused the extract indicated.

(b) & (c) The Government are not in possession of a copy of the circular.

(d) No.

The Hon'ble Khan Bahadur A. T. G. M. Ahmad Tambi Marakkayar Sahib Bahadur.

3 Q.—(1) Will Government be pleased to state—

(a) whether any, and what further, steps have been taken concerning the Tuticorin deep water harbour scheme;

The Tuticorin harbour scheme.

(b) whether any report about the scheme has been submitted by the Hon'ble Mr. S. B. Murray, Chief Engineer, Public Works Department, who inspected the locality towards the end of last year when the borings were nearing completion;

(c) whether it would be desirable to have estimates and full details of the scheme prepared now, so that it might be taken in hand as soon as possible and be in readiness for the revival of trade which is expected at the conclusion of the war, taking, meanwhile, advantage of the present slackness of trade to obtain cheaper labour and to execute such works as could be done without difficulty, such as the opening of the proposed channel between the islands by hand labour, which would meanwhile scour and minimise the silting in the inner harbour;

(d) whether for this purpose Government is now prepared to consider the proposal of acquiring the dredger "Pelican" belonging to the Rangoon Port Trust which would now be obtainable on advantageous terms?

(2) In this connection, would Government be pleased to state the reasons for the delay of nearly two years in carrying out the diversion of the Uppar Odai, which was recommended by the Executive Engineer, and whose last estimate was under Rs. 25,000, whereas the cost of keeping the dredger "Manar" at work here amounts to almost Rs. 50,000 per annum?

3 A.—(1) (a) Preliminary borings have been taken with a view to consider the various proposals for a deep water harbour at Tuticorin.

(b) No.

(c) & (d) Before proceeding further it has been decided to obtain expert opinion as to the location of the deep water basin and approach channel and the general question of the development of the harbour.

(2) The Government are advised that, though the Uppar Odai brings a certain quantity of silt into the bay, its effect on the present harbour is not serious. The question of diverting the odai will be considered in connexion with the proposals that will be placed before the expert.

4 Q.—(a) Is it a fact that Khan Sahib S. K. Muhi-ud-din Qadir Shah Marakkayar Sahib Bahadur, President, Muslim League and Mosque Committee, Tuticorin, has on the 5th October 1917 submitted a memorial to Government regarding prohibition of play of music and beat of tom-tom in front of mosques?

Prohibition of music in front of mosques.

(b) Will the Government be pleased to amend the Police Act (Act V of 1861) as desired and prayed for in the petition of Khan Sahib S. K. Muhi-ud-din Qadir Shah Marakkayar?

4 A.—(a) Yes.

(b) The Government are not prepared to take action in the manner suggested.

5 Q.—(1) Has the attention of the Government been drawn to an article in the *Madras Times*, dated 21st October, regarding the non-representation of Muhammadan non-officials in the Trichinopoly Taluk Board?

Representation of Muhammadans on the Trichinopoly Taluk Board.

(2) With reference to the answer given by Government to my question in the meeting held on 2nd April 1913, will the Government be pleased to arrange for the adequate representation of Muhammadans in the Trichinopoly Taluk Board?

5 A.—(1) The Government have perused the article.

(2) The Honourable Member's request will be brought to the notice of the President of the District Board of Trichinopoly, as the nomination of the members of taluk boards is made by the presidents of district boards.

6 Q.—(a) Is it a fact that the Muhammadans of Dindigul have submitted a memorial to His Excellency the Governor on the 22nd October 1917 regarding a burial-ground?

Memorial from the Muhammadans of Dindigul regarding a burial-ground.

(b) Will the Government be pleased to comply with the request of the Muhammadans of Dindigul by cancelling G.O. Mis. No. 1183 M., dated 4th July 1898?

6 A.—(a) Yes.

(b) It has been suggested to the memorialists that they should make their representations to the Collector with regard to the selection of a new burial-ground; and the Government understand that the memorialists have accepted the suggestion.

QUESTIONS AND ANSWERS.

(Mr. Ahmad Tambi Marakkayar.) [20TH NOVEMBER 1917.]

Appointment of a Muhammadan deputy tahsildar in Ganjam district.

7 Q.—(a) Will the Government be pleased to state if any Muhammadan in the Ganjam district, after the retirement of Khan Sahib Lal Baig Sahib, in the year 1892, rose to the position of a deputy tahsildar?

(b) Will the Government be pleased to state if there are any qualified Muhammadans in the district, who are approved fit, for appointment as deputy tahsildars?

(c) If the answer to question (b) is in the affirmative, will the Government be pleased to appoint one qualified Muhammadan as deputy tahsildar?

7 A.—(a) No.

(b) & (c) There is one Muhammadan officer in the district approved as fit for appointment as deputy tahsildar and he will doubtless be promoted to that grade in due course if his performance of his duties satisfies the Collector in whom is vested ordinarily the power to make appointments of deputy tahsildar from among officers in the approved list.

Free and compulsory primary education in municipal areas.

8 Q.—(a) Will the Government be pleased to state if they have made any provision in the draft Bill to amend the District Municipalities Act for the introduction of free and compulsory primary education in municipal areas?

(b) If not, will the Government be pleased to make the necessary arrangements to insert this proviso in the Amendment Bill?

8 A.—(a) The Bill to amend the District Municipalities Act has not yet been finally drafted.

(b) The Government are considering the question of the legislation necessary to make better provision for elementary education in the Presidency.

Representation of the different communities in some offices.

9 Q.—(a) Will the Government be pleased to give in a tabular form (1) the number of posts on Rs. 50 to Rs. 100, Rs. 100 to Rs. 300, Rs. 300 to Rs. 500 and Rs. 500 and above respectively in the different departments (a) of the Madras Government Secretariat, (b) of the Board of Revenue, (c) of the Madras Collectorate and the communities (Non-Brahman Hindus, Muhammadans, Indian Christians, Brahmans, others) to which the present incumbents belong; (2) the proportion the respective communities bear to the total population in the city and the percentage of the said employees to the total population, communalwar?

(b) If the Government consider that the different communities specified in the preceding question are not adequately represented in the several departments, will the Government be pleased to issue instructions to the heads of offices to see that in making appointments and promotions the interests of the different communities are safeguarded and the present unequal representation, if any, set right as vacancies occur?

9 A.—(a) (1) A statement furnishing information in respect of the offices mentioned is laid on the table.*

(2) The following statement gives the information asked for:—

(i) Proportion of communities to the total population in the city—

Non Brahman Hindus ..	73.9	Brahmans ..	6.3
Muhammadans ..	11.4	Others ..	3.1
Indian Christians ..	5.3		

(ii) Percentage of employees mentioned to total population under each community—

Non-Brahman Hindus ..	0.19	Brahmans ..	0.64
Muhammadans ..	0.17	Others ..	0.15
Indian Christians ..	0.106		

(b) The subject is under the close attention of Government.

Overtime fees for Land Custom establishments.

10 Q.—(a) Are the Government aware that, in some Land Custom offices, the officers in charge as also the supervising staff have to work out of office hours, on Sundays and holidays?

(b) Is it a fact that the Sea Custom establishments are allowed overtime fees for such work?

(c) Will the Government be pleased to extend to the Land Custom establishments in important and busy stations, such as Sennamangalam, Nandalar, Karikal, Peralam, Pondicherry and Kandamangalam, the same privileges as are now enjoyed by the Sea Custom establishments?

10 A.—(a) The Government are informed that, on routes where night traffic is allowed, the staff has to work out of what are usually considered office hours as well as on Sundays and other holidays.

(b) Yes.

(c) No. The Sea Customs Act provides for the limitation of business hours and the rules issued under it for the recovery of overtime fees when work is done for the convenience of shippers, etc. The Land Customs Act makes no provision for the limitation of business hours.

QUESTIONS AND ANSWERS.

20TH NOVEMBER 1917.] (Mr. Ahmad Tambi Marakkayar; Mr. Ramanuja Achariyar.)

11 Q.—(a) Is it a fact that cholera has been, and is, prevalent in the town of Erode, and that the Municipal Council of Erode have not appointed special staff to combat the epidemic? Cholera in Erode.

(b) Have Government received memorials from some of the citizens of Erode drawing their attention to the neglect of the municipal administration in the matter?

(c) What steps do Government propose to take to stop the prevalence of the epidemic?

11 A.—(a) There were 61 deaths from cholera in Erode during August and 10 in September last. There have been none reported since the beginning of October. The Government have no information as to whether any special staff was appointed.

(b) A memorial on the subject was received on the 31st October 1917.

(c) The Government do not propose to take any action.

12 Q.—(a) Is it a fact that the Muhammadan rate-payers of Erode have submitted a memorial to Government on the 8th October 1917, praying for the immediate provision of a separate cemetery, as the present one has become congested? Grant to the Erode municipal council for acquisition of land for a cemetery.

(b) Are Government aware that the site acquired by the Erode municipality in the year 1911 for the purpose was found unsuitable as it was rocky?

(c) Are Government also aware that another site acquired for the purpose is under litigation, and is situated in the extreme end of the town?

(d) Is it also a fact that the municipal council of Erode have applied to Government for a grant from Provincial funds for the acquisition of a new site for the proposed cemetery which has been approved of by the District Medical and Sanitary Officer, Coimbatore?

(e) Will Government be pleased to sanction the required amount for the acquisition of site for the new cemetery?

12 A.—(a) No such memorial has been received.

(b) & (c) The Government have no detailed information as to the facts.

(d) Yes.

(e) The site recently selected by the council has not been approved by the Sanitary Commissioner; the application for a grant has not therefore been considered.

The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar Avargal.

13 Q.—Will the Government be pleased to state with reference to the 209 recommendations made by the Imperial Committee on co-operation presided over by Sir E. D. MacLagan— Recommendations of the Imperial Committee on co-operation.

(i) whether the Government of India have passed orders on any of them;

(ii) what recommendations have been approved for immediate adoption and what recommendations have been rejected;

(N.B.—It will be sufficient to refer to the numbers of the recommendations as given in the Committee's Report.)

(iii) whether recommendations Nos. 19, 43, 54, 85, 103, 107, 132, and 192 have been accepted and what action has been taken to give effect to them; and

(iv) what are the reasons that induced the Government of Madras to pass G.O. Press No. 1461, dated 23rd May 1917, enjoining on all central banks the duty of eliminating from the profit and loss account 'interest earned but not due for payment'?

13 A.—(i) to (iii) The Government of India divided the recommendations of the Committee into four groups, namely:—

(a) recommendations which the Government of India desired Local Governments to adopt as far as possible, viz., Nos. 1-7, 9-11, 13, 14-17, 19-20, 21-32, 34-37, 38-48, 52-55, 56, 60-66, 68-75, 77, 79, 81-87, 90-92, 192-93, 198, 200, 203-04 and 205,

(b) recommendations on which the Government of India invited the views of Local Governments, viz., Nos. 8, 12, 18, 50-51, 58, 59, 67, 78, 80, 88, 89, 94-105, 107-162, 164-178, 180-187, 194-95, 196, 197,

(c) recommendations separately reported on by Local Governments, viz., Nos. 106, 163, 179, 188-191,

(d) recommendations on which the Government of India proposed to take action separately, viz., Nos. 33, 49, 57, 76, 93, 199, 201, 202, 206-209.

The action taken by this Government on class (a) will appear from G.O. No. 2244, dated 25th July 1917, which has already been laid on the Editors' Table and from G.O. No. 2990, dated 24th September 1917, which is now laid on the table.* No orders have yet been passed by the Government of India on any of the recommendations included in class (b), while of those included in classes (c) and (d), No. 57 has been approved by the Government

QUESTIONS AND ANSWERS.

(Mr. Ramanaia Achariyar ; Mr. Gillman.)

[20TH NOVEMBER 1917.

of India, No. 199 has not been approved and as regards Nos. 104, 163 and 179, the forms of annual returns approved by the Government of India will be found in G.O. No. 71, Revenue, dated 16th January 1917, reviewing the administration report of the Co-operative Department for the year 1915-16, while the forms of quarterly financial statements are to be found at pages 1119-1122 of the *Fort St. George Gazette*, Part I, dated 18th September 1917.

(iv) The direction regarding interest earned but not due in G.O. No. 1461, Revenue, dated 23rd May 1917, was that the Registrar might, for the present, continue to the central banks the exemption which he had granted in the previous year and not as stated in the question.

Withdrawal of powers.

14 Q.—Will the Government be pleased to state with reference to G.O. No. 2380, Home (Judicial), dated 5th October 1916—

(i) the reasons which led to the withdrawal of the powers of a Special Magistrate for the town of Berhampur from M.R.Ry. Srihite Panigrahi Garu; and

(ii) whether there is anything in paragraph 4 of the judgment in Sessions case No. 10 of 1916 to show him to be an Honorary Magistrate?

14 A.—The Government are not prepared to explain the reasons for their order.

New head sluice to the Uyyakkondan, Trichinopoly district.

15 Q.—Will the Government be pleased to state—

(i) whether they have received a memorial from the landholders of the Trichinopoly taluk objecting to the construction of a new head sluice to the Uyyakkondan near Pettai-vathalai railway station;

(ii) what were the defects which the new head sluice was intended to rectify;

(iii) whether the work has been completed; and

(iv) whether there is any reason to believe that the head sluice will pass down a smaller quantity of matter than usual?

15 A.—(i) Yes.

(ii) Owing to the restricted size of the vents, water at full supply entered the channel with such velocity that a large quantity of sand and silt was being drawn into the channel. To remedy this defect the vents of the head sluice were widened and provided with sills.

(iii) The work is practically completed.

(iv) No.

Silt-clearance of the Uyyakkondan, Trichinopoly district.

16 Q.—Will the Government be pleased to state—

(i) whether they have received a memorial from the landholders of the Trichinopoly taluk complaining of the delay in the silt-clearance of the Uyyakkondan, and suggesting the framing of rules for the management of the channel, and for the supply and distribution of its water; and

(ii) whether any, and if so, what orders have been passed on the same?

16 A.—(i) Yes.

(ii) The prayer in the memorial was that silt clearance and repairs be carried out in the period from 15th April to 10th June of each year. The Executive Engineer reports that the necessary repair works to the channel were carried out this year in the months of April to June. Orders have also been issued to the local officers that the memorialists' request should be complied with as far as possible in future years.

As regards the question of the management of the channel a further memorial has just been received and is under consideration.

District officers and Home Rule movement.

17 Q.—Will the Government be pleased to state whether any circular was issued to district officers for dealing with the activities of the Home Rule movement in this Presidency?

17 A.—Yes.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"With reference to question No. 17, will the Government be pleased to lay the circular on the table?"

The Hon'ble Mr. H. F. W. GILLMAN:—"Government are not prepared to lay the circular on the table."

Government servants as members of the Anglo-Indian Association of South India.

18 Q.—With reference to the correspondence appearing in the *Hindu* of the 5th October 1917 on "the Anglo-Indian Association of South India" will the Government be pleased to state—

(i) whether the Anglo-Indian Association of South India is a political body dealing with political questions;

(ii) whether any Government servants are members or officials of the association;

(iii) whether the gentlemen, whose names are enumerated in the third paragraph of the extract, are members; and

(iv) whether Government are taking or will take steps to induce the officers to resign their membership?

18 A.—The matter is under consideration.

QUESTIONS AND ANSWERS.

7

20TH NOVEMBER 1917.] (Mr. Ramanaia Achariyar ; Mr. Rajagopala Achariyar.)

19 Q.—Will the Government be pleased to state—

(i) whether the chairmanship of the union panchayat at Nidamangalam, Tanjore district, was held for many years by non-officials;

(ii) whether their administration of the union was found to be unsatisfactory; and

(iii) why it was considered necessary to nominate the hospital assistant of the place who is an official?

Chairmanship of the Nidamangalam Union Panchayat, Tanjore district.

19 A.—The Government have no information. Chairmen of union panchayats are appointed by presidents of taluk boards.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"With regard to question No. 19, will the Government be pleased to make an enquiry why a non-official has been passed over and the hospital assistant of the place was selected as chairman of the union panchayat at Nidamangalam? Government say they have no information. Will they be pleased to inquire why the policy of the appointment of non-officials has been departed from?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The appointment is not in the hands of Government. The appointments of chairmen of union panchayats are in the hands of the presidents of taluk boards."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Why should not the Government inquire as to why the usual policy has been departed from?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The people of Nidamangalam should make a representation if there is anything wrong."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Have I, as a representative, no right to make the representation?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I must have notice of the question."

20 Q.—Will the Government be pleased to state—

(i) what were the circumstances under which Mr. Krishnaswami Sarma of Conjeeveram was prohibited from speaking in public on any matter, and from publishing or procuring to publish any such matter without the previous sanction of the Commissioner of Police, Madras, or the District Magistrate, Chingleput;

Prohibition imposed on Krishnaswami Sarma of Conjeeveram.

(ii) whether the circumstances continue, and whether the order of prohibition may now be withdrawn; and

(iii) whether Mr. Krishnaswami Sarma has made any representations to His Excellency the Governor and what orders have been passed on them?

20 A.—(i) The restrictions were imposed on Mr. Krishnaswami Sarma as there were reasonable grounds for believing that he was about to act in a manner prejudicial to the public safety.

(ii) The Government have re-examined the case and consider it necessary for the present, to maintain the restrictive order.

(iii) Yes; he has been informed that Government are not at present prepared to rescind the order.

21 Q.—Will the Government be pleased to lay on the table the full correspondence with the Government of India and the Secretary of State over the fixing of the permanent strength of the Madras High Court at ten and the continuance of two more as temporary Judges, with their replies and the final decision?

Correspondence regarding the permanent strength of the High Court.

21 A.—The Honourable Member is referred to the answer to question No. 161.

22 Q.—Will the Government be pleased to state how far the regrading of Sub-Judges and District Munsifs has progressed and whether the final scheme is ready?

Reorganization of the Provincial service (Judicial Branch).

22 A.—The Honourable Member is referred to the reply given to question No. 160.

23 Q.—Will the Government be pleased to state—

(i) whether the concession granted to unpassed candidates by G.O. No. 511, Educational, dated 9th July 1908, to be appointed permanently to posts carrying a salary of Rs. 20 per mensem has been withdrawn by G.O. No. 1021, Home (Education), dated 6th August 1917; and

Concession to unpassed candidates in Government service.

(ii) whether it will be continued to those who entered Government service after the passing of the earlier Government Order and on the faith that they could rise by promotion to posts carrying that pay?

23 A.—(i) Yes.

(ii) The new rule requiring the possession of a completed secondary school-leaving certificate in the case of appointments on Rs. 20 is not intended to affect the case of persons who held permanent appointments in the superior service of Government prior to G.O. No. 1021, Home (Education), dated the 6th August 1917.

(The Raja of Ramnad.)

[20TH NOVEMBER 1917.]

The Hon'ble the Raja of Ramnad.

Selection of
deputies
to minor
village officers
in proprietary
estates.

24 Q.—Will the Government be pleased to advise the Board of Revenue to modify their Standing Order No. 148 (9) based on B.P. No. 87, dated 5th March 1886, regarding the appointment of deputies to minors of village officers in proprietary estates so as not to make it incumbent on the divisional officers to appoint persons selected by minors' guardians irrespective of the proprietors' wish in the matter?

24 A.—The Honourable Member is mistaken in supposing that it is so incumbent on divisional officers.

Selection of
deputy
collectors for
trial of Estates
Land Act
suits.

25 Q.—Will the Government be pleased to consider the desirability of appointing deputy collectors who are Bachelors of Laws for trial of suits under the Estates Land Act, as far as possible, as is generally done in the case of Kollegal division?

25 A.—The Government fear that there would be considerable difficulty in giving any large effect to the suggestion as the number of deputy collectors who have taken the degree of Bachelor of Laws is limited but the suggestion will be borne in mind.

Local boards
meeting at
places other
than their
headquarters.

26 Q.—(a) Are the Government aware that some taluk boards are meeting at places other than at headquarters without framing a by-law under clause 1 (i) of section 31 of the Local Boards Act?

(b) Do the Government propose to issue necessary instructions to such taluk boards in the matter?

26 A.—(a) The Government have no information on the subject.

(b) The Government do not consider it necessary to issue any instructions to taluk boards in the matter.

Direct election
to district
boards.

27 Q.—Will the Government be pleased to consider the desirability of amending section 11 of the Local Boards Act when the amendment of the Act is taken up, so as to form a separate electorate for direct recruitment of members to district boards?

27 A.—The suggestion will be noted.

Annual list of
zamindars
with their
titles, etc.

28 Q.—Will the Government be pleased to publish annually a list of zamindars, with their titles, incomes, public dues, etc., and make such publication available to the public?

28 A.—The Government regret that they cannot accept the Honourable Member's suggestion.

Expenditure
on wards at
Newington.

29 Q.—Will the Government be pleased to state what is the amount spent on each ward at Newington?

29 A.—The personal charges incurred by wards at Newington vary in accordance with the means and circumstances of each individual and the Government are not in possession of details relating to individual wards nor would they think it desirable to publish such particulars.

Servants to
wards at
Newington.

30 Q.—Are the Government aware that servants are allowed in common to four or five wards in the Newington institution, and will they kindly state if the same has been done with the approval of the Government?

30 A.—As the Newington institution is under the control of the Court of Wards, the approval of the Government is not obtained to details in connexion with its management and the Government have not been consulted on the point mentioned in the question.

Investments in
the War Loan
by estates under
the Court of
Wards.

31 Q.—Will the Government be pleased to furnish a list showing the amount invested in the War Loan by each estate under the management of the Court of Wards?

31 A.—A list showing the amount invested in the War loan by each estate under the management of the Court of Wards is placed on the table.*

Assumption of
management of
Uttumalai by
the Court of
Wards.

32 Q.—Will the Government be pleased to state—
(i) whether the Uttumalai estate was taken under the management of the Court of Wards owing to the incapacity of the present proprietrix;

(ii) whether she was declared as such under section 9 (b) of the Court of Wards Act; and
(iii) the reason for the nature of the disqualification appearing as 'Sex' in Appendix A (page 12) of the Administration Report of the Court of Wards for the year 1915-16?

32 A.—The Uttumalai estate was taken under the management of the Court of Wards in 1901 under section 2 of Regulation V of 1804 which provided that the Court shall possess full power and authority to take cognizance of all cases of property devolving to heirs incapacitated by minority, sex or natural infirmity from administering their own affairs. No declaration under section 2 of Madras Act IV of 1899 was made.

* Printed as Appendix III on page 55 *infra*.

20TH NOVEMBER 1917.]

(The Raja of Rāmnād.)

33 Q.—Will the Government be pleased to state—

- (i) whether there has been any appreciable increase in the revenue to the devasthanams of the Sivaganga zamindari in the last five years;
- (ii) the special reasons for appointing an I.C.S. officer for their superintendence; and
- (iii) whether the charges incurred on his appointment are debited to the devasthanams or to the zamindari revenues?

Increase of
revenue of the
devasthanams
of the Siva-
ganga zamin-
dari.

33 A.—(i) The figures available do not show that there has been any appreciable increase in revenue during the period indicated.

(ii) The Court of Wards, which is responsible for the management of the estate, recommended the appointment of an officer of the Indian Civil Service as desirable in the interests of the ward and of his property and the Government accepted the proposal.

(iii) The charges are divided between the three sections of the estate—Ayan, Chat-tram and Devasthanam.

34 Q.—Have the Government decided on the arrangement to be made for the administration of the Sivaganga zamindari after the lease expires? If so, will the Government place on the table a proposition statement?

Administration
of the Siva-
ganga zamin-
dari after the
expiry of the
lease.

34 A.—No decision has been come to. The matter is under consideration by the Court of Wards.

35 Q.—(a) Are the Government aware that the Court of Wards administration of the Sivaganga zamindari has, in recent times, effected a considerable reduction in the establishment?

Savings in the
Sivaganga
zamindari.

(b) Will the Government kindly state—

- (i) how the savings effected thereby are proposed to be utilized;
- (ii) what is the total saving to the credit of the Sivaganga zamindari at present; and
- (iii) if any amount has been invested in any bank or in securities, and at what rates of interest?

35 A.—(a) & (b) (i) The Government are not aware that there has been any such reduction.

(b) (ii) & (iii) The estate had, at the close of fasli 1325, a sum of Rs. 48,500 invested in Government promissory-notes and other securities. The interest realized in the fasli was Rs. 1,826. The Government have no further information on the subject.

36 Q.—Will the Government be pleased to furnish the remarks of the various public bodies and individuals on the report of the Public Services Commission submitted to Government in response to G.O. No. 594, Public, dated 14th May 1917?

Publication of
opinions
collected on
the Public
Services
Commission's
report.

36 A.—The Government are not prepared at this stage to publish the replies received.

37 Q.—Will the Government be pleased to state what were the questions that were considered at the recent Collectors' Conference?

Questions
considered at
the recent
Collectors'
Conference.

37 A.—The conference was of a private and informal character and it is not proposed to publish its discussions or conclusions. It considered various judicial, revenue and local fund matters connected with district administration and other topics such as prevention of malaria and the adulteration of agricultural and industrial products intended for export.

38 Q.—Will the Government consider the desirability of reviving the publication of the following three statements in the annual Police administration report, which are found dropped:—

Publication of
certain state-
ments in the
annual Police
administration
report.

- (i) Table showing the detection of crimes (dropped since 1911);
- (ii) Review of the work of sub-inspectors (dropped since 1914); and
- (iii) Remarks of the various District Magistrates on the police administration in their respective districts (dropped since 1915)?

38 A.—(i) & (iii) The Government do not consider it advisable to revive the publication of this information.

(ii) The work of sub-inspectors is being reviewed annually.

39 Q.—Will the Government be pleased to furnish statistics where extensions are given to officers on a pay of Rs. 500 and above in the years 1915, 1916 and 1917, with the period of extension given as also the special reasons, if any, therefor in each case?

Extensions of
service of
officers drawing
Rs. 500 and
above.

(The Raja of Ramnad.)

[20TH NOVEMBER 1917.]

39 A.—The following figures show the number of officers on pay of Rs. 500 per mensem and above who were granted by Government extensions of service beyond the age of 55 years:—

in 1915	25
in 1916	27
in 1917 up to the end of October	15

Twelve officers were granted extensions on two occasions and five, three times; the total number affected was thus 45. The period of extension was usually for one year.

Article 459 of the Civil Service Regulations indicates that officers who are over 55 years and under 60 years of age should not be retired if they are really efficient. No special reason for their retention is required. The number of officers of the class mentioned retained beyond the age of 60 years was three; in these cases the extensions were granted in the interest of the public service.

The Ramnad water-supply scheme.

40 Q.—Will the Government be pleased to state the result of the investigation at Ramnad of drinking water-supply and whether there is any possibility of the scheme maturing?

40 A.—From a preliminary report received from the Sanitary Engineer in 1914 it was ascertained that the initial cost of a scheme of water-supply for the town would amount to about 4½ lakhs and the annual maintenance charges to about Rupees 12,000. As the Ramnad District Board was not in a position to finance the scheme, the investigation was dropped.

The Devakottai water-supply scheme.

41 Q.—Will the Government be pleased to state how the matter of water-supply to Devakottai town stands at present?

41 A.—The investigation of a scheme for the supply of water to Devakottai was taken up in 1911 but had to be given up in 1914 as there was no likelihood of the local bodies concerned being able to finance it. The leading residents of Devakottai object to its being constituted a municipality, and there is no provision in the Local Boards Act for the levy of water tax in unions.

Investigation into the Madura drainage works.

42 Q.—(a) Are the Government aware that cholera and smallpox have been raging in Madura for some months?

(b) Will they kindly state—

(i) the number of attacks and deaths; (ii) if they have received any report of any medical officer that the prevalence of these epidemics is due to the unfinished drainage work; and (iii) if they propose to appoint experts to investigate regarding the speedy completion or abandonment of the drainage work on grounds of safety to public health?

42 A.—(a) & (b) (i) The number of attacks and deaths from cholera and smallpox since 1st July 1917 is as follows:—

	Cholera.		Smallpox.	
	Attacks.	Deaths.	Attacks.	Deaths.
July	5	5	231	174
August	7	4	414	193
September	9	3	234	124
October	7	6	164	53
November till 9th	37	28	28	6

(ii) No.

(iii) The drainage works now under execution have been designed by experts after necessary investigation and no complaints have been received that these works are a source of danger to the public health. The Government do not propose to take action in the manner suggested by the Honourable Member.

Electric installation for Madura.

43 Q.—Will the Government be pleased to make a statement regarding the electric installation for the Madura municipality?

43 A.—The Madura Municipal Council has expressed a wish that the question of the supply of electricity to the town for lighting and other purposes should be investigated. Messrs. Best & Co. have applied for a licence for the supply of electric energy to the town and the Municipal Council has agreed that the scheme should be worked by a company to start with, subject to adequate safeguards in the matter of charges. The application is under consideration. The applicants have stated that, if the licence is granted, they will commence the work after the close of the war.

20TH NOVEMBER 1917.]

(The Raja of Ramnad.)

44 Q.—Will the Government be pleased to state—

(i) why the contribution of Rs. 6,000 made from the Urkad estate towards the Madras War Fund was not made in the name of the ward but in the name of the third widow of the late zamindar; and

(ii) whether it is usual to make such grants for charitable purposes by the Court of Wards in the name of the female member of the family?

44 A.—(i) The Court of Wards sanctioned a contribution of Rs. 5,000 from the funds of the Urkad estate towards the War Fund, but issued no orders as to the person whose name should appear in the list of contributors. It is possible that the Collector may have mentioned the name of the Zamindarni as it was at her instance that the payment was sanctioned.

(ii) The Court has in some instances sanctioned contributions from estate funds for charitable purposes at the instance and on behalf of female members of the Zamindar's family.

Contribution to the Madras War Fund from the Urkad estate.

45 Q.—Will the Government be pleased to state—

(i) if the contribution made to the Theerthapathi High School at Ambasamudram from the Urkad estate was made in pursuance of any promise made by the late zamindar;

(ii) whether the promise so made was oral or written; and

(iii) if former, to whom?

Contribution to a high school by the Urkad estate.

45 A.—The grant was made on the ground that the school was deserving of support from the estate. It is further understood that the late zamindar made a promise to the members of the managing committee of the school of a substantial contribution towards the school building as well as a site for it. But this was not in writing.

46 Q.—(a) Is it a fact that one Mr. Balakrishna Ayyar, who was the manager of the Urkad estate between the years 1904 and 1915, and a practising lawyer both before and after the said period, is allowed pension by the Court of Wards?

(b) Will the Government kindly state the reason for this arrangement?

Grant of pension to the late manager of the Urkad estate.

46 A.—The Court of Wards does not sanction retiring allowances except in very exceptional cases and on the ground of long and meritorious service and then only as a matter of grace. The Government have no information regarding the individual case referred to in the question but they have no reason to suppose that the Court has departed from its accepted principles in this matter.

47 Q.—Will the Government be pleased to state the total amount spent on public works in the Urkad estate since the Court assumed superintendence of the estate?

47 A.—The total amount spent on public works in the Urkad estate since fasli 1316, when it was taken under the management of the Court of Wards, up to fasli 1326 was Rs. 61,936.

Expenditure on public works in the Urkad estate.

48 Q.—(a) With reference to question No. 130 put by the Hon'ble the Zamindar of Doddappanayakkanur (page 39 of the proceedings of the Council, dated 11th November 1913), will the Government be pleased to state if Mr. J. M. Lonsdale, Agricultural Expert, had reported to the Court of Wards that the property is capable of improvement at a small cost and could be made to yield a large revenue?

(b) Will the Government kindly place his report on the table?

Sale of certain lands of Urkad estate.

48 A.—The subject of this property was carefully gone into by three successive Collectors of Tinnevely before the sale was decided upon in 1911. It was sold in public auction in 1912 and the then Collector (Mr. Francis) reported that a fair price had been obtained. The Government have no information as to whether Mr. Lonsdale, whose service under the Court of Wards ended in April 1912, had made any report on it and in view of the time that has since elapsed do not consider it necessary to institute any inquiries.

49 Q.—Has the attention of Government been drawn to an opinion expressed by Dr. Nanjunda Rao on the proposed Tuberculosis Institute at Chetpat in the *Hindu*, dated 18th July 1917, and will the Government be pleased to state what steps they propose to take in the matter?

49 A.—The Government have read the letter in question. The columns of a daily newspaper are not a suitable place for the discussion of medical questions and it is not proposed to take any action on the letter.

The proposed Tuberculosis Institute at Chetpat.

50 Q.—Will the Government be pleased to state—

(i) whether they are aware that, according to the census of 1911, there were 300 persons suffering from leprosy engaged as traders in this Presidency; and

(ii) what steps they have taken, in pursuance of the recommendations of the Leprosy Commission, to prevent persons suffering from leprosy from selling articles of consumption?

Lepers selling articles of food.

(The Raja of Ramnad.)

[20TH NOVEMBER 1917.]

50 A.—The question of extending the Lepers Act of 1898 to the Madras Presidency with a view to provide for the control of lepers following certain trades has been carefully considered by the Government, and they have decided to extend the Act to this Presidency as soon as arrangements can be made for the reception of pauper lepers segregated under the Act in a proper asylum. An asylum will be provided at Chingleput. The land required for it has been acquired and plans and estimates amounting to 3.43 lakhs have also been sanctioned, but owing to the scarcity of medical officers and to the financial position created by the war, the work is not likely to be undertaken at present. The introduction of the Act has consequently been postponed till the war is over. Local bodies can already exercise some control over the sale of articles of food, etc., by lepers in markets under by-laws made under the Madras City Municipal Act, 1904, the Madras Local Boards Act, 1884, and the Madras District Municipalities Act, 1884.

Increased railway fares and reduction of trains on the South Indian Railway.

51 Q.—(1) Are the Government aware of the hardship felt by the public by the increased railway fare and freight and by the reduction of trains as also by the stoppage of goods traffic to the south of Trichinopoly and to places beyond a distance of 50 miles from any station in the South Indian Railway?

(2) Will the Government be pleased to state what action they propose to take in the matter?

51 A.—(1) The Government are aware of the restrictions in traffic on railways and that inconvenience is caused thereby. Passenger fares have been increased but the goods freight charges on the South Indian Railway have not yet been increased.

Owing to the heavy goods traffic on the railway—one of the causes being the diversion on to the railway of goods traffic formerly carried by sea—and to the shortage of metre gauge engines consequent on the compliance with requisitions for military purposes, it has been necessary on the South Indian Railway, among other restrictions, to notify that only military and perishable traffic will be accepted for distances under 50 miles in the direction of the flow of traffic.

(2) With a view to relieve the difficulties which have arisen out of the present situation, the Government of India have appointed a Controller of Traffic whose duties are to regulate traffic over all railways in the best interests of national and general purposes. The Government therefore do not consider that any further action is necessary at present.

Railway engines, carriages, etc., sent to Mesopotamia from the Presidency.

52 Q.—Are the Government in possession of information regarding the number of railway engines, and upper and lower class carriages sent to Mesopotamia from the Madras Presidency, and will the Government be pleased to publish it?

52 A.—The Government have no information.

Inquiry into the condition of religious and charitable institutions.

53 Q.—With reference to the disallowing of my resolution regarding an inquiry into the condition of religious and charitable institutions under rule 3 (c) of Resolution rules, will the Government kindly state—

(i) if any report has been submitted by this Government to the Government of India, (ii) if they have passed any orders or sent any intimation to this Government of any proposed action; and (iii) if any action is contemplated by the Government of India, when the same is likely to be taken up?

53 A.—(i) Yes.

(ii) Yes.

(iii) No definite date can be named.

Organization of sandalwood industry.

54 Q.—Considering the large demand now in the European market for sandalwood oil, does the Government contemplate organizing sandalwood industry on a large scale?

54 A.—The question of organizing the production of sandalwood oil is under the consideration of Government.

Land acquisitions made within the last five years.

55 Q.—Will the Government kindly furnish statistics showing—

(i) the number of land acquisitions made within the last five years; (ii) in how many instances were there objections; and (iii) the amounts awarded by the Revenue Divisional Officers, District Courts and High Court in each instance where there were objection and appeal, with the amounts claimed by the parties?

55 A.—The statistics asked for are not available.

[20TH NOVEMBER 1917.] (The Raja of Ramnad; Sri Sobha Chandra Singh Deo.)

56 Q.—(a) Is it a fact that only a single individual contractor has been all along given maramat works in the Urkad estate?

Maramat works in the Urkad estate.

(b) Will the Government be pleased to direct the introduction of the system of inviting tenders for works to be carried out hereafter?

56 A.—(a) No.

(b) The Government do not consider it necessary to issue any orders in the matter.

The Hon'ble Sri Sobha Chandra Singh Deo.

57 Q.—With reference to question No. 325 (132) by the Hon'ble Raja of Dharakota at the meeting of the Council on the 27th of January 1914, regarding the extension of the elective system in the case of unions in Ganjam, will the Government be pleased to confer the franchise on the union of Aska, for the election of its chairman on behalf of the panchayat members as an experimental measure?

Elected chairmen for unions in Ganjam.

57 A.—The election of the chairman is for the present limited to unions having a population of not less than 8,000. The population of Aska is only about 5,000. The Honourable Member's suggestion will be considered when the privilege is extended to unions having a population of less than 8,000.

58 Q.—(a) Are the Government aware that there are no Uriyas in the Salt Department?

Uriyas in the Salt Department.

(b) Will the Government be pleased to order the entertainment of a few qualified Uriyas in the Salt Department, Ganjam?

58 A.—(a) There are four Sub-Inspectors, one clerk, one shroff and 76 inferior servants, all Uriyas, in the Salt, Abkari and Customs Department.

(b) Yes, whenever qualified Uriyas are forthcoming.

59 Q.—(a) With reference to my question No. 20 at the meeting of the Council on 22nd May last, will the Government be pleased to state, how many in the public service in Ganjam in whose case the Translation test has been prescribed have passed the test in Uriya?

Officials who have passed the Uriya Translation test.

(b) Is it the object of the Government in prescribing the test for Ganjam to ensure competency in the case of such public servants to cope with the efficient discharge of official routine with Uriya alone?

(c) Is the Government aware that this object is defeated by officers being exempted from the scope of the order on the ground that it has no retrospective effect?

59 A.—(a) Out of the 43 posts in the Ganjam district for which the Translation test in Uriya has been prescribed, 15 are held by persons who have actually passed that test and five by persons who have passed the compulsory vernacular test in Uriya prescribed for deputy collectors. Of the remaining 23 posts the incumbents of 21 are not affected by the orders issued in G.O. No. 548, Educational, dated the 1st September 1910, as they had qualified themselves in Telugu prior to the issue of that order, while the incumbents of the other two are under temporary exemption.

(b) Yes.

(c) It was not intended that the order should have retrospective effect.

60 Q.—(a) Will the Government be pleased to state—

(i) how many unpassed men there are in the offices under the control of the Collector of Ganjam;

Preference of Uriyas for appointments in Ganjam.

(ii) how many of them are Uriyas and how many Telugus; and

(iii) the causes of disproportion that there may be?

(b) Will the Government be pleased to order that this disproportion is remedied by a preferential selection of the Uriyas who are otherwise qualified?

60 A.—(a) (i) & (ii) Seventy-eight including those in the Agency division of Balliguda. Of these twenty-four are Uriyas and fifty-four are Telugus. (iii) & (b) The Government will consider the matter.

61 Q.—(a) With reference to the question No. 67 regarding the necessity of establishing a separate taluk board for the Parlakimedi taluk and the answer thereto at the meeting of the Council on 1st February 1916, will the Government be pleased to say whether final orders have been passed on the subject?

Establishment of a taluk board at Parlakimedi.

(b) If the answer is in the negative, will the Government be pleased to consider the suggestion sympathetically?

61 A.—The question of establishing a separate taluk board for the Parlakimedi taluk was dropped after full consideration.

(Sri Sobha Chandra Singh Deo ; Mr. A. S. Krishna Rao.) [20TH NOVEMBER 1917.

Court language
in the
Chatrapur
venue
division,
Ganjām.

62 Q.—(a) Are the Government aware that the people of Purushottapur taluk are aggrieved (i) by reason of the transfer of the criminal and revenue jurisdiction formerly exercised by a deputy tahsildar at that station to the tahsildar at Chatrapur, (ii) the non-recognition of the Uriya as the court language in the revenue and criminal courts of the division?

(b) Is it a fact that an experienced Collector of Ganjām reported in 1915 on the desirability of adopting Uriya as the language of revenue and criminal courts in the Chatrapur division which is purely a Uriya division?

(c) Will the Government be pleased to take the necessary steps in the matter?

62 A.—(a) (i) & (c) Representations on the subject were received at the time when the office of deputy tahsildar at Purushottapur was abolished, but the Government after full consideration decided on the present arrangement. They are not prepared to alter it.

(a) (ii) Uriya is at present recognized as a court language in the Chatrapur division.

(b) No.

Repair of the
embankment
on the
Mahanadi near
Aska.

63 Q.—(a) With reference to my question No. 176 at the meeting of the Council on 6th February last, will the Government be pleased to state if any final orders have been passed on the subject of repairs to the flood bank on the Mahanadi at Aska?

(b) Has the Executive Engineer, Ganjām, reported recommending the proposed repairs?

(c) Are the Government aware that in order to meet the cost of repairs to the flood bank the people of Aska have raised subscriptions for a portion of the cost and requested the district board to meet the balance from public revenues?

(d) Will the Government be pleased to order a Government grant for the above work?

63 A.—Proposals were received from the local officers and referred to the district board for remarks. The sub-committee appointed by the district board to consider the subject has reported that out of the sum of Rs. 12,000 required for closing the breaches, the residents of Aska and some zamindars have proposed to contribute Rs. 3,000. It has also recommended that the district and the taluk boards contribute Rs. 3,000 and that the Government be requested to contribute the balance. The matter is under the consideration of Government.

An agricultural
school for
Ganjām.

64 Q.—In view of the need for an agricultural school in Ganjām, will the Government be pleased to order the opening of an agricultural school in the district?

64 A.—The general question of agricultural schools is under consideration. The needs of Ganjām will be considered along with those of other districts, when the time comes for opening such schools.

Rate of
charges levied
by sub-
registrars on
documents
returned by
post.

65 Q.—(a) Will the Government be pleased to state—

(1) whether the sub-registry offices have no alternative but to collect 4 annas from every party requiring his document to be despatched by post, even in cases where more parties than one join in applying for such despatch to one place and address to avoid the necessity of paying 4 annas each; and

(2) what is the total amount of savings after deducting the actual postal charges?

(b) Will the Government be pleased to allow registering officers discretion to collect only the necessary postal charges and not more?

65 A.—(a) (1) Documents presented by different persons cannot be sent by post to one address, as complications might arise necessitating inquiries as to the actual receipt of the documents by the several presentants.

(2) The Government have no information.

(b) The Government do not consider any change in the rules necessary. In most cases the amount received leaves no margin after meeting the charges for postage and registration with acknowledgment and in some cases the amount is exceeded. During the year 1916-17 in respect of 15 registration districts the expenditure under service postage for the return of documents amounted to Rs. 12,410, while the receipts amounted to Rs. 12,304, thus showing that the four anna charge is, if at all, insufficient, not excessive.

The Hon'ble Mr. A. S. Krishna Rao Pantulu.

Statement of
legislative
business.

66 Q.—Will the Government be pleased to state—

(a) what legislative measures are under the consideration of the Government;

(b) when these measures were first taken up for consideration; and

(c) what progress has been achieved in the preparation, publication or introduction of those measures?

66 A.—A statement giving the information asked for is laid on the table.

* Printed as Appendix IV on page 56 infra.

20TH NOVEMBER 1917.] (Mr. A. S. Krishna Rao.)

67 Q.—(a) Will the Government be pleased to state if the draft Bill to amend the Madras District Municipalities Act, 1884, has been revised in pursuance of the recommendations of the mixed committee of officials and non-officials recently appointed for that purpose?

(b) Will the Government be pleased to state when the draft Bill is likely to be introduced into the Council?

67 A.—The Honourable Member is referred to the answer to question No. 98.

68 Q.—Will the Government be pleased to consider the desirability of appointing a mixed committee of officials and non-officials to consider the provisions of the draft Bill to amend the Madras Local Boards Act, 1884?

68 A.—The Government have decided to appoint a committee of officials and non-officials for the purpose.

69 Q.—(a) Is it a fact that subsequent to the issue of G.O. No. 559, Home (Education) Department, dated 1st May 1917, the Government summoned a conference of certain Principals of colleges and Headmasters of high schools and consulted them about the working of the above Government Order?

(b) Is it a fact that most, if not all, of the Principals and Headmasters so consulted expressed themselves against the above Government Order and stated that they could not give effect thereto?

(c) Will the Government be pleased to lay on the table a statement showing the names of the Principals and Headmasters who took part in that conference and the opinions expressed by them?

(d) Will the Government be pleased to state what orders, if any, have been passed on the proceedings of that conference?

(e) Will the Government be pleased to lay on the table all the papers relating to that subject?

69 A.—The conference was of a private and informal character and considered various topics: the suggestion in (b) is incorrect. No orders have been passed and no papers will be published.

70 Q.—(a) Is it a fact that students of the B.A. Honours class, Presidency College, were asked to write composition on the 'Responsibility of the European races towards the dark races'?

(b) Is it a fact that in answering that paper Mr. Krishna Rao, a Government scholarship-holder and a son of Mr. Amrita Rao, an Assistant Professor in the College, expressed views which were disapproved by Mr. Mark Hunter, Professor of English?

(c) Is it a fact that Mr. Amrita Rao was asked to account for the conduct of his son Mr. Krishna Rao?

(d) Is it a fact that Mr. Krishna Rao was required to offer an apology for his conduct and that he did so?

(e) Is it a fact that the scholarship of Mr. Krishna Rao was suspended for a term?

(f) Will the Government be pleased to state whether they have taken or intend to take any action in that matter?

70 A.—(a) It is not a fact that the subject, as stated, was prescribed, though some what similar subject was included in an optional list.

(b) to (e) Yes.

(f) The Government have not taken and do not intend to take any action in the matter.

71 Q.—(a) Will the Government be pleased to state whether the Principal of the Presidency College obtained the sanction of the Government, before suspending the scholarship fee of Mr. Krishna Rao?

(b) Will the Government be pleased to state whether the Principal of the Presidency College is empowered to suspend the scholarship fee of a Government scholarship-holder without obtaining the previous sanction of the Government?

71 A.—(a) No.

(b) The scholarship in question is not a Government but a college scholarship and was awarded by, and is therefore revocable by, the college authorities.

72 Q.—(1) Will the Government be pleased to state whether any rules have been framed and published regarding the constitution and powers of Text-books Committees; and if so, will the Government be pleased to lay them on the table?

(2) Will the Government be pleased to state what principles are being adopted in the appointment of the members of the Text-books Committees?

Bill to amend
the Madras
District
Municipalities
Act, 1884.

Committee to
consider the
Bill to amend
the Madras
Local Boards
Act, 1884.

Students and
public
meetings.

Action taken
against a
student in the
Presidency
College.

Power of
principal of
college to
suspend
scholarships.

Constitution
and powers of
Text-books
Committees.

(Mr. A. S. Krishna Rao.) [20TH NOVEMBER 1917.]

72 A.—(1) Yes. The attention of the Honourable Member is invited to appendix A to G.O. No. 764, Educational, dated the 12th July 1915, which has been placed on the Editors' table.

(2) Members are selected from among qualified persons with a view primarily to the constitution of a committee for the various school subjects.

Certain articles in the *Madras Mail*.

73 Q.—(a) Has the attention of the Government been drawn to the editorial article headed 'Mrs. Besant's release' in the *Madras Mail* of the 19th September 1917?

(b) Has the attention of the Government been drawn to the editorial article headed 'What have we to apologise for?' in the *Madras Mail* of the 22nd September 1917?

(c) Will the Government be pleased to state whether any action has been taken or is proposed to be taken in respect of those articles?

73 A.—(a) & (b) Yes.

(c) No action has been taken, nor is it proposed to take any.

Jurisdiction of district and sessions courts of Cuddapah and Bellary.

74 Q.—(a) Is it a fact that the Government contemplate the transfer of Gooty and Tadpatri taluks of Anantapur district and Adoni taluk of Bellary district from the civil jurisdiction of the District Court of Cuddapah to that of the District Court, Bellary and the transfer of Gooty and Tadpatri taluks of the Anantapur district from the Sessions division of Cuddapah to the Sessions division of Bellary?

(b) Is it a fact that the members of the Bar Association, Cuddapah, have presented a memorial to the Government requesting them to abandon the proposed changes, as likely to prejudice both the litigant public and the legal practitioners?

(c) Will the Government be pleased to inquire into the matter?

74 A.—(a) The matter is under the consideration of the Government.

(b) & (c) No memorial from the Bar Association, Cuddapah, has been received by the Government.

Dismissal of a local fund sub-overseer in Ramnad.

75 Q.—(a) Is it a fact that Mr. A. Muthuswami Nayudu, late Local Fund Sub-Overseer, Sattūr range, Ramnad district, was dismissed from service as per District Board President's Proceedings R.O.C. No. 415, dated 12th April 1916?

(b) Is it a fact that he submitted memorials to the Government in respect of the above order of dismissal and that the Government passed orders—G.O. Mis. No. 1282 L., dated 18th September 1916, G.O. Mis. No. 570 L., dated 14th April 1917, and G.O. Mis. No. 971 L., dated 5th July 1917?

(c) Has the attention of the Government been drawn to the fact that when the appeal of the above memorialist was placed before the District Board, in pursuance of the first of the above orders, the petitioner was not duly served with notice of the hearing of his appeal and that he was not given any opportunity to represent his case through a vakil?

(d) Will the Government be pleased to inquire into the matter and issue such instructions as are necessary?

75 A.—(a) & (b) Yes.

(c) The appellant made these allegations in a memorial submitted by him. The Government have no other information.

(d) No appeal lies to the Government in such cases and they do not propose to interfere.

Qualifications of Assistant Examiners for Technical Examinations.

76 Q.—(a) Has the attention of the Government been drawn to the article headed 'Assistant Examiners for Technical Examinations' published in the *Madras Mail*, dated 21st September 1917, under the name 'Efficiency'?

(b) Will the Government be pleased to lay on the table a statement showing the names of the examiners during the last three years and their qualifications in technical subjects and their place of residence?

(c) Will the Government be pleased to consider the desirability of prescribing minimum qualifications for such examiners and of selecting them from suitable candidates in the whole of the Presidency?

76 A.—(a) Yes.

(b) The attention of the Honourable Member is invited to the list containing the names of the examiners for the Government Technical examinations printed at the end of the Calendar annually issued by the Commission for Government Examinations. Further information beyond that contained therein is not available.

(c) The Government do not consider it necessary to take action in the direction suggested by the Honourable Member.

20TH NOVEMBER 1917.] (Mr. A. S. Krishna Rao; Mr. Venkatapali Raju.)

77 Q.—Will the Government be pleased to state what steps, if any, have been taken to investigate the Ayurvedic and Unani systems of medicine after the resolution moved by me on that subject on 2nd April 1917 was accepted by the Council?

Investigation into the Ayurvedic and Unani systems of medicine.

77 A.—The Honourable Member is referred to the answer given to question No. 131.

78 Q.—(1) Will the Government be pleased to state whether any proposals have been made and whether any orders have been passed for the permanent establishment of additional or temporary subordinate judges' courts and district munsifs' courts in the Presidency?

Additional Sub-Judges' and District Munsifs' Courts

(2) Will the Government be pleased to state whether any proposals have been made and whether any orders have been passed for the re-grading of the temporary or additional subordinate judges or district munsifs in the Presidency?

78 A.—The Honourable Member is referred to the reply given to question No. 160.

79 Q.—(1) Will the Government be pleased to lay on the table a statement showing the average monthly income realized by copyists employed in the civil courts in various districts of the Presidency?

Monthly income of copyists in civil courts.

(2) Will the Government be pleased to take such steps as are necessary to ensure that such copyists get income of not less than Rs. 20 per month?

79 A.—(1) A statement from eight typical districts will be laid on the table if the Honourable Member will repeat the question.

(2) The Government do not contemplate any revision of the pay of copyists.

80 Q.—(1) Will the Government be pleased to state whether the out agency of the Madras and Southern Mahratta Railway at Proddatur, Cuddapah district, has been ordered to be closed?

Closure of the out agency of the Madras and Southern Mahratta Railway at Proddatur.

(2) Is it a fact that the people of Proddatur made representations to the Government and the Railway authorities for the retention of the out agency at Proddatur?

(3) Will the Government be pleased to address the Railway authorities concerned on the subject and take steps to have the out agency retained or restored?

80 A.—(1) The Government have no information.

(2) & (3) The Government do not appear to have received any representation and do not propose to address the Railway Company.

The Hon'ble Mr. B. Venkatapati Raju.

81 Q.—Will the Government be pleased to state—

(a) whether they are aware of the fact that Dr. Vander Veen of the Dutch Government in Java is now buying a large number of the very best male and female cattle stock in Ongole taluk for exportation to Java;

Export of Ongole cattle to Java.

(b) whether he has obtained permission from the India Government to purchase good breeds of cattle available in India; and

(c) whether the Government propose to take any action in the matter to preserve good stock in India?

81 A.—The Government of India have permitted Dr. Vander Veen, who has been deputed by the Government of the Dutch East Indies to purchase cattle in South India for breeding purposes, to conduct his operations. It is not considered necessary, in the interests of cattle breeding in the Presidency, to prohibit or restrict the export of cattle. The Government have recently approved of the opening of a cattle breeding farm in the Nellore district.

82 Q.—(a) Will the Government be pleased to state whether the Tanjore Palace Library is purchased by the Government?

Purchase of the Tanjore Palace Library by the Government.

(b) Will the Government be pleased to purchase the same for the Oriental Manuscripts Library?

82 A.—(a) No.

(b) The Government understand that a scheme for the maintenance of the Tanjore Palace Library is now under the consideration of the litigants to the Tanjore Palace Estate. Their decision is being awaited.

83 Q.—Will the Government be pleased to start an incomplete secondary school to Muhammadan boys at Guntūr?

An incomplete secondary school for Muhammadan boys at Guntūr.

83 A.—The question of opening additional Government Secondary Schools for Muhammadans is under consideration. The claims of Guntūr will be considered along with those of other places.

(Mr. Venkatapati Raju.)

[20TH NOVEMBER 1917.]

Telugus in the Provincial Educational Service.

84 Q.—Has the attention of the Government been drawn to the fact of the total absence of Telugus in the permanent cadre of the Provincial Educational Service?

84 A.—The Honourable Member must have been wrongly informed as it is not a fact that there are no officers in the permanent cadre of the Provincial Educational Service who are natives of the Telugu districts.

Construction and repair of school buildings from special grants.

85 Q.—Will the Government be pleased to state the number of school buildings constructed by the local boards out of the subsidy granted by the Government in 1906-07 and how many of them fell down or were in dilapidated condition and whether steps will be taken to remedy such defects in the construction of school buildings out of the special grants?

85 A.—Four hundred and ninety-six school buildings were completed in 1906-07. It is not possible to say how many of these were constructed out of the subsidies given in that year. The Government have no information as regards the condition of these buildings. It is the duty of the local boards concerned to maintain them in proper repair.

Contributions by local bodies to public libraries and reading rooms.

86 Q.—Will the Government be pleased to state whether any and which boards or municipalities gave contribution of help to public libraries and reading rooms and whether the Government be pleased to encourage such contributions where funds permit?

86 A.—Since 1914 the Government have sanctioned four applications, one from the Kistna District Board, one from the Bezawada Municipal Council and two from the Tanjore Municipal Council, for permission to contribute to libraries. The Government will raise no objection to contributions to suitable institutions by local bodies which can afford to contribute.

Purchase of some Telugu manuscripts in the Nizam's dominions.

87 Q.—Has the attention of the Government been drawn to an article on page 6 in the *Krishna Patrika*, dated 7th April 1917, regarding the Telugu manuscripts available in the Nizam's dominions and will the Government be pleased to take steps to secure them for the Oriental Manuscripts Library?

87 A.—The Government have now perused the article. The matter will be considered in due course.

Representation of the Telugu districts on the Senate.

88 Q.—Will the Government be pleased to state whether it is a fact that there were only four representatives including Mr. E. Winckler of Parlakimedi on the Senate of the Madras University from the Telugu districts and will the Government be pleased to consider the desirability of recommending to the Chancellor for appointing some more representatives of Telugu districts in filling up the future vacancies?

88 A.—The Senate of the Madras University is not constituted solely upon a territorial basis. The Government are not prepared to make any recommendations to the Chancellor regarding nomination of members to the Senate.

Allowing unpassed men in Government service to appear for the School Final examination.

89 Q.—Will the Government be pleased to allow the unpassed candidates who joined the Government service before the introduction of Secondary School-Leaving Certificate scheme to appear for the said examination as private candidates as is being done in the Educational Department?

89 A.—The Government are not prepared to adopt the Honourable Member's suggestion.

Service as quit-rent revenue inspector as qualifying for promotion.

90 Q.—Will the Government be pleased to state whether the service rendered as quit-rent revenue inspector gives the eligibility for permanent promotion beyond Rs. 35 per mensem specified in Board's Standing Order No. 140, paragraph 3?

90 A.—Yes.

Improvement of the pay and prospects of revenue inspectors.

91 Q.—Will the Government be pleased to consider the desirability of
(a) improving the pay and prospects of revenue inspectors;
(b) limiting the number of villages to fifteen to be inspected by them for carrying on the work efficiently; and
(c) reducing the minimum number of days for tour from 25 to 20 days?

91 A.—(a) The position of revenue inspectors was substantially improved when travelling allowance at 8 annas per diem was granted in 1908. The Government would be glad to be able also to enhance the rate of pay but in this respect the claims of revenue inspectors will have to be considered together with those of all other classes of Government servants and in connexion with the general financial position.

(b) The reduction of the size of revenue inspectors' firkas is under consideration.

(c) The Government do not see any reason to reduce the minimum.

20TH NOVEMBER 1917.]

(Mr. Venkatapati Raju.)

92 Q.—Will the Government be pleased to state whether the Government is aware that the moderation system in the Secondary School Leaving Certificate examination gives scope to headmasters to misuse it by allotting a high percentage of marks to a select few and abnormally low marks to others to keep the average mark of the class normal, ensuring thereby the success of the former, and whether the Government, in view of such a scope for abuse of the moderation system, consider it advisable to suggest the abolition of the system altogether and insist upon a lighter test at the public examination so as to secure a greater percentage of passes?

Abolition of the moderation system in examinations.

92 A.—The Government are not aware that the moderation system has been misused. Nor do they consider it desirable to take action in the direction proposed by the Honourable Member.

93 Q.—Will the Government be pleased to consider the abolition of 'B group' in the Secondary School Leaving Certificate scheme and include the above subjects if necessary in the other groups in which the students are expected to stand the public test, prescribing a lighter minima without unduly taxing the candidates?

Abolition of 'B group' in the School Final scheme.

93 A.—The Government are not prepared to consider the Honourable Member's suggestion.

94 Q.—Will the Government be pleased to take necessary steps to ensure higher percentage of passes at the Intermediate examination?

Percentage of passes at the Intermediate examination.

94 A.—The Government do not propose to take any action in the matter.

95 Q.—Will the Government be pleased to state whether there is any use of compelling Secondary School Leaving Certificate students to attend classes for over a month after the public examination and if not will the Government be pleased to abolish the same?

Attendance of School Final students at classes after the public examination.

95 A.—As it is not possible to arrange for the public examination to be held later than it is, boys continue to attend school after it is over; Government consider this advantageous both for the additional training afforded to the boys and the additional opportunity of completing their attendance for the final year of the school course.

96 Q.—(a) Is it a fact that students could complete Matriculation course which corresponds to the present Secondary School Leaving Certificate

Inquiry into the qualitative conditions of the present educational system.

- (1) in eight years before 1870,
- (2) in nine years in the eighties,
- (3) in ten years in the nineties, and
- (4) in eleven years in the present time?

(b) Is it a fact that the results of the Matriculation or Secondary School Leaving Certificate examination are not satisfactory in spite of the provision of efficient teachers and inspectorial staff?

(c) Is it also a fact that out of the successful students at Secondary School Leaving Certificate examination the first-year students form a small minority?

(d) Will the Government be pleased to consider the desirability of instituting an inquiry into the qualitative conditions of the present educational system?

96 A.—(a) It is not a fact that there are now, or so far as Government have been able to ascertain ever have been, any rules or orders making it obligatory on pupils to pass through all the classes and forms of a complete course of secondary education before appearing for the Matriculation examination or for the Public examination under the Secondary School Leaving Certificate Scheme. It is however true that such a course now extends to eleven years and that pupils commonly undergo it.

It is also the case that the normal course has been from time to time lengthened much as is indicated in the Honourable Member's question. The lengthening of the course has been due to a general rise in the standard of secondary education and the desire in Madras to keep abreast of modern educational developments.

(b) Government are not prepared to call the results of the examinations mentioned unsatisfactory.

(c) No. Of students who qualify for a University course the first-year students form a decided majority.

(d) The standard of education in secondary schools depends largely on that for admission to University courses to which the great majority of pupils still aspire. The courses of study in the three higher forms have recently been revised and pending experience of the results of this revision, Government are not prepared to consider the desirability of making further inquiry.

(Mr. Venkatapati Raju ; Mr. Ramachandra Rao ; [20TH NOVEMBER 1917.
Mr. Stone ; the President.)

Medical
inspection of
schools.

97 Q.—Will the Government be pleased to make arrangements for the periodical inspection of students regarding their health and eyesight by Medical officers?

97 A.—The question of instituting a systematical medical inspection of students has been deferred till normal conditions are restored, but the subject will remain under the close attention of the department.

Bills to amend
the Local
Boards and
the District
Municipalities
Acts.

98 Q.—Will the Government be pleased to state when the Government propose to take up the amending Bills of the Local Boards Act and the District Municipalities Act?

98 A.—The Government have appointed a committee to consider the draft Local Boards Act Amendment Bill. The draft District Municipalities Bill has been considered by a similar committee and their suggestions are being examined. It is not possible to say definitely when the Bills will be ripe for introduction.

An agricultural
farm for
Kistna,
Guntur and
Nellore
districts.

99 Q.—(1) Will the Government be pleased to state—
(a) whether it is a fact that no agricultural farm or station is opened in the second circle comprising Kistna, Guntur and Nellore districts; and

(b) whether the Government propose to open an additional farm this year?
(2) Will the Government be pleased to consider the advisability of opening an agricultural farm in the second circle?

99 A.—(1) (a) Yes.
(b) Yes, in the North Arcot district.

(2) The scheme published in the Press Note, dated the 11th May 1915, contemplates two agricultural stations for the second circle.

The Hon'ble Rao Bahadur M. Ramachandra Rao Pantulu.

Penal water-
rates collected
in the Kistna,
Godavari and
Guntur
districts.

100 Q.—Will the Government be pleased to state the amount of penal water-rates collected in the Kistna, Godavari and Guntur districts for the official years 1914-15, 1915-16, 1916-17?

100 A.—Information for the official year is not available. Particulars for the fasli years 1324, 1325 and 1326 are as follows:—

			Fasli 1324.	Fasli 1325.	Fasli 1326.
			RS.	RS.	RS.
Godavari	..	..	58,668	55,540	33,916
Kistna	..	..	1,29,564	1,02,431	1,00,030
Guntur	..	..	46,562	50,289	52,268

Orders on the
resolutions
of the
Education
Conference.

101 Q.—Will the Government be pleased to state whether any orders have been passed by Government on the resolutions of the Education Conference summoned by Government two years ago?

101 A.—The recommendations of the Conference are still under consideration.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"With reference to question 101, with reference to the resolutions of the Educational Conference, the answer is that the recommendations of the Conference are still under consideration. May I inquire when the orders of the Government are likely to be issued?"

The Hon'ble Mr. J. H. STONE :—"I cannot give any information."

His Excellency the PRESIDENT :—"Will the Honourable Member give notice of the question please?"

Expansion of
the Vizaga-
patam Medical
school into a
college.

102 Q.—Will the Government be pleased to state whether there are any proposals for expanding the Vizagapatam Medical School into a fully equipped Medical College? When are the proposals, if any, likely to be given effect to?

102 A.—Proposals for the establishment of a Medical College at Vizagapatam in addition to the Medical School there are under consideration and the Government hope that this scheme will go through, but it will require the sanction of the Government of India and the Secretary of State and will involve the enlistment of additional medical staff, so that no date for its introduction can be even approximately mentioned at present.

An Engineer-
ing College for
the Northern
Circars.

103 Q.—Will the Government be pleased to state whether there are any proposals before Government for the establishment of an Engineering College in the Northern Circars and if so in what stage the above proposals are?

103 A.—There is not at present any question of establishing an Engineering College in the Northern Circars, but Government have decided to establish an Engineering School at Vizagapatam teaching up to the standard of the Lower Subordinate Class in the College of Engineering.

20TH NOVEMBER 1917.] (Mr. M. Ramachandra Rao ; Mr. Rama Ayyangar.)

104 Q.—(a) Will the Government be pleased to place on the table a statement showing
(i) the number and names of newspapers and magazines, and

(ii) the number and names of printing presses
from which security has been demanded, taken or forfeited under sections 3, 4, 5, 8, 9 and 10 of the Indian Press Act, 1910, during the last three years?

(b) Is it a fact that the Chief Presidency Magistrate, Madras, demanded security from the printer of a proposed monthly magazine entitled the *Imperial Review*; what are the grounds on which such security was considered necessary?

104 A.—(a) The following statement gives particulars of the numbers of newspapers, magazines and presses dealt with in each of the three calendar years 1914, 1915 and 1916 under the sections cited:—

Year.		Security demanded.	Section applicable.
	A.—Newspapers and Magazines.		
1914	.. .. .	Nil	Nil
1915	.. .. .	2	8
1916	.. .. .	8	8

The demand for security was not complied with in any of these cases.

B.—Printing Presses.

1914	..	..	..	..	..	8	3
1915	..	..	..	..	..	6	3
1916	..	..	..	..	..	8	3
						1	5

In five only of the foregoing cases was security actually deposited.

There was only one instance in which security was forfeited. The Government are not prepared to furnish further particulars.

(b) Yes. The Chief Presidency Magistrate made the demand in the exercise of the discretion vested in him by law.

105 Q.—(a) Will the Government be pleased to state whether they have received a copy of the resolution of the Bar Association, Guntur, passed at their meeting held on the 12th of August 1917 objecting to a circular issued by Mr. K. Srinivasa Rao, District Judge, Guntur, to the subordinate courts in the district calling for information regarding the members of the bar who take interest in Home Rule and swadeshi?

(b) Will the Government be pleased to state whether the above circular or any other circular on the subject was issued by Mr. Srinivasa Rao with the authority of Government or the High Court of Judicature at Madras?

(c) Will the Government be pleased to direct withdrawal of the circular?

105 A.—The Honourable Member is referred to the answer to question No. 2.

106 Q.—(a) Will the Government be pleased to state whether any representations have been received from the hide merchants in this Presidency complaining of the restrictions imposed on the tanning of raw-hides?

(b) Will the Government be pleased to make a statement as to how these complaints have been met?

106 A.—No representations on the subject have been made to this Government.

107 Q.—(a) Is it a fact that the Government have appointed a special officer to investigate how far retrenchment of expenditure is possible in this Presidency? Will the Government be pleased to publish the orders on the subject and also to state the scope of his work?

(b) Will the Government be pleased to state whether Sir Robert Clegg has been placed on special duty for the revision of the City and District Municipalities Bills?

(c) Will the Government be pleased to state the necessity for placing a highly paid senior officer on this duty and to state how long he is likely to be engaged on this work?

107 A.—(a) Mr. A. R. Loftus-Tottenham, I.C.S., has been placed on special duty for a period of six months from the 29th October 1917, for the purpose of examining the possibility of reducing work and establishments in the Government Secretariats and in the offices of the Board of Revenue and Collectors.

(b) & (c) Sir Robert Clegg has been placed on special duty for a period of three months in connexion with the pending proposals for legislation on the subject of local boards and municipal councils. He was selected for this duty with reference to his long experience as a district officer.

The Hon'ble Mr. K. Rama Ayyangar.

108 Q.—(a) Will the Government be pleased to state if they have taken any steps since the discussion on the resolution of the Hon'ble Rao Bahadur V. K. Ramanuja Achariyar recommending that 'the posts of Sarishtadars be included in the cadre of District Munsifs' in the meeting of the Council, dated 2nd April 1917, to recommend the transfer of Sarishtadars from the district courts in which they have been so for a long time and especially in cases in which they have been residents of the district or have had large number of relations in the district?

Transfers of
Sarishtadars of
District Courts.

Printing
presses from
which security
was demanded.

Circular of a
district judge.

Restrictions on
the tanning of
raw-hides.

Officers on
special duty.

(Mr. Rama Ayyangar.)

[20TH NOVEMBER 1917.]

(b) Will the Government be pleased to lay on the table any actual steps taken in this matter?

108 A.—(a) The High Court were addressed on the subject.

(b) The Government are not prepared to lay papers on the table.

Increase of the pay of the process-serving establishment in civil courts.

109 Q.—In view of the prevailing high prices of foodstuffs, will the Government be pleased to increase the pay of the process-service establishment attached to civil courts in the Presidency?

109 A.—The revision of pay of the process-service establishment is under the consideration of the Government.

Students and public meetings.

110 Q.—Will the Government be pleased to issue orders that students who are majors and who are in the Intermediate and higher classes may ordinarily attend political meetings except when the Principal of the college specifically prohibits students from attending any lecture about which he duly publishes notice to such students?

110 A.—The Government are not prepared to issue orders in the form suggested.

Government Pleaders and Home Rule Leagues.

111 Q.—(a) Is it a fact that the Government has expressed its view that Government Pleaders and Public Prosecutors ought not to be members of Home Rule Leagues?

(b) Will the Government, in view of the recent declaration by the Viceroy of the change of policy and in the interests of efficiency, be pleased to issue orders that there is no objection to such officers being members of Home Rule Leagues?

111 A.—(a) The Government have expressed the view that Government Pleaders and Public Prosecutors, as public servants, are debarred from taking part in political movements.

(b) No.

Government officials and political associations.

112 Q.—(a) Is it a fact that Government officials are members also of the Madras European and Anglo-Indian Associations which have recently protested against the declaration of policy of the Secretary of State for India and the Viceroy and the orders issued by them for releasing the interned persons?

(b) Will the Government be pleased to issue orders prohibiting Government officials from being members of such associations or taking part in political associations?

112 A.—Government servants are not allowed to be members of the European Association and so far as the Government are aware it is not a fact that Government servants are members of that Association. As regards the Anglo-Indian Association, the Honourable Member's attention is drawn to the answer to question No. 18.

Government officials and political associations.

113 Q.—(a) Is it a fact that Government officials take part in dissuading persons from becoming members of or taking part in Home Rule Leagues?

(b) Is it a fact that they also take part in Anti-Brahman-Non-Brahman Leagues encouraging persons to become members thereof?

(c) Will the Government be pleased to issue orders preventing public officers from taking any part one way or the other in the affairs of political associations otherwise than as provided by the law?

113 A.—(a) His Excellency the Governor's speech at the Legislative Council meeting of the 24th May 1917 was communicated to selected Government officers as an exposition of the attitude which they should adopt with regard to the Home Rule campaign as then conducted.

(b) The Government have no information and no instructions have been issued.

(c) The relationship of public officers to political movements is clearly set out in the Government Servants' Conduct Rules and the Government do not propose to issue any further instructions.

Usufruct of trees on some roads in Sattūr.

114 Q.—(a) Is it a fact that one Mr. Vengu Ayyar, trustee of the Venkatachalapati Swami temple in Sattūr, Rāmnād district, applied to the President, District Board, Rāmnād, the Revenue Board and finally to the Government by his petition, dated 23rd June 1917, that he might be allowed to enjoy the trees on the sides of the roads in Sattūr for the benefit of the devasthanam in question?

(b) Is it a fact that in the case of other inam and zamin villages in the district and in the neighbouring Kovilpatti taluk of the Tinnevely district such trees are recognized to be the property of the inamdars and zamindars concerned?

(c) Is it a fact that this matter has been the subject of litigation in O.S. No. 211 of 1895 on the file of the District Munsif's Court, Sattūr, and in A.S. No. 102 of 1897 on the file of the Temporary Subordinate Court, Tinnevely, in respect of another temple and has been decided against the taluk board concerned?

(d) Will the Government be pleased, under the circumstances, to reconsider its order and order the handing over of all the trees within the limits of Sattūr village to the trustee?

20TH NOVEMBER 1917.] (Mr. Rama Ayyangar.)

114 A.—(a) Yes.

(b) & (c) The Government have no information.

(d) The Government see no reason to take the course proposed.

115 Q.—(a) Will the Government be pleased to state if there is any proposal to direct the investment of reserve funds of co-operative societies in Indian War Loans?

(b) Will the Government be pleased to allow these societies to invest their reserves as they like for at least another ten years?

Investment of reserve funds of co-operative societies in Indian War Loans.

115 A.—(a) Co-operative societies have been advised to invest their reserve funds in post office 5-year cash certificates.

(b) Section 32 of the Co-operative Societies Act of 1912 and Rule X of the rules framed under the Act prescribe how the funds of societies should be invested and there is no proposal to alter them.

116 Q.—(a) Has the attention of the Government been drawn to an article in the *Hindu*, dated 6th July 1917, under the heading 'Grievances of the Sub-Assistant Surgeons'?

(b) Will the Government be pleased to take steps to retire the officers of that grade who have put in more than thirty-five years of service and employ them, if necessary, temporarily so as not to interfere with the graded promotion of other officers in the department?

Retirement of sub-assistant surgeons.

116 A.—(a) The Government have perused the communication referred to by the Honourable Member.

(b) They have already sanctioned a proposal that sub-assistant surgeons in the senior grades who in normal circumstances would have retired on account of age and whose retention in service is considered desirable, should be reckoned as supernumeraries in their rank and grade and that promotions should be made in their places with effect from the dates on which they would have retired but for the war.

117 Q.—(a) Is it a fact that Mr. A. M. Muthuswami Nayudu, Local Fund Overseer, Sattūr, was dismissed by the President, District Board, Rāmnād, by his order R.O.C. No. 415 of 1916, dated 12th April 1916?

(b) Is it a fact that this order was not communicated to him direct but to the District Board Engineer through whom it was received by Muthuswami Nayudu only on the 2nd May 1916?

Dismissal of a local fund overseer, Sattūr, Rāmnād.

(c) Is it a fact that, though Muthuswami Nayudu presented his appeal petition to the District Board on 31st July 1916 or two days before the expiry of the three months from the date of the receipt by him of the order of dismissal, it was summarily rejected by the President himself as out of time?

(d) Is it a fact that without inquiry into the fact whether the appeal was really out of time or not, the District Board rejected the appeal as out of time?

(e) Is it a fact that the District Board which passed this resolution was illegally constituted as it violated section 12 of the Local Boards Act which lays down that the total number of salaried Government servants and ex-officio members should not exceed one-fourth of maximum strength which is thirty-two in the case of the Rāmnād District Board?

(f) Is it a fact that the subject of Muthuswami Nayudu's appeal did not find a place in the agenda paper previously circulated to the Members of the District Board; but was added in a supplemental agenda as the last subject and circulated to the members only at the time of meeting at the meeting hall against the Board's Resolution No. 7, dated 4th July 1912?

(g) Is it a fact that a review petition by the said Muthuswami Nayudu was rejected without notice to him and without hearing his vakil?

(h) Will the Government be pleased, under the circumstances, to send for the papers and order the District Board to decide the appeal on its merits?

117 A.—(a) Yes.

(b), (c), (d), (f) & (g) The overseer made these allegations in a memorial submitted by him to the Government who have no other information.

(e) The constitution of the District Board at the time has been questioned; but under section 162 of the Local Boards Act, 1884, its proceedings cannot be deemed invalid.

(h) The Government do not propose to interfere. No appeal lies to them in such cases.

118 Q.—With reference to the question No. 206, regarding water-supply to the Palayakayal tank in the Tinnevely district, in the meeting of the Legislative Council, dated 6th February 1917, will the Government be pleased to order a direct supply channel being opened through a sluice from the north main channel just above the screw-gearing shutter and below bridge No. 6, and take it on to Palayakayal tank by getting a channel dug near the Sayalpuram-Palayakayal road southwards so as to join the Palayakayal supply-channel now existing from Perikulam?

Water-supply to the Palayakayal tank, Tinnevely district.

118 A.—The Government are unable to adopt the suggestion as the construction of the channel asked for would adversely affect existing irrigation under the North Main channel.

(Mr. Rama Ayyangar; Mr. Gillman.) [20TH NOVEMBER 1917.]

Improvement
to an irrigation
source in
Srivilliputtur
taluk, Rāmnād
district.

119 Q.—(a) Is it a fact that the ryots of Elunduraikondan village, Srivilliputtur taluk, Rāmnād district, petitioned to the tahsildar and other officers of the Revenue and Engineering Departments, on or about the 10th April 1911, to see that the supply channel to their tank from Koraiyar was not diverted by the neighbouring zamindaris and that other steps be taken to ensure a steady supply to the Elunduraikondan kanmoi?

(b) Is it a fact that various estimates have been prepared to attend to the complaints made and that no effective remedy has been given till now?

(c) Is it a fact that large portions of about 1,200 acres in extent irrigated by the tank have been shavi or waste for many years past and punja crops have been raised in them for want of adequate supply of water?

(d) Will the Government be pleased to send for the papers connected with this matter and lay them on the table and issue orders to emergently carry out a proper scheme which will ensure a steady supply of water to the tank in question and the cultivation of wet crops on the fields?

119 A.—The Government have no information but will call for a report to see whether any measures for the improvement of the supply to the tank are necessary.

Relations
between taluk
boards and
local fund
engineering
establishments.

120 Q.—Will the Government be pleased to lay on the table the opinions called for from local bodies and their presidents by their Order No. 1720 L., dated 5th December 1916, on the question of the relations between taluk boards and the local fund engineering establishment?

120 A.—The Honourable Member is referred to the answer given to question No. 150.

Circular of a
district judge.

121 Q.—(a) Is it a fact that the District Judge of Guntūr issued a circular to his subordinate officers calling for information regarding the members of the Bar who take interest in and join the Home Rule Leagues?

(b) Will the Government be pleased to issue orders cancelling the same and prohibiting any such or similar circulars?

121 A.—The Honourable Member is referred to the answer to question No. 2.

The Hon'ble Mr. K. RAMA AYYANGAR:—“With reference to question No. 121, clause (b) is not answered? May I have an answer to it?”

The Hon'ble Mr. H. F. W. GILLMAN:—“The Honourable Member has been referred to the answer to question No. 2.”

The Hon'ble Mr. K. RAMA AYYANGAR:—“But that does not give an answer.”

The Hon'ble Mr. H. F. W. GILLMAN:—“Government are not in possession of the circular. They have not called for it, and they do not feel justified in calling for it.”

Revision of
the pay of
compounders.

122 Q.—(a) Has the attention of the Government been drawn to the article under the heading “Revision of pay to compounders” at page 3 of the *Hindu*, dated 18th October 1917?

(b) Will the Government be pleased, in view of the circumstances stated therein, to give discretion to District Medical and Sanitary Officers to allow the new scale of pay to individual compounders serving under the old scheme where they are quite fit and able to discharge their duties of their office as qualified men?

122 A.—(a) The Government have perused the communication referred to by the Honourable Member.

(b) The matter is under the consideration of the Government.

Prohibition
against
tanning sheep
skin in leather
godowns in
Dindigul.

123 Q.—(a) Is it a fact that the leather godowns in Dindigul have been prohibited from tanning sheep skin and have been ordered to tan hides?

(b) Is it a fact that large quantities of skins remain untanned in Dindigul with these godowns and are likely to cause heavy loss to the merchants, if allowed to lie like that further?

(c) Will the Government be pleased to allow the merchants to tan the skins for at least a temporary period so that no loss might be caused to such merchants?

123 A.—(a) By an order issued by the Controller of Hides acting under the authority of the Government of India the tanning of skins has been prohibited throughout the Madras and Bombay Presidencies.

(b) The Government have no information.

(c) The Government have no power to grant the concession.

Reservation of
Arugupuli
tope in the
Srivilliputtur
taluk, Rāmnād,
for grazing
purposes.

124 Q.—(a) Is it a fact that the sale by auction of Arugupuli tope in the Srivilliputtur taluk, Rāmnād district, for agricultural occupation is proposed?

(b) Is it a fact that in the Rangarkovil compartment of forest in the taluk about three-fifths of the acreage fit for grazing purposes has been reserved in the lower portions adjoining patta lands leaving comparatively only rocky portions of hills higher up for grazing purposes?

(c) Is it a fact that the passages through these reserved lower portions cause inconvenience and annoyance to the shepherds and expose them to prosecution also?

20TH NOVEMBER 1917.] (Mr. Rama Ayyangar; Mr. K. R. V. Krishna Rao.)

(d) Will the Government be pleased to state what the original proposal was when the Rangarkovil compartment was sought to be reserved for grazing purpose and who the officers and non-officials were who were consulted before deciding on the area and extent to be reserved for grazing?

(e) Is it a fact that the cattle and shepherds of Srivilliputtur town and the villages around are directed to go for a period of about six months in a year beginning from the month of June for grazing purposes to Sithathikadu which is considerably exposed to wild beasts?

(f) Will the Government be pleased to immediately order the District Forest Officer, the Divisional Officer and some respectable non-official gentlemen to go into the question of the necessity of reserving Arugupuli tope and the lower ranges of the Rangarkovil forests for grazing purposes throughout the year?

124 A.—The Government have no information but will call for a report.

The Hon'ble Mr. K. R. V. Krishna Rao Pantulu.

125 Q.—With a view to enable the local elementary schoolmasters to learn practical lessons in agricultural improvements and teach those methods in the board rural schools, will the Government be pleased to instruct the presidents of district boards of districts in which there are Government agricultural farms to arrange for sending in batches local fund schoolmasters during the vacations or other convenient time to receive instructions in practical agriculture as is being done in the Vizagapatam taluk board?

Agricultural
instruction to
local fund
teachers.

125 A.—While such action as that taken by the Vizagapatam taluk board is within the powers of local bodies the Government are not prepared to make the general recommendation suggested by the Honourable Member.

126 Q.—(a) Are Government aware that owing to disrepair of branch channels in the Central Delta of the Godāvari Eastern Division the first crop irrigation of some ten villages in the Amalapuram taluk had to be largely given up this year?

Repair of
minor drains
in the
Godāvari
deltas.

(b) Will the Government be pleased to state whether estimates for repairs of minor drains in the Godāvari deltas were sent to the Government of India for sanction and whether that sanction has been received?

(c) Will the Government be pleased to request the Government of India to accord the necessary sanction without delay?

126 A.—(a) The Government have no information.

(b) & (c) Four estimates for improvements to drains in the Godāvari Delta were sent to the Government of India for sanction. One of them has been returned and the others sanctioned by the Government of India.

127 Q.—Adverting to the resolutions passed at the Simla Agricultural Conference held in January, will the Government be pleased to state what steps are being taken for providing more trained teachers in agriculture to meet the requirements of this Presidency?

Increase in the
number of
trained teachers
in agriculture.

127 A.—No agricultural conference was held at Simla last January. The Honourable Member probably refers to the conference on agricultural education held at Simla in June last. The recommendations of that conference are under consideration.

128 Q.—Will the Government be pleased to state whether any amount and if so how much and in what directions has been spent within the last four years for the improvement of the condition of the artisan classes in this Presidency?

Improvement
of the condi-
tion of the
artisan classes.

128 A.—The Honourable Member is referred to the annual reports of the Department of Industries and of the School of Arts, Madras, which are placed on the Editors' Table.

129 Q.—(a) Have Government received any proposals from the Collector of Ganjam to declare the Chatrapur Revenue division, in which Telugu and Uriya have been Court languages, as wholly a Uriya one making Uriya only as the Court language?

Court language
in the Chatra-
pur revenue
division,
Ganjam.

(b) Is it a fact that the Collector of Ganjam has issued proceedings excluding or discouraging employments to Telugus in the Chatrapur division and import Uriyas from Orissa to fill up vacancies in the Ganjam Collectorate contrary to the instructions contained in clause 4 of Board's Standing Order No. 128 and the Board's Proceedings referred to thereunder?

(c) If so, will the Government be pleased to issue orders to continue the Chatrapur Revenue division a bi-lingual division in the interests of the Telugu population?

129 A.—(a) No.

(b) The Government have no information.

(c) The matter is under consideration.

(Mr. K. R. V. Krishna Rao.) [20TH NOVEMBER 1917.]

Publication of
lists of charit-
able endow-
ments.

130 Q.—(a) With reference to G.O. No. 1535, Revenue, dated 6th July 1916, will the Government be pleased to state in how many districts lists of charitable endowments have been prepared and received by the Government through the Board of Revenue?

(b) Will the Government be pleased to issue instructions for the complete preparation of the lists as speedily as possible so that they may be available for the public?

(c) Will the Government be pleased to have all such lists published both in the district gazettes concerned and the *Fort St. George Gazette* for general information?

130 A.—On the 5th September 1917, the Board reported that lists were still due from eleven districts. The preparation and check of these lists is a work of considerable magnitude and the Government are not aware of any special urgency connected with it. The suggestion in clause (c) will be dealt with as soon as the lists are ready. None has yet reached the Government.

Research work
in regard to
the Unani and
Ayurvedic
systems.

131 Q.—(a) Now that Dr. G. Srinivasamurti is granted a commission in the Indian Medical Service and posted to Poona, will the Government be pleased to inform whether they intend to appoint another medical man for Ayurvedic and Unani research work for which purpose Dr. Srinivasamurti seems to be the first appointed?

(b) Will the Government be pleased to inform what steps they have arranged or intend to take regarding the Unani and Ayurvedic research work in this Presidency?

131 A.—It was at first hoped that the Bangalore Institute of Science would undertake research in connexion with indigenous drugs but it was found that the chemical side of the Institute is too much occupied with work connected with the war for this to be possible. Attempts were then made to obtain samples of drugs direct from popular Ayurvedic physicians but this attempt failed, as it was stated that the efficacy of a preparation depended not merely on the properties of the drug but on the method of compounding. It was therefore proposed to depute a selected Indian medical man to visit the centres of Ayurvedic medicine and ascertain personally what the methods in use are, but the largely increased demands for medical officers of all classes for the war have so reduced the staff that the Government have been compelled to postpone any further steps until normal conditions are restored.

Schools for
Panchamas and
other depressed
classes.

132 Q.—Will the Government be pleased to state—

(a) the number of elementary and secondary Panchama schools maintained

(i) by local boards and municipalities,

(ii) by Government, and

(iii) by private agencies other than mission institutions aided by Government grants;

(b) the amount of grants and other subsidies given to such schools; and

(c) the number of schools maintained by local bodies and private persons or bodies other than mission institutions for the education of the depressed classes other than Panchamas and the amount of grants and other subsidies given by Government to such schools for the last three years?

132 A.—All the available particulars are given in Volume II of the annual reports on Public Instruction to which the Honourable Member is referred. Fuller information regarding the education of depressed classes is given in the report for the quinquennium ending 31st March 1917 which will shortly be published.

Vernacular
knowledge of
District
Registrars.

133 Q.—Will the Government be pleased to state—

(a) the number of District Registrars in the Presidency whose vernacular is Telugu but who are employed in districts where the spoken and Court language is different;

(b) the number of District Registrars employed in the Telugu districts whose vernacular language is not Telugu?

133 A.—It is not understood whether the Honourable Member means by the vernacular of an officer, his mother tongue about which the Government have no information, his language or languages for departmental examinations. Nor is it understood whether by a district whose vernacular is Telugu the Honourable Member means a district whose vernacular for registration purposes is Telugu and none else or a district in which Telugu is one of the recognized languages for those purposes. If the Honourable Member will make his question more precise, the Government will gladly give him the information he wants.

Enfranchise-
ment of
asalminha
gardens in
zamindari
tracts in
Godavari and
Kistna.

134 Q.—Will the Government be pleased to state the amount of money that was expended on the Special Deputy Collector and his staff employed for the purpose of enfranchising the asalminha gardens in the zamindari tracts in the Godavari and Kistna districts?

134 A.—The Honourable Member's attention is drawn to the answer to clause (d) of his question No. 41 which was asked at the meeting of the Legislative Council of the 22nd May last. That answer applies to this question.

20TH NOVEMBER 1917.] (Mr. Suryanarayana Rao.)

The Hon'ble Mr. A. Suryanarayana Rao Pantulu.

135 Q.—Will the Government be pleased to publish the proceedings of the conference held in September 1916 in connexion with female education and the remarks or report of the Director of Public Instruction thereon?

Publication of
the proceedings
of the confer-
ence on female
education.

135 A.—The Government are unable to publish the papers at present.

136 Q.—Will the Government be pleased to state if an Inspector of Industrial Schools has been appointed and, in case the services of an European are not available, will the Government be pleased to appoint an Indian to the said post?

Appointment of
an Inspector of
Industrial
Schools.

136 A.—The appointment has not yet been made as no suitable candidate is forthcoming. Mr. Fyfe, the Instructor in Manual Training in the Education Department, is inspecting industrial schools in addition to his own duties, and receiving an allowance for the extra work. The number of industrial schools to be inspected is not such as to render the appointment of a full time officer an urgent matter.

137 Q.—Will the Government be pleased to publish the scheme worked out for the establishment of industrial teaching centres at Coimbatore, Vizagapatam and Cocanada?

Scheme for
industrial
teaching
centres.

137 A.—In 1910 a suggestion was made to Government that the St. Joseph's Industrial School, Coimbatore, should be developed with State aid but the proposal was subsequently dropped. The scheme for opening a mechanical engineering school at Cocanada is temporarily in abeyance pending decision of the question whether the needs of Cocanada would not be met by the school which the Trustees of the Malladi Satyalingam Naicker Fund propose to open. The Director of Industries has just submitted a report on the St. Aloysius' Industrial School, Vizagapatam. This report is under the consideration of Government.

138 Q.—Will the Government be pleased to state the varieties of wood found suitable for pencil manufacture and the quantity available in this Presidency? Will the Government be pleased to state the outturn of pencil manufacture in the year 1916-17 in the Presidency and also whether any pencils were placed in the market during the said period?

Pencil
manufacture
in the
Presidency.

138 A.—Full information about the working of the Experimental Pencil Factory during the year 1916-17 is given in the administration report of the Department of Industries for that year, which has been placed on the Editors' Table.

139 Q.—Will the Government be pleased to state the quantity and quality of the paper pulp manufactured by the Department of Industries and by private enterprise during 1916-17 and during the first half of 1917 and 1918 in this Presidency?

Paper pulp ma-
nufacture in
the Presidency.

139 A.—No paper pulp was made by the Department of Industries or by private enterprise in the Presidency during the periods mentioned.

140 Q.—Will the Government be pleased to state the extent of area under sugarcane cultivation in the telugu districts as compared with other districts for the last three years? Are there any sugarcane crushing stations started in the telugu districts by the Department of Industries? how many sugarcane crushing stations were started by the department and where? If the answer to the second part be in the negative, will the Government be pleased to start such stations in the telugu districts at an early date?

Sugarcane
cultivation in
the telugu
districts.

140 A.—The Government are unable to reply to the Honourable Member as it is not understood what the districts are to which he refers as telugu districts. In six districts of the Presidency the Telugu language is the sole recognized vernacular. In eight districts it is one of the recognized vernaculars. And in one district where Telugu is not a recognized vernacular, there is a substantial telugu population. If the Honourable Member will say what the districts are for which he wants information as to the area under sugarcane cultivation, he will be given the information. There are two sugarcane crushing stations in the Presidency, one at Singanallur in the Coimbatore district and the other at Chittavadgi in the Bellary district.

141 Q.—Will the Government be pleased to state if any State Technical Scholarship is granted in this Presidency under G.O. No. 1381, dated 16th December 1916, and, if so, to whom it was granted and for studying what subject?

Grant of State
technical
scholarships.

141 A.—The scholarship was not awarded this year as there was no suitable candidate with requisite educational qualifications.

(Mr. Suryanarayana Rao ; Mr. Rajagopala Achariyar.) [20TH NOVEMBER 1917.

Subsidies to local bodies for education.

142 Q.—With reference to G.O. No. 26, dated 6th January 1917, will the Government be pleased to state how much of the amount of grant thereunder was utilized by the district boards of Ganjam and Vizagapatam for each of the purposes mentioned therein, viz., to pay in full the capitation allowances of teachers to open additional elementary schools, and to improve the staff of existing schools?

142 A.—The Government are not in possession of the information asked for.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU :—"With reference to question No. 142, will your Excellency be pleased to call for the information?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Will the Honourable Member please write and say what he wants the information for? It will require some time to get it. If he will write and say what purpose it will serve, I will consider it.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU :—"I understand the amount has not been spent. That is why I want the information."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Will the Honourable Member please write and tell me why he wants the information? I shall then consider."

The boy-scout movement in Government schools.

143 Q.—Will the Government be pleased to state whether the boy-scout system has been introduced into any schools under Government control?

143 A.—Yes—in the Teachers' College at Saidapet.

Subsidy to local bodies for education.

144 Q.—Will the Government be pleased to state with reference to G.O. No. 709, dated 29th May 1917, the grounds on which subsidy was granted only to some of the district boards and municipalities and not granted to others?

144 A.—The distribution was fixed with reference to the applications for aid received from local bodies.

Opening of an Engineering school at Vizagapatam.

145 Q.—With reference to G.O. No. 722, dated 31st May 1917, will the Government be pleased to state what steps are being taken to open a new Engineering school at Vizagapatam and when the school will be opened?

145 A.—A scheme for the school has been formulated and a committee has been appointed to consider the selection of a site.

Glassware and bangle industry in the Presidency.

146 Q.—Will the Government be pleased to state whether any survey of the economical and commercial conditions for the manufacture of glassware as recommended by Resolution 11 of the Committee on glass experiments was made, and what steps are taken by the Department of Industries for survey of the alkaline earths in this Presidency and also for the preliminary survey of the bangle industry and what are the results achieved?

146 A.—Except as regards bangles no inquiry has yet been made as a preliminary to further experiments with glassware. An examination has been made of alkaline earths, but the results of this examination and of the inquiry into the bangle industry are not yet available.

Non-official President for Berhampur Taluk Board.

147 Q.—Will the Government be pleased to state why a non-official President of the Taluk Board, Berhampur, has not been appointed yet since the expiry of the term of the non-official President?

147 A.—The question is under consideration.

Non-official presidents for certain taluk boards in Ganjam and Vizagapatam districts.

148 Q.—With reference to the instructions issued by the Government under G.O. No. 145, dated 30th January 1917, will the Government be pleased to state what steps are taken by the Collectors of Ganjam and Vizagapatam districts to ascertain whether suitable non-officials are available for appointment as Presidents of Taluk Boards of Narasapatam, Chicacole and Chatrapur?

148 A.—The Government have no information on the subject. They have no reason to suppose that either Collector has lost sight of the instructions quoted.

Simplification of union accounts.

149 Q.—Will the Government be pleased to state whether final orders have been passed by the Government regarding the simplification of union accounts and if not will the Government be pleased to expedite the passing of the said order?

149 A.—The Government hope to pass final orders on the simplification of union accounts very shortly.

Control over engineering subordinates by taluk boards.

150 Q.—Will the Government be pleased to publish the opinions of the district boards and of their presidents regarding the proposed control over the engineering subordinates by taluk boards consequent on the resolution moved by the Hon'ble Mr. A. Subbarayalu Reddiyar in November 1916?

20TH NOVEMBER 1917] (Mr. Suryanarayana Rao.)

150 A.—A copy of G.O. No. 1437 L., dated the 1st October 1917, is laid on the table.*

The opinions of district and taluk boards and of their presidents cover about 350 pages. In view of the decision arrived at by the Government and the volume of printing involved in publishing the opinions, the Government are unable to accept the suggestion of the Honourable Member.

151 Q.—Will the Government be pleased to state the number of Uriya stipendiary students undergoing training as sanitary inspectors, assistant sanitary inspectors and vaccinators for employment in the Uriya tracts of Ganjam and Vizagapatam districts and how many of them are sent by the district boards concerned for such training? Will the Government be pleased to advise them to adopt a programme for sending Uriyas to receive such training in order to meet the requirements of the Uriya tracts?

Training of Uriyas as sanitary inspectors and vaccinators.

151 A.—The Ganjam District Board has sent one candidate for training in the Sanitary Inspectors' class at Madras at the suggestion of the Government. For information as to the advice given to the Ganjam and Vizagapatam District Boards on the subject, the Honourable Member is referred to G.Os. No. 465 L., dated 24th March 1916, and No. 1843 L., dated 22nd December 1916.

152 Q.—Will the Government be pleased to state the amount of unexpended balances of each of the district boards out of the Provincial grants for minor sanitary works when the distribution of Rs. 2,82,850 was made among some of them under G.O. No. 937 L., dated 26th June 1917?

Unexpended balances of sanitation grants with district boards.

152 A.—A statement showing the unexpended balances of Provincial grants to the credit of the various district boards on the 31st March 1917 is placed on the table.†

153 Q.—With reference to the observations made by the Government in the review of the administration of the district board of Vizagapatam for 1916 and 1917 that the interest taken in the elections was generally much less, will the Government be pleased to obtain information regarding all the elections held during the year with special reference to the intervals between the dates fixing nominations and those fixed for nominations? If such intervals are found to be short will the Government be pleased to direct the attention of the revenue divisional officers to the desirability of allowing sufficient interval at least six weeks between the date fixing the date for nomination and the date of nominations?

Intervals between certain stages in elections to taluk boards.

153 A.—The elections to seats on taluk boards are conducted in accordance with the rules published, as last revised, in the *Port St. George Gazette* of the 5th June 1917. The Government have received no complaints that the intervals prescribed by the rules between the various stages are too short, but are prepared to consider the question of revising the rules if good cause is shown.

154 Q.—Will the Government be pleased to state the number of persons, male and female, recruited in the districts of Ganjam and Vizagapatam for Assam labour in each of the five preceding years and whether any and if so how many were from the Agency tracts of these districts?

Recruitment for Assam labour from the Agency tracts.

154 A.—The following statement gives the number of labourers and dependants recruited from the districts of Ganjam and Vizagapatam under the Assam Labour and Emigration Act. The Government are not in possession of separate figures for the Agency tracts, emigration from which was prohibited until 1916.

Years.	Ganjam.			Vizagapatam.		
	Labourers.	Dependants.	Total.	Labourers.	Dependants.	Total.
Ending 30th June—						
1913	1,352	760	2,112	2,274	1,098	3,372
1914	753	292	1,045	849	171	1,020
1915	549	395	945	376	160	536
1916	2,459	2,543	4,982	405	128	533
1917	1,460	1,270	2,730	180	62	242

155 Q.—Will the Government be pleased to state the various objects for which a sum of Rs. 1,01,364 is required as shown in column 8 as estimated liability regarding Nagavalli project in the appendix to G.O. No. 306 L., dated 17th July 1916?

Estimated liability regarding Nagavalli project.

155 A.—The sum of Rs. 1,01,364 referred to in the question is properly not a 'liability' at all, as it merely represents the balance of the sanctioned estimate which it was anticipated would remain unspent on 31st March 1917. The work remaining to be done consists in the excavation of certain minor distributaries and the construction of pipe sluices and petty works, the necessity for which arises only as the project develops and irrigation extends.

(Mr. Ranga Achariyar.)

[20TH NOVEMBER 1917.]

The Hon'ble Mr. T. Ranga Achariyar.

Incidents
connected
with a meeting
in the Spur
Tank grounds.

156 Q.—Will the Government be pleased to state—

(a) Whether their attention has been drawn to the proceedings of a meeting of the Panchamas presided over by Dr. T. M. Nayar held in the Spur Tank grounds on the 7th October 1917 published in the *Hindu*?

(b) Is it a fact that the youths living in and about the Spur Tank grounds have been long accustomed to use the grounds as their play-ground in the evenings?

(c) Are the Government aware that some of the Brahman youngsters playing hockey on the evening of the 7th October 1917 about more than a 100 yards away from the meeting place were set upon by some members of the Panchama crowd and beaten and their hockey sticks taken away from them?

(d) Has the attention of the Government been drawn to the speeches of Dr. T. M. Nayar at that meeting?

(e) Has the attention of the Government been drawn to the report of a speech said to have been delivered by Mr. A. C. Parthasarathi Nayudu at that meeting? and

(f) Will the Government be pleased to state what action, if any, has been taken by them in the matter?

156 A.—The Government are aware that portions of the Spur Tank are made use of as a play-ground and their attention has been drawn to the reports published in various newspapers, including the *Hindu*, of the proceedings of the Panchama meeting of the 7th October 1917. These reports include conflicting accounts of speeches attributed to Dr. T. M. Nayar and Mr. A. C. Parthasarathi Nayudu and of the cause of the disturbance said to have taken place during the course of the proceedings. It would clearly have been a matter of great difficulty to ascertain exactly what took place, and information received from other sources indicated that no one received any serious injuries. In these circumstances and since it was open to those assaulted to have recourse to the criminal courts, the Government did not consider it necessary to take any action in the matter.

Proposals for a
college for
sons of
zamindars.

157 Q.—Will the Government be pleased to state whether there is any proposal to contribute from public funds towards the building and maintenance of a separate college for the sons of zamindars; and if so, will the Government be pleased to give this Council an opportunity to consider the matter before definitely committing themselves in that direction?

157 A.—As was publicly announced by His Excellency the Governor in March last, it is proposed to contribute from public funds towards the building and maintenance of a separate college for the sons of zamindars and it has been open to any member of this Council to propose this subject for discussion at any time since then.

Retail prices
of salt in
Madras and
district centres.

158 Q.—Will the Government be pleased to state what are the prevailing retail prices for salt in Madras and the several district centres and whether any steps have been taken by the Government since the statement made by the Hon'ble Mr. C. G. Todhunter at the South India Chamber of Commerce on the 30th July 1917 in order to keep the price of salt within reasonable bounds?

158 A.—A statement showing the retail prices of salt at Madras and at the several district centres is laid on the table.* With reference to the second part of the question matter.

Failure of
water-supply
in the Tanjore
delta.

159 Q.—Will the Government be pleased to state—

(a) whether they have ascertained the causes of the shortage of supply in some places and the second and third week of July last;

(b) whether the Government are aware that a great deal of inconvenience and loss, especially in the matter of seed-bed lands, was caused to the landholders and ryots in that area by such shortage of supply? and

(c) Will the Government be pleased to state whether it is possible to give previous public notice in the villages of anticipated shortage of supply in that area so as to give timely intimation to the people?

159 A.—(a) The shortage of supply in the Tanjore delta during the period referred to was due to the Cauvery being abnormally low owing to the lack of rain in its catchment.

(b) The Government have no other information than that in the Tanjore district agricultural operations were generally retarded during the period in question in parts of taluks for want of water.

* Printed as Appendix VII on page 58 infra.

20TH NOVEMBER 1917]

(Mr. Ranga Achariyar; Mr. Gillman; the President.)

(c) The Government regret that owing to the limited data available for forecasting a shortage of supply in the Tanjore delta and the probability of any such forecast being frequently misleading it is not practicable to give the previous public notice asked for.

160 Q.—With reference to question No. 58 put by me at the meeting of the Council on the 22nd May 1917 and the answer thereto regarding the reorganization of the Judicial branch of the Provincial Service, will the Government be pleased to state what progress has been made in the matter and when the scheme may be expected to come into force?

Reorganization
of the Provin-
cial Service
(Judicial
branch).

160 A.—The views of the High Court have been received and are under the consideration of the Government.

The Hon'ble Mr. T. RANGA ACHARIYAR :—"With reference to question No. 160, will the Government be pleased to expedite the matter?"

The Hon'ble Mr. H. F. W. GILLMAN :—"Certainly, as far as we can."

161 Q.—With reference to question No. 76 put by me at the meeting of the Legislative Council on the 2nd April 1917 and the answer thereto, will the Government be pleased to lay the papers connected with the question of the permanent strength of the High Court on the table?

The permanent
strength of the
High Court.

161 A.—The Government are not prepared to place the papers on the table.

162 Q.—With reference to question No. 158 put by me at the meeting of the Council on the 21st November 1916 and the answer thereto, will the Government be pleased to state what steps they have taken on the recommendations of the conference appointed by the Government to discuss educational questions, with regard to the imposition of penalty on primary school pupils seeking admission into secondary schools?

Imposition of a
penalty on
primary school
pupils seeking
admission into
secondary
schools.

162 A.—The amendment of rule 99 of the Madras Educational Rules is still under consideration.

The Hon'ble Mr. T. RANGA ACHARIYAR :—"With reference to question No. 162, will the Government be pleased to expedite that matter also?"

His Excellency the PRESIDENT :—"No avoidable time will be lost."

163 Q.—Will the Government be pleased to place on the table a list of the names of civil sub-assistant surgeons dismissed from service during the last four quarters and the reasons for such dismissal?

Civil
sub-assistant
surgeons
dismissed
during the
last four
quarters.

163 A.—The list asked for by the Honourable Member is laid on the table.*

164 Q.—Will the Government be pleased to state—

- (a) when the system of holding conferences of district officers in Ootacamund began;
- (b) how many such conferences have been held in 1917 till now;
- (c) who were the persons composing those conferences;
- (d) what were the subjects placed before them for discussion; and
- (e) what were their recommendations thereon?

Conferences of
district officers
in Ootacamund.

164 A.—(a) & (b) The Government have long been accustomed to confer with District officers at Ootacamund when a convenient opportunity offered. The first 'Collectors' conference' of recent years was held in 1915 and the second in 1917.

(c) The conferences were composed of selected officers of the Revenue, Forest, Public Works and Judicial Departments.

(d) & (e) Attention is invited to the answer given to question No. 37.

165 Q.—Will the Government be pleased to state—

(a) whether their attention has been drawn to the remarks of the Hon'ble Mr. M. E. Couchman at the meeting of the Indian Legislative Council on the 20th September 1917 which he made as 'the official representative of Madras' (vide pages 617-618 of the proceedings of the Indian Legislative Council published in the *Fort St. George Gazette* of the 23rd October 1917); and

Statement of
the Hon'ble
Mr. M. E.
Couchman
made at a meet-
ing of the
Imperial
Legislative
Council.

(b) whether he was authorized by the Government of Madras to give expression to such views?

165 A.—The Government have read the Hon'ble Mr. Couchman's speech. He neither received nor required any authorization from the Government of Madras for it.

* Printed as Appendix VIII on page 58 infra.

(Mr. Ranga Achariyar; Sir Alexander Cardew; [20TH NOVEMBER 1917.
the President.)

Overcrowding
in trains
between
Trichinopoly
and Madras.

166 Q.—(a) Will the Government be pleased to call for and lay on the table a statement showing for the months of August, September and October 1917, day by day—

(i) the total number of passengers in each class that travelled by the Ceylon boat mail on the South Indian Railway between Trichinopoly and Madras

(ii) the accommodation by night that was available between Trichinopoly and Madras, and

(iii) the number of passengers that according to the rules should have travelled in the upper classes?

(b) Will the Government be pleased to state if they are aware that considerable hardship is caused to the travelling public between Trichinopoly and Madras by the abolition of trains that used to run and by overcrowding in the only train which arrives in Madras in time for doing business in the city?

166 A.—(a) The Government are not prepared to call for the information.

(b) The Government are generally aware that there are special inconveniences at the present time but believe that they are unavoidable.

Collection of
cesses against
the principle of
the Privy
Council's
judgment in
the Urlam
case.

167 Q.—Will the Government be pleased to state whether any and what steps have been taken by them to give effect to the decision of the Judicial Committee of the Privy Council in what is known as the Urlam case in the matter of

(a) refunding to zamindars and inamdars in the Presidency the irrigation cess or water cess collected from their ryots on the strength of the decision of the Madras High Court since reversed by the Judicial Committee; and

(b) issuing instructions to revenue officers to desist from collecting such cesses in future.

167 A.—The reply is in the negative.

The Hon'ble Mr. T. RANGA ACHARIYAR:—"With reference to question No. 167, my question was whether any steps have been taken. May I know whether any steps are proposed to be taken?"

The Hon'ble Sir ALEXANDER CARDEW:—"Not in the sense intended in the question."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"May I know in what other sense?"

His Excellency the PRESIDENT:—"Let the Honourable Member give notice, if he wants to continue the matter?"

The Hon'ble Sir ALEXANDER CARDEW:—"I have already said that it is not proposed to take action in the sense of the question. I do not know what other sense is intended."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Do the Government propose to take up the question of legislation?"

The Hon'ble Sir ALEXANDER CARDEW:—"The Government have the question of legislation under consideration."

Watch over
seditious literature.

168 Q.—Will the Government be pleased to state whether the watch that is continued to be kept over seditious literature referred to in paragraph 31 of the report on the administration of the Police of the Madras Presidency for 1916 includes literature tending to create class hatred?

168 A.—Yes.

Apportionment
of the cost of
survey of
Madras City
between the
Corporation
and Govern-
ment.

169 Q.—Will the Government be pleased to state

(a) whether it is a fact that the special survey of the Madras City ordered in 1914 was only supplemental to the re-survey of 1895-97 and was required to bring those records up to the standard fit for maintenance and whether the Government directed that the total cost should be borne by the Madras Corporation and the Government in the proportion of one-fourth to three-fourths, and whether the consent of the Corporation was taken to that proposal;

(b) whether it is a fact that the Government considered that the Corporation might reasonably be called upon also to contribute towards the pension and leave allowances of the special survey establishment and land records operations an amount equal to one-fourth of its share of the cost of the establishment and requested the views of the Corporation on this matter and the Corporation agreed to the same;

(c) whether it is a fact that a time limit of two years was in the first instance fixed for the special survey with the consent of the Corporation and that time limit has been extended from time to time and is likely to be further extended;

(d) whether the Government have received the letter from the President of the Corporation forwarding the following resolution of the Corporation passed on 18th September 1917:—

"The Corporation regret to note that G.O. No. 1699, Revenue, dated 14th June 1917, was passed without consulting the Corporation especially as it affects a prior contract made with them with their consent and therefore resolve to refer the question to Government for consideration"; and

(e) what action the Government have taken in the matter?

20TH NOVEMBER 1917.] (Mr. Ranga Achariyar; Mr. Subbarayalu Reddiyar.)

169 A.—(a) The answer to the first part of the question is in the affirmative. The consent of the Corporation was not taken to the apportionment of the cost.

(b) Yes.

(c) The staff was in the first instance sanctioned for a period of two years. This period was subsequently extended from time to time. The extension last sanctioned will terminate on 31st March 1918. It is likely that the staff may have to be retained for a further period. The Corporation was not consulted as to the period originally fixed or the subsequent extensions.

(d) Yes.

(e) The subject is under consideration.

170 Q.—Will the Government be pleased to state whether any special instructions were issued by them this year to the district and divisional officers in the Presidency with reference to the recent Dasara and Muharram feasts; and if so will they be pleased to lay the same on the table?

Instructions to
district
officers
regarding
Dasara and
Muharram.

170 A.—No special instructions were issued by the Government during the year.

171 Q.—Will the Government be pleased to place on the table a list of individuals and firms to whom contracts for the supply of war materials have been given in the Presidency after the outbreak of the war and the amount covered by each of such contracts?

Contracts for
the supply of
war materials.

171 A.—The information desired is not in the possession of Government.

172 Q.—Will the Government be pleased to lay on the table a list of the I.C.S. officers who have been placed on special duty from 1st April 1916 up to date, stating also the nature of the work, the time for which they were employed therein or expected to be employed therein, and the salaries and allowances drawn by each?

I.C.S. officers
on special duty.

172 A.—A statement is placed on the table.*

173 Q.—Will the Government be pleased to state

(a) whether their attention has been called to a correspondence headed "The Bellary District Board Engineer" published on page 3 of the *Hindu* of the 18th October 1917;

(b) whether it is a fact that applications were not invited for filling up the vacancy recently caused by the present incumbent having been appointed as Engineer by the Rāmnād District Board;

(c) whether it is a fact that the Collector has nominated one Mr. Sullivan, an Assistant Engineer in Kistna;

(d) whether it is a fact that the nominee is not a graduate in Engineering; and

(e) whether they approve of the nomination of the Collector in view to the facts the vacancy has not been advertised and the nominee is not a graduate in Engineering?

Appointment
of a District
Board
Engineer,
Bellary.

173 A.—(a) to (d) Yes.

(e) The Government have approved the proposal of the President, District Board, Bellary, to appoint Mr. C. J. M. Sullivan, local fund assistant engineer, Bezvada, Kistna district, as District Board Engineer, Bellary, on probation, for one year.

The Hon'ble Diwan Bahadur A. Subbarayalu Reddiyar.

174 Q.—With reference to the answer given to question No. 62 (3) asked by me at the meeting of the Council held on 22nd May 1917 regarding the suggestion to the ryots of remedies and preventive measures for controlling or destroying the pest popularly known as 'Mothira Poochi,' will the Government be pleased to state if any remedial measures have been considered by the department concerned and the ryots informed thereof?

Destruction of
crops in
certain
districts by
pests.

174 A.—The following plan of campaign has been approved and is being carried out by the Government Entomologist in consultation with the Deputy Director of Agriculture, IV Circle.

Moth traps were set up at Palur and at other places in the Cuddalore, Wandiwash and Saidapet taluks in August, but no moths of the pest were caught. It is expected that these moths will emerge later on, as January-February is the time when the caterpillar pest shows itself. The traps are being tried from time to time and, as soon as these moths appear, a regular campaign of moth-trapping will be started, special maistris being trained and employed in using the traps in the tracts where moths are most plentiful.

(Mr. Subbarayalu Reddiyar; Mr. Kavalappara Muppil Nayar.)

[20TH NOVEMBER 1917]

Re-classification of the Anaputhur tank, Cheyyar, North Arcot district.

175 Q.—With reference to the answer given to question No. 65 asked by me at the meeting of the Council held on 22nd May 1917 regarding the re-classification of the Anaputhur tank, Cheyyar, North Arcot district, will the Government be pleased to lay on the table the report called for by them if it has been since received?

175 A.—The Government have received the report, but are not prepared to lay it on the table.

Certain particulars in connexion with irrigation sources under the Cheyyar anicut system.

176 Q.—With reference to the answer given to question No. 66 asked by me at the meeting of the Council held on 22nd May 1917 regarding certain particulars in connexion with the irrigation sources under the Cheyyar anicut system, will the Government be pleased to lay on the table the report called for by them from the Board of Revenue if it has been since received?

176 A.—A statement containing the particulars for which the Honourable Member asks is laid on the table.*

Improvement of the salary of elementary school teachers.

177 Q.—Will the Government be pleased to state if they have any intention of improving in the near future the salary of teachers imparting primary education in order to improve its quality?

177 A.—The subject is at present under the consideration of the Government.

Enhancement of the grazing fees in the Tiruvannamalai taluk.

178 Q.—(a) Will the Government be pleased to state if the ryots of Tiruvannamalai taluk have recently complained that the Forest department have enhanced the grazing charges from As. 3 to As. 8 per cow, from As. 6 to Re. 1 per buffalo and from As. 1-6 to As. 4 per sheep, and that no permits were issued in the current year for green manure?

(b) Will the Government be pleased to ascertain if the complaint is well-founded and if the ryots are entitled to any relief?

178 A.—The Government have not received any complaint.

An additional veterinary hospital for South Arcot.

179 Q.—Will the Government be pleased to consider the need to open either a new additional veterinary hospital in an agricultural centre like Villupuram or appoint an additional veterinary officer in the Cuddalore veterinary hospital to help the officer in charge?

179 A.—The Government will inquire.

The Hon'ble Mr. K. K. R. Kavalappara Muppil Nayar.

Honorary assistant registrars of co-operative societies.

180 Q.—(a) Has the attention of Government been drawn to the articles in the *Madras Times* and the *Madras Mail* on the recent G.O. No. 2686, Revenue, dated 31st August 1917, regarding the appointment of honorary assistant registrars of co-operative societies as an experimental measure?

(b) Will Government be pleased to modify the Government order so as to allow the honorary assistant registrars allowance while on tour from the date of their entertainment and an establishment when the period of their probation is over?

180 A.—(a) Yes.

(b) The Government have already taken action so to modify the orders referred to.

Investment of Trust funds in co-operative banks.

181 Q.—With reference to question No. 3 at the meeting of the Council on 11th November 1913 and the Government's answer, will Government be pleased to state whether they have consulted the Board of Revenue and the Court of Wards regarding the amendment of the Indian Trusts Act and the Court of Wards Act so as to permit of the investment of their funds in co-operative central banks, and if so with what result?

181 A.—The Board of Revenue and the Court of Wards have been consulted. Neither body was in favour of the proposal referred to. The suggestion so far as it relates to the investment of Court of Wards funds has since been considered by the Government of India with reference to paragraph 204 of the report to the Committee on Co-operation and has been negatived.

Loans to agriculturists in Malabar and South Kanara.

182 Q.—(a) Will Government be pleased to ascertain (1) the number of applications for loans under the Land Improvement and the Agriculturists Loans Acts in Malabar and South Kanara during the past five years and (2) the number of cases in which loans were granted in each of these districts during the said period?

(b) If there were few or no applications, will Government be pleased to inquire the reason for it?

(c) In view to popularize the loans under the above Acts, will Government be pleased to instruct the Registrar of Co-operative Societies to direct his subordinates, when on tour, to utility of such loans by way of agricultural improvements?

20TH NOVEMBER 1917.]

(Mr. Kavalappara Muppil Nayar.)

182 A.—(a) & (b) Detailed figures are not available, but the Government are aware that, owing to various causes, the number of applications for loans and the number of loans taken in the districts referred to are comparatively small.

(c) The attention of the Registrar of Co-operative Societies will be drawn to the Honourable Member's suggestion.

183 Q.—(a) Will Government be pleased to state whether the question of the reconstitution of the Malabar and South Kanara districts by adding the Kasaragod taluk to North Malabar has been settled?

Reconstitution of the Malabar and South Kanara districts.

(b) Will Government be pleased to state in what stage the matter is?

183 A.—(a) No.

(b) The subject is under the consideration of the Board of Revenue.

184 Q.—With reference to Government's answer to questions Nos. 41 and 42 (c) of 1916, will Government be pleased to state if the High Court has since passed final orders on the question of printing and translation charges collected from suitors?

Printing and translation charges in the High Court.

184 A.—The Government have already passed orders sanctioning certain amendments proposed by the High Court to the Appellate Side Rules, 1905, for reducing the rates charged to parties for printing from 15 annas to 13 annas per page. No proposals were made for the reduction of translation charges.

185 Q.—In view of the increasing number of generally uncontested suits for arrears of revenue and the great trouble and expenses which the parties are put to by having to file and conduct them in distant civil courts of ordinary jurisdiction, will Government be pleased to make some special legislative provision for such suits to be filed in respective village courts and disposed of by village munsifs?

Disposal of suits for arrears of revenue by village munsifs.

185 A.—The Government are not prepared to adopt the suggestion.

186 Q.—(a) Is it a fact that under a Government notification of September 1916 a special concession has been granted to teachers who have failed in the Matriculation or Upper Secondary examination to appear for a special examination held under Secondary School Leaving Certificate scheme?

Special examination under the Secondary School Leaving Certificate scheme for unpassed teachers.

(b) Has this examination been accepted by Government like other examinations, viz., Matriculation, School Final, etc., for undergoing secondary grade training?

(c) Will Government be pleased to have this special examination also included under article I of the Public Service Notification so as to render passed teachers employed in Government institutions eligible for pay exceeding Rs. 20 before they get themselves trained and to go up for Special Tests examinations?

186 A.—(a) & (b) Yes.

(c) The Government are not prepared to adopt the Honourable Member's suggestion.

187 Q.—Will Government issue instructions to the Railway department to provide at least one first class, one second class and a few third class through compartments in mail trains from Madras to Mangalore and from Mangalore to Madras?

Additional railway carriages in mail trains between Madras and Mangalore.

187 A.—The Agent, South Indian Railway, has been addressed on the subject.

188 Q.—(1) (a) Will Government be pleased to state whether final orders have been passed regarding the re-settlement of the Wynad taluk?

Re-settlement of the Wynad taluk.

(b) Is it a fact that a large all-round increase in the new rates of assessment is contemplated?

(c) Has any inquiry been made regarding the economic condition of the taluk and if so with what result?

(d) Will Government be pleased to place on the table the report of the inquiry, if any, on the economic condition of the taluk?

(2) Will Government be pleased to state whether it is a fact that under the re-settlement scheme remission of assessment is to be disallowed in the case of lands leased for rubber, tea and other products, but subsequently abandoned by the lessees?

188 A.—(1) (a) No.

(1) (b), (c) & (d) & (2) A special settlement officer was appointed in July last to make proposals for the re-settlement. No report has yet been received from him and Government are not aware how far his inquiries have yet extended.

(Mr. Annamalai Chettiyar.) [20TH NOVEMBER 1917.]

The Hon'ble Rao Bahadur S. R. M. Annamalai Chettiyar.

Economic effects of the war.

189 Q.—(a) Referring to the Government answer to question No. 7 put by me on the subject of the economic effects of the war at the meeting of this Council held on the 6th February 1917, will the Government be pleased to state whether the press communiqué referred to in their answer has since been published?

(b) If the answer to the above is in the negative, will the Government be pleased to make the statement asked for by me in the above question at the meeting of the Council of the 29th instant?

189 A.—The press communiqué referred to was issued in G.O. No. 441, Financial (Separate Revenue), dated 5th April 1917, which has been laid on the Editors' Table.

Congestion in railway goods traffic.

190 Q.—(a) Has Government perused a paragraph published in "News in Brief" column of the *Madras Mail* of the 18th June 1917 announcing the appointment of Lieutenant-Colonel Cameron, Traffic Manager, North-Western Railway, as Special Traffic Controller, for removing the congestion in goods traffic experienced by the several railway systems in India owing to the pressure on them by military traffic, coal and wheat?

(b) Will the Government be pleased to state the results produced by the adoption of the scheme framed by this officer for the benefit of inland exporters in this Presidency?

190 A.—(a) Yes.

(b) The Government have no information.

Development of home industries.

191 Q.—Will the Government be pleased to state the arrangements, if any, made so far in the Educational or the Industrial department for the development of the various classes of home and cottage industries in the several districts of this Presidency and the results achieved so far and the further steps proposed to be taken in that direction?

191 A.—The Honourable Member is referred to the annual reports of the Department of Industries and the papers dealing with industrial matters placed from time to time on the Editors' Table. The Government are not in a position to amplify the information given in these reports and papers.

Grievances of tanners in South India.

192 Q.—(a) Have the Government perused the communication of a correspondent on the subject of South Indian tanners printed on page 6 of the *Hindu* of the 10th October 1917 and the copy of a telegram sent by the tanning bark contractors and merchants of Ambur in the North Arcot district to the Hon'ble Sir George Barnes printed on page 4 in the *Hindu* of the 20th October 1917 setting forth the difficulties under which the skin and hides merchants and the tanning bark contractors and merchants of this Presidency are labouring since the order prohibiting the direct export of skins and hides and the tanning of skins and hides was issued by the Government of India recently?

(b) Will the Government be pleased to state what steps they have already taken or propose to take in the near future to afford relief and for the resuscitation of the tanning industry in this Presidency?

192 A.—(a) The Government have perused the papers referred to.

(b) The prohibition of the tanning of skins was, as the article in the *Hindu* shows, issued under the authority of the Government of India. The Munitions Board have stated that there can be no question of withdrawing the prohibition. They have, however, invited the contractors to send in statements of the bark which they hold, with samples, to the Assistant Controller of Hides at Madras. This, it is understood, is with a view to see whether the stocks of bark referred to in the telegram from the bark contractors of Ambur cannot be used for tanning hides.

The Government are not aware that the tanning industry in this Presidency needs resuscitation. On the contrary, they are informed that the number of hides tanned is very much larger than it was two years ago.

Grant for the construction of the Uppar bridge in Madura.

193 Q.—(a) Referring to the statement made on behalf of the Government by the Hon'ble Diwan Bahadur P. Rajagopala Achariyar in reply to the resolution moved by me on the subject of the construction of the Uppar bridge in the meeting of this Council held on the 13th March 1917, will the Government be pleased to state whether any allotment of funds has been made for the construction of the above bridge?

(b) If the answer to the above question is in the negative, will the Government be now pleased to make the necessary allotment in the budget for 1918-19?

193 A.—In accordance with the undertaking given in the Council, the Government obtained reports from the Presidents of the Madura and Ramanad District Boards as regards the need for the bridge in question. They understand that there is a good causeway over the river, that motor vehicles are seldom held up on the causeway and never for more than a few minutes, and that a bridge at this place is estimated to cost about Rs. 50,000. The district boards are not prepared to allot funds for the work and the Government do not in the circumstances propose to make any allotment in the budget for 1918-19.

20TH NOVEMBER 1917] (Mr. Annamalai Chettiyar; Mr. Yaqub Hasan; Mr. Gillman; Mr. Siva Rao.)

194 Q.—(a) Will the Government be pleased to give figures for each of the following items separately:—

(1) the amount of income-tax paid in the official year 1916-17 by the European community in the Madras Presidency excluding Government servants, pensioners and planters of that community; and

(2) the amount of income-tax paid by the Nattukottai Chetti community in the Madras Presidency for the official year 1916-17?

(b) If the figures referred to are not available from the ordinary statistical returns, will the Government be pleased to order a special return of the kind to be prepared?

194 A.—(a) As separate records are not maintained of the collections made from particular classes or communities, the Government regret that the information asked for by the Honourable Member cannot be supplied.

(b) The Government are not prepared to comply with the request as a special return could not be compiled with any approach to accuracy.

Income-tax paid by the European and Nattukottai Chetti communities in 1916-17.

The Hon'ble Yaqub Hasan Sahib Bahadur.

195 Q.—(1) Will the Government be pleased to state

(a) whether they have read the statement of Mr. Muhammad Hyath, merchant of Cuddapah, published in the *Madras Mail* of the 3rd November 1917 regarding a disturbance in Chennur, Cuddapah district, between Hindus and Muhammadans; and

(b) whether the Government have received a memorial from some Muslim residents of Chennur praying for proper investigation of this matter through a special officer, and have the Government taken any steps in this direction as solicited?

(2) Will the Government be pleased to lay on the table the result of the investigation made?

Religious disturbances at Chennur, Cuddapah district.

195 A.—The circumstances of the riot are under investigation. The Government see no reason at present to order inquiry by a special officer.

The Hon'ble Mr. YAQUB HASAN:—"With reference to question No. 195 no answer is given to clauses (a) and (b)."

The Hon'ble Mr. H. F. W. GILLMAN:—"The answer is 'Yes' in both cases. We have read the statement and we have received a memorial."

The Hon'ble Mr. YAQUB HASAN:—"The answer is not given."

The Hon'ble Mr. H. F. W. GILLMAN:—"The Honourable Member may take it now."

The Hon'ble Mr. YAQUB HASAN:—"Is it a fact as stated in the paper and memorial that the Police fired and that three Mussalmans were shot dead? I simply want that information."

The Hon'ble Mr. H. F. W. GILLMAN:—"I believe it is a fact."

196 Q.—Will the Government be pleased to state

(a) if it has been a mamul in some parts of the Cuddapah district such as Cuddapah, Proddatur and Badvel that no music should be played by Hindus in public streets during the Muharram;

(b) whether the Magistrate of that district refused to permit the Hindus to make a departure from this mamul this year when Dasara and Muharram took place together;

(c) whether the High Court on a motion being made before it by some Hindus in October 1917 declined to set aside the District Magistrate's order; and

(d) why the Deputy Magistrate of Cuddapah did not enforce the same mamul at Chennur?

Prohibition of music in front of mosques in Cuddapah district.

196 A.—(a) & (b) In an order under section 144, Criminal Procedure Code, applicable to Proddatur town only, the Subdivisional Magistrate, Jammalamadugu, decided that such a 'mamul' existed. The District Magistrate upheld the order.

(c) Yes.

(d) Mamuls in regard to religious processions vary in different places. The Government have no information that the 'mamul' referred to applies to Chennur.

The Hon'ble Mr. P. Siva Rao.

197 Q.—(1) Will the Government be pleased to state

(a) whether it is a fact that a serious riot took place at Penukonda on or about the 26th of October in connexion with the Muharram-Dasara celebrations; and

(b) whether any responsible officer was present on the spot to avert the possible breach of peace and, if so, what steps he took to quell the riot?

(2) Will the Government be pleased to appoint a special officer to investigate into and send up a detailed report of the facts?

Religious disturbances at Penukonda.

(Mr. Siva Rao.)

[20TH NOVEMBER 1917.]

- 197 A.—(1) (a) Government are informed that the riot was not of a serious nature.
(b) The local magistrates were present and took the necessary steps.
(2) No.

Revision of
pay of com-
pounders.

198 Q.—Has the attention of the Government been drawn to an article that appeared in the *Hindu* of the 18th October under the heading of "Revision of pay to compounders," and if so, will the Government be pleased to remove the grievances detailed therein and extend the benefit of G.O. No. 312, L. & M. (Medical), dated 16th July 1917, to all classes of compounders?

198 A.—The Honourable Member is referred to the answer given to question No. 122.

Engineer
upper subordi-
nates and
military upper
subordinates
recruited to
Upper Subordi-
nate service.

199 Q.—Will the Government be pleased to furnish information regarding
(a) the average number of passed engineers, upper subordinates and military upper subordinates during the periods 1890 to 1895, 1895—1900, 1900—1905, 1905—1910 and during the individual years 1910 to 1916; and

(b) the number of passed engineers, upper subordinates and military upper subordinates recruited to the permanent Upper Subordinate service during the above periods and years and also the respective percentage of the men so recruited to those passed out during the above periods and years?

199 A.—The information required is furnished in the statement laid on the table.*

Recruitment
to the Upper
Subordinate
service, Public
Works Depart-
ment.

200 Q.—(a) Is it a fact that during the reorganization of the Upper Subordinate service (Public Works Department) in 1913 a circular was issued to the effect that men with better educational qualifications or with a record of their capacity for practical work should be given special advancement in filling up vacancies of subdivisional charges with a view to increase the efficiency of the Sub-Engineers' cadre, and if so, will the Government be pleased to lay it on the table for perusal and reference?

(b) Will the Government be pleased to state the number of engineers so employed in the permanent cadre of overseers, first grade, during the years 1914 to 1916, subsequent to the reorganization and also the number of enhanced promotions so given to them for the better equipment of the Sub-Engineers' cadre in pursuance of that circular and of the recommendations of the Royal Commission on Public Service regarding the employment of better qualified men for the Sub-Engineers' cadre?

(c) Will the Government be pleased to state why the number of appointments of the military upper subordinates to the overseer, first grade, during 1913 to 1915 was not limited to two as per rule 55 of the College of Engineering Calendar prior to 1907, especially when a great number of better qualified men for such posts were available?

(d) Will the Government be pleased to state the number of subdivisional charges (Public Works Department) that were held by those other than the permanent sub-engineers and assistant engineers and the number and percentage of such charges held by the passed engineers of the college?

200 A.—(a) Yes; a copy of the circular referred to, which was issued by the Chief Engineer, will be placed on the table.†

(b) The number of passed Engineers who have been appointed to the permanent Upper Subordinate establishment during the year 1914 to 1916 is five. They are given preferential treatment only at the time of their first appointment to the permanent Upper Subordinate establishment and not during their subsequent career on that establishment.

(c) The rule referred to was modified in 1907 so as to admit of the appointment of Military Upper Subordinates to the extent of the requirements of the Public Works Department. In 1913 a considerable number of additional Upper Subordinate appointments were available on account of the reorganization of that establishment and it was therefore possible to appoint in that year five Military Upper Subordinates without causing grievance to Civil Upper Subordinates. In 1915 five Military Upper Subordinates were appointed because in the first place they were all reported by the Principal to have done well in the College course, one of them having passed out as first in the list and two others occupied the third and fourth places and secondly because it was brought to notice that no Military Upper Subordinates would be available for appointment in 1916—17.

(d) The number of subdivision charges held on the 30th June 1917 by those other than permanent Sub-Engineers and Assistant Engineers is 65. Twenty-one of these charges or 32 per cent were held by passed Engineers of the College of Engineering, Madras.

* Printed as Appendix XI on page 60 infra.

† Printed as Appendix XII on page 61 infra.

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(Mr. Siva Rao.)

201 Q.—(1) Will the Government be pleased to state

- (a) the number of civil sub-assistant surgeons called for military service during the war;
(b) whether any extra allowance was sanctioned for them for the discharge of the military duties, especially in far-off places, if not, will the Government be pleased to sanction extra allowance to make the military service more attractive;
(c) whether any sub-assistant surgeon has been dismissed from the service for omission to join the military duty, if so, how many and under what circumstances; and
(d) whether they tendered their resignations when they were transferred to the military service?

Sub-assistant
surgeons
called for
military
service.

(2) Will the Government be pleased to consider their case leniently and modify the orders of dismissal passed in such cases and accept their resignation, if any had been tendered?

201 A.—(a) The total number of civil sub-assistant surgeons deputed for military duty up to the 12th November 1917 is 115.

(b) Sub-assistant surgeons transferred to military duty in India draw pay at the following rates:—

	Pay in civil employ.	Pay when transferred to military duty.
	RS.	RS.
Senior grade, first class	100	125
" second class	80	110
First grade	65	95
Second grade	55	95
Third	45	75
Fourth	30	60

They are also granted compensation for dearness of food and quarterly clothing allowance on the scale laid down for military sub-assistant surgeons.

Civil sub-assistant surgeons who volunteer for field service out of India or on expeditions based on the frontiers of India are granted special rates of pay and allowances at the rates mentioned below:—

	Pay and allowances.
	RS.
Senior grade, first class	325
" second class	290
First grade	235
Second	225
Third	170
Fourth	140

(c) The Honourable Member is referred to the answer given to question No. 163.

(d) Some of these sub-assistant surgeons tendered their resignations. The Government have not got information in all cases.

(e) It is open to a sub-assistant surgeon who considers himself aggrieved by an order of dismissal to appeal to Government who will consider each case on its merits.

202 Q.—(a) Will the Government be pleased to state the number and percentage of civil assistant surgeons recruited from the class of sub-assistant surgeons during the last five years?

Conditions of
service of
sub-assistant
surgeons.

(b) Will the Government be pleased to throw open not less than 10 per cent of the appointments of assistant surgeons for sub-assistant surgeons of approved merit and qualifications?

(c) Is it a fact that a sub-assistant surgeon is now liable to be transferred from one end of the Presidency to the other and whether the Government are aware that such transfers are causing immense hardship to them?

(d) Whether, in view of the hardships incidental to such transfers, the Government will be pleased to divide the Presidency into a number of divisions or circles as in the case of Salt, Police and Education and restrict the transfer of sub-assistant surgeons within such circles only?

202 A.—(a) One sub-assistant surgeon has been promoted to the rank of civil assistant surgeon during the last five years.

(b) The Honourable Member is referred to the answer given to question 138 asked at the meeting of the Council of the 21st November 1916. In the circumstances explained therein the Government are unable to adopt his suggestion.

(c) Sub-assistant surgeons are liable to be transferred to any part of the Presidency. The Government recognize the evil of unnecessary transfers and are prepared to take any practicable steps to prevent them.

(d) The suggestion made by the Honourable Member has already been considered by the Government more than once but has been abandoned owing to the practical difficulty of giving effect to it. It will however be examined again.

(Mr. Siva Rao; Mr. Rajagopala Achariyar.) [20TH NOVEMBER 1917.]

A separate District Registrar for Kurnool.

203 Q.—(a) Is it a fact that the two revenue districts of Kurnool and Cuddapah have only one office of the District Registrar at Cuddapah?

(b) Is it a fact that before 1913 there was a separate District Registrar for Kurnool and that that office was abolished in that year?

(c) Is it a fact that there are fourteen registration sub-districts in the district of Kurnool?

(d) Are the Government aware that the charge of the District Registrar at Cuddapah is very heavy and unwieldy for the present and that the public of Kurnool district are put to expense and inconvenience by having to go to Cuddapah for registration appeals?

(e) Will the Government be pleased to consider the advisability of restoring the office of the District Registrar in Kurnool as before the year 1913?

203 A.—(a) Yes.

(b) Yes.

(c) Yes.

(d) No.

(e) There is no immediate need for it.

Non-official presidents for certain taluk boards.

204 Q.—(a) Is it a fact that, by a general circular, the Government recently called upon the Collectors to propose non-official presidents of taluk boards wherever suitable men are available?

(b) Will the Government be pleased to state how many non-official presidents have been appointed since then?

(c) Will the Government be pleased to consider the desirability of appointing non-officials as presidents for the taluk boards of Gooty and Penukonda in the Anantapur district, Adoni in the Bellary district and Markapur and Nandyal in the Kurnool district?

204 A.—(a) The Honourable Member is referred to G.O. No. 145 L., dated 30th January 1917, which has been placed on the Editors' Table.

(b) Since the issue of the above Government Order non-officials have been appointed presidents of five taluk boards previously presided over by Revenue Divisional Officers.

(c) The Government will appoint non-official presidents to the taluk boards of Gooty, Penukonda, Adoni, Markapur and Nandyal when they consider that the time is opportune for doing so.

Chairmen to be consulted in nominations to municipal councils.

205 Q.—(a) Is it a fact that the chairmen are not consulted by the Collector in the matter of nominating members of municipal councils?

(b) Will the Government be pleased to consider the desirability of the Collectors consulting the chairmen in such matters and issue a general circular to that effect?

205 A.—(a) The Government have no information on the point.

(b) The Government are not prepared to issue a general circular as suggested.

The Hon'ble Mr. P. SIVA RAO :—“With reference to question No. 205 will the Government be pleased to call for information? Government say they have no information on the point. Will the Government be pleased to call for the information or at least to lay down some rule?”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“I do not think we are prepared to lay down any rules in the matter, because the responsibility for these appointments is in the hands of the Collectors, and we do not want to tie their hands. They make recommendations and we act upon them.”

Formation of forest panchayats in the Kurnool district.

206 Q.—With reference to my question No. 37 put in the Legislative Council on the 22nd May 1917, will the Government be pleased to state what steps have been taken since for the formation of the forest panchayats in the district of Kurnool and with what result?

206 A.—The Government have no information but expect shortly to receive from the Board of Revenue a report for 1916-17 which will show the progress, if any, made.

Working of informal panchayats.

207 Q.—(a) Will the Government be pleased to state whether they have received any official reports as to the working of the ‘informal panchayats’ in the Presidency started under the recent Government Order and if so, will they be pleased to lay them on the table; if not, whether they will be pleased to call for reports of their general working?

(b) Will the Government be pleased to state the number of villages in each district in the Presidency in which the said informal panchayats have been organized?

207 A.—(a) The Government have not yet received any report; nor do they propose to call for one now as in their opinion it is too early to judge of the experiment.

(b) The Honourable Member's attention is drawn to the reply to question No. 12 asked at the meeting held on the 2nd April 1917. Information in regard to the number of panchayats organized since is due from the Board of Revenue.

20TH NOVEMBER 1917.] (Mr. Siva Rao; Mr. Gillman.)

208 Q.—Will the Government be pleased to state whether they have got the reports of the Collectors regarding the working of the plague notification system? If so, whether they will be pleased to publish them and to abolish the system?

Working of the plague notification system.

208 A.—The Collectors' reports have been received and considered and the Government have decided that the notification system should be tried for another year, and Collectors have been requested to send further reports on the working of the system in September 1918. The reports already received will be published.

209 Q.—With reference to my question No. 35 put in the last meeting of the Legislative Council, dated 22nd May 1917, will the Government be pleased to state whether the report of the Director of Industries regarding the condition of the bangle-making industry in the Anantapur district has been considered and orders passed on them; if so, will they be pleased to place them on the table?

The bangle-making industry in the Anantapur district.

209 A.—The Honourable Member is referred to the note on the bangle industry of the Madras Presidency printed on pages 6 to 9 of G.O. No. 635, Home (Education), dated the 14th May 1917, which has been placed on the Editors' Table. Inquiries have been made into the bangle industry in different parts of the Presidency but no report has yet been received.

210 Q.—With reference to my question No. 88 put in the meeting of the Legislative Council, dated 2nd April 1917, and also the question No. 86 put by me in the Legislative Council on 22nd May 1917, will the Government be pleased to state whether the full report has been received from the Superintending Engineer; if so, will they be pleased to lay it on the table and to state what action they propose to take in the matter?

Restoration of the Kinnivatan channel, Chingleput district.

210 A.—A report received from the Executive Engineer in May last showed that the surplus of the Perunagar tank during November and December 1916 was not very large. From a further report, it was understood that, of the several tanks proposed to be supplied by the Kinnivatan channel, only the Parayaneri filled and surplussed, and that the surplus was diverted by the ryots of Perunagar to the Uttaramerur tank supply channel. The Superintending Engineer has been asked to report whether this has been usual, and what action was taken in the matter. It is considered unnecessary to place the papers on the table.

211 Q.—With reference to my question No. 81 put in the last meeting of the Legislative Council, dated 22nd May 1917, will the Government be pleased to place on the table the report of Mr. Justice Phillips on the question of adequacy and distribution of the civil courts in the mufassal and of the reorganization of the Provincial Service (Judicial Branch) and the recommendation thereon of the High Court and the final orders, if any, passed by the Government on them?

Reorganization of the Provincial Service (Judicial Branch).

211 A.—The papers cannot yet be published.

The Hon'ble Mr. P. SIVA RAO :—“With reference to question No. 211, the answer is, that the papers cannot yet be published. Will the Government be pleased to state the reasons why they should not be published?”

The Hon'ble Mr. H. F. W. GILLMAN :—“The reason is that the matter is one, which has not received the sanction of the Secretary of State and the Government of India. We do not think it is right that we should publish the papers until the matter is finally disposed of.”

212 Q.—Will the Government be pleased to state whether any proposals are before them for amelioration of the condition of salary and prospects of the non-gazetted officers in the various departments under Government which have not been dealt with by the Royal Commission on Public Service: if so, will the Government be pleased to lay them on the table; if not, will the Government be pleased to form late schemes for the purpose, in view of the altered economical conditions now prevailing owing to several causes?

Pay and prospects of non-gazetted officer in Government service.

212 A.—No general scheme for the revision of the pay of non-gazetted officers in the various departments is before the Government and, under existing financial conditions, no such scheme can be undertaken. But proposals relating to individual cases are sanctioned when the necessity for them is established.

213 Q.—Will the Government be pleased to state in what stage the question of providing a water-scheme for the town of Penukonda, Anantapur district, is?

Water-supply for Penukonda, Anantapur district.

213 A.—The local boards concerned are considering the question of financing the cheaper of two alternative schemes suggested by the Sanitary Engineer.

214 Q.—Are the Government aware—
(a) whether the present Public Prosecutor and Government Pleader of the District and Sessions Court, Cuddapah, has been acting as such for the past 48 years and he is now aged about 69 years and whether he is also the Official Receiver of the said District Court; and

Age-limit for retirement of Government pleaders.

(Mr. Siva Rao; the President.)

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(b) whether there is any age-limit fixed in the case of Public Prosecutors and Government Pleaders in the mufassal beyond which they will have to retire; if not, will the Government be pleased to fix an age-limit in their case?

214 A.—(a) The present Public Prosecutor and Government Pleader, Ouddapah, was first appointed in 1886 and he held the appointment since. He is also the Official Receiver of the district. The Government have no definite information as regards his age.

(b) No.

Use of railway warrants by sub-inspectors of police.

215 Q.—(1) Will the Government be pleased to state—

(a) whether the Civil Service Regulations allow double second class to the sub-inspectors of police; and

(b) whether under an order of the Inspector-General of Police the use of railway warrant was made compulsory for all police officers from the rank of sub-inspector downwards, European or Indian?

(2) Is it a fact that European and Eurasian sub-inspectors and sergeants are now allowed option whether to use railway warrants or not, and if so, will the Government be pleased to extend the same concession to the Indian officers also?

215 A.—(1) (a) & (b) Yes.

(2) The Government have no information but will call for it.

Vacancies in sub-inspectors grades in the Bellary district.

216 Q.—(a) Will the Government be pleased to state the sanctioned scale and the present strength in the different grades of the sub-inspectors of police in the Bellary district and the number of vacancies in each grade, if any, and how long they have been left unfilled and for what reason?

(b) Is it a fact that the number of sub-inspectors in the last grade is abnormally higher than the sanctioned strength in the said district; if so, will the Government be pleased to state why the recommendations of the Police Commission that the last grade of sub-inspectors should mainly consist of probationers have been disregarded?

(c) Is it a fact that the promotion of sub-inspectors of police in the Bellary district is very slow when compared with other districts?

216 A.—The Government have no detailed information.

Execution of documents by prisoners in jail.

217 Q.—(a) Will the Government be pleased to state whether on or about the 13th September 1917 a vakil of Bellary was refused permission by the Superintendent of the Central Jail, Bellary, to get a pro-note executed by one under-trial prisoner Kannai Narasayya in favour of his creditor on the ground of the absence of an express provision to that effect in the Jail Code?

(b) Is it a fact that the said under-trial prisoner had come to an arrangement with his creditor on the previous day and was ready and willing to execute the pro-note in question to avoid a civil suit at the hands of his creditor?

(c) Will the Government be pleased to pass a general circular to all the Superintendents in charge of the Jails that the voluntary execution of documents by the prisoners in jail is quite legal and that every facility should be afforded to them for such a purpose?

217 A.—(a) & (b) The Government have no information.

(c) The Government will consider the suggestion of the Honourable Member.

The Hon'ble Mr. P. SIVA RAO :—“With reference to question No. 217, clauses (a) and (b) the answer is that the Government have no information about the execution of the documents. Will the Government be pleased to call for the information, whether that was done and whether any such case has occurred?”

His Excellency the PRESIDENT :—“The Honourable Gentleman's question is really answered because, he will see in answer to sub-section (c) it is said that the Government have the suggestion of the Honourable Member under consideration. So I don't think any supplementary questions are necessary.”

Pasturage in Molagavalli, Bellary district.

218 Q.—Will the Government be pleased to state—

(a) what extent of land had been reserved for pasturage in the village of Molagavalli, Alur taluk, Bellary district;

(b) how much of it has since been disafforested;

(c) whether there is any proposal to hand over the said lands for cultivation to Panohamas, and if so, what extent;

(d) what extent of the said lands are still available for grazing purposes in the said village;

(e) whether there is any forest panchayat in the village, if so, what is the extent of land handed over to them for management;

(f) whether the Government are aware that the said Molagavalli is a big village paying a land revenue of Rs. 30,000 to the Government and containing about 3,000 cattle?

20TH NOVEMBER 1917.] (Mr. Siva Rao; Mr. Chidambaranatha Mudaliyar.)

(g) Will the Government be pleased to consider the desirability of reserving a reasonable extent of lands in the said village for grazing purposes as formerly?

218 A.—The Government have no information but will call for a report.

219 Q.—Will the Government be pleased to state—

(a) The number of local fund works given on contracts to the village officers by the Taluk Board of Gooty, Anantapur district, during the last official year ending with 31st March 1917, and during the current half-year ending with 30th September 1917?

(b) Whether it is a fact that the village officers are compelled to take up these contracts on abnormally low rates on pain of official disapprobation?

(c) Whether the Government are aware that such practice of thrusting the local fund works on unwilling officers leads to untoward results such as the villagers being compelled by the said village officers to render their services gratis or at a nominal value?

(d) Whether tenders have been ever called, deposits taken and agreements entered into for the local fund works during the said periods; if not, will the Government be pleased to put a stop to this practice and insist on Gooty Taluk Board President's calling for tenders and following the other usual formalities in the case of local fund works in his charge?

219 A.—The Government have no information and do not propose to take any action. Any specific cause of complaint should be brought to the notice of the President of the District Board.

220 Q.—Will the Government be pleased to state—

(a) Whether their attention has been drawn to an article in the *Hindu* of the 17th October 1917 entitled ‘the vagaries of a Professor’?

(b) Is it a fact that the English Professor of the Presidency College set ‘the responsibility of the European races towards the dark races’ as a subject for composition for the B.A. Honours Class?

(c) Is it a fact that one M. Krishna Rao in his essay expressed views disagreeable to the Professor?

(d) Whether the student was made to tender an apology for the views expressed and whether the Professor insisted on the student's tendering a fuller apology on the terms dictated by himself?

(e) Whether the student's Government scholarship was suspended for a term on the recommendations of the Professor by the Principal?

(f) Whether it is proper for the Professor to have chosen a political and controversial subject for composition in English?

(g) Whether the student is not at liberty to express his views under the circumstances and whether it is desirable to punish him for the views so expressed?

(h) Whether the Professor is entitled to inflict his own political opinions on the students?

(i) Whether the conduct of the Professor does not tend to stifle freedom of thought and expression among the students?

(j) Will the Government be pleased to call for the papers and restore the scholarship of the student and take necessary action against the Professor?

220 A.—The Honourable Member is referred to the answer to questions Nos. 70 and 71.

221 Q.—(a) Will the Government be pleased to state to what classes of Government servants and at what rate and in which districts is the grain compensation allowance sanctioned?

(b) Is it a fact that village officers and village servants are now excluded from its benefit; if so, on what principle?

(c) Will the Government be pleased to extend the concession to the village officers and servants also?

221 A.—(a) The attention of the Honourable Member is invited to article 72 of the Civil Account Code which lays down the classes of whole-time Government servants eligible for compensation for dearness of food and the rates at which it may be granted. Orders sanctioning compensation in accordance with the terms of this article are issued by the Government periodically according to the variations in the local selling rates of the staple food grains.

(b) & (c) Village officers and village servants not being whole-time officers of Government are not regarded as eligible for the allowance. The Government see no reason to make a special exception in their case.

The Hon'ble Mr. K. Chidambaranatha Mudaliyar.

222 Q.—Will the Government be pleased to state if the Buckingham and the Vedaranniyam canals are, now, fit for traffic, as per G.O. No. 252 I., dated 23rd June 1917, throughout their entire length, and, if not, where and to what length or lengths, exactly, they still need repair, with the probable cost of such repair?

Village officers and local fund works under the Gooty Taluk Board.

Action taken against a student in the Presidency College.

Grain compensation allowance to village officers and servants.

Traffic in the Buckingham and Vedaranniyam canals.

(Mr. Chidambaramatha Mudaliyar; Mr. Rajagopala Achariyar; Mr. Sadasiva Bhat.) [20TH NOVEMBER 1917.]

222 A.—*Buckingham Canal—North of Madras.*—Two separate trial trips with heavily laden boats have been made this year over this length and it has been found that the Mannaru and Pennar river crossings present the main obstruction to traffic, owing to the frequent siting that occurs by freshes in these rivers. The question of providing a dredger is under consideration. It is estimated that an expenditure of Rs. 6,250 will be required to maintain a depth of 3' in the Romperu-Gondlacamma and Mudigunda Musi reaches. The estimate when received will be sanctioned. There have been no complaints of obstruction to traffic over these sections, as no boats drawing 3' are plying over them.

South of Madras.—The canal is navigable for boats of 2' draught. An estimate amounting to Rs. 24,000 has been sanctioned for the improvement of the Adyar Lock, Pappanahavadi reach, and will be carried out when the water level permits.

Vedānmiyam Canal.—It is reported that loaded boats can ply when the tide is at or over M.S.L. A considerable amount of silt clearance has been done in this canal this year, but the estimate of work still to be done cannot be given as frequent clearance is necessary at places where cross drainages enter the canal.

Statistics of vessels that called at ports in this Presidency.

223 Q.—Will the Government be pleased to state the number of vessels that called at the different ports of the Madras Presidency in each month, up to the end of October, during the year 1917?

223 A.—The number of vessels, excluding coasting ships, that called at the port of Madras from January to March 1917 was as follows:—

January	34
February	20
March	26

The Government have no further information. If the Honourable Member would kindly state for what purpose he desires the information, the question of calling for it will be considered.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"With reference to question No. 223, I wanted to have information about the coasting ships as well."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"We have given all the information that we have."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"May I ask if the Government will be pleased to call for the information because there is a great deal of difficulty about traffic? There was a great deal of congestion."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Will the Honourable Member please write and tell me why he wants the information? Then I will consider it."

The Hon'ble Mr. CHIDAMBARANATHA MUDALIYAR:—"There is a good deal of congestion of traffic; that is why I want the information."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"If the Honourable gentleman will please write, I will consider."

The Cauvery dam at Kannambadi.

224 Q.—Will the Government be pleased to (a) state the exact height or heights to which the Mysore Cauvery dam at Kannambadi has been built up, above the river bed, till now, and (b) lay on the table the orders, if any, of the Government of India, or of His Majesty's Secretary of State for India, stopping the continuance of the work?

224 A.—(a) The effective height to which the dam has been raised is believed to be 60.35 feet above the deep bed of the river.

(b) No such orders have been received.

Fixing demarcation stones in masonry structures.

225 Q.—In view of the loss caused to the land-owning public by the frequent renewal and replacement of survey stones, will the Government be pleased to consider the desirability of fixing at least the chief demarcation stones in masonry structures of necessary dimensions from out of the penal charges collected?

225 A.—The system of providing important survey stones with masonry bases was abandoned in 1914 on the advice of the Director of Survey. That officer reported that the system was very expensive and in some respects unsatisfactory. A copy of G.O. No. 737, Revenue, dated 9th March 1914, dealing with the matter will be supplied to the Honourable Member. The Government are not prepared to revise the decision of 1914.

The Hon'ble Mr. K. Sadasiva Bhat.

Organizing periodical beats in Malabar and South Kanara for destroying wild animals.

226 Q.—With reference to the Government Order, dated 13th July 1897, instructing Forest officers 'to organize for the extermination of wild animals periodical beats which all gun licence-holders of the village should be invited to attend', will the Government be pleased to state—

(a) whether these instructions have been subsequently superseded or modified;

20TH NOVEMBER 1917.] (Mr. Sadasiva Bhat.)

(b) whether any beats have been arranged or organized in Malabar and South Kanara at any time, and if so, how often; and

(c) whether in view of the heavy cattle mortality in those districts from wild animals the Government would be pleased to issue fresh instructions and to call for a periodical return of beats organized in each district?

226 A.—(a) No.

(b) The Government have no information as to the number of beats organized in Malabar and South Kanara. In 1912 the District Forest officer, South Kanara, was instructed to hold one or two beats and to report the result to Government. Beats were organized accordingly but appear to have met with little success as the villagers showed great indifference in the matter. The District Forest officer was however directed to persevere with the experiment.

(c) The Government do not consider it necessary to issue fresh instructions or to call for a periodical return of beats organized in each district.

227 Q.—With reference to the answer to my question No. 69 at the last April meeting of this Council regarding the collection of higher fares in South Kanara and Malabar by the South Indian Railway, will the Government be pleased to inquire—

Railway fares between Madras and South Kanara and Malabar.

(a) whether higher fares have not been so collected for several days after the 6th and if so which was the last day on which higher fares were actually collected;

(b) what is the total amount thus collected in excess by South Indian Railway and whether the South Indian Railway has been permitted to retain the amount itself; and

(c) whether any notice has been taken of the conduct of the officer responsible for the mistake?

227 A.—The Government will bring the question to the notice of the Agent.

228 Q.—Will the Government be pleased to state whether it is proposed to do away with the plague passports system at railway stations at an early date?

Abolition of the notification system.

228 A.—The Honourable Member is referred to the answer to question No. 208.

229 Q.—(a) Is it a fact that the percentage of literates among Tiyas in Malabar is 17.5 and of those among them literate in English 0.9 and that according to the last census only 306 individuals among them derived income from rent of land

Classification of the Tiyas as a backward community for educational purposes.

(b) Will the Government be pleased to include the Tiyas as a backward community educationally to make them eligible for concessions in the rates of fees in schools and colleges?

229 A.—(a) Yes.

(b) There is no such intention at present.

230 Q.—With reference to the recent trouble in the Victoria College at Palghat, will the Government be pleased to state—

Recent incidents in the Palghat college.

(a) the number of students that remained out of college and the length of time they remained out;

(b) whether it is true that the Director of Public Instruction went to Palghat a short time after the incidents which caused the trouble, and whether it is a fact that he refused to receive a deputation of the parents and guardians who sought to interview him on the subject;

(c) whether a committee to inquire and report on the matter has been appointed by the University Syndicate and if so whether an inquiry has been made and report received;

(d) whether eight students have been refused re-admission even under conditions under which other students have been re-admitted; and

(e) whether the Government be pleased to issue instructions to facilitate re-admission of these eight students even conditionally pending the result of any inquiry in the matter?

230 A.—(a) The Government have no definite information in the matter.

(b) The Director of Public Instruction went to Palghat a short time after the incidents. He notified that he was ready to hear any representations which the students or their parents or guardians might make. It is a fact that he refused to receive a deputation but it is not a fact that it was a deputation of parents and guardians.

(c) (d) & (e) It is understood that the Syndicate is dealing with the matter. The Government do not propose to take any action.

231 Q.—(a) Will the Government be pleased to state—
(1) whether one Savoor Naraina Rao petitioned to the Government on 18th June 1917 praying for relief in respect of the assignment of certain land in Kotekar village No. 212 of Mangalore taluk in South Kanara district; and

A case of assignment of land in South Kanara.

(Mr. Sadasiva Bhat; Mr. Suryanarayanamurti.) [20TH NOVEMBER 1917.]

(2) whether the said petitioner was deprived of his right of appeal in the said case by reason of non-service of the D notice required by the Board's Standing Orders and by the operation of the six months' rule of limitation for appeal?

(b) Will the Government be pleased to call for a report from the Collector of South Kanara whether the non-service of D notices, the delay in the grant of copies of original orders and the six months' rule of limitation for appeal are working as hardships in several cases as in the case of Savor Nariana Rao?

(c) Will the Government be pleased to direct that the case of Savor Nariana Rao and other cases, if any, of such hardship may be heard in appeal and disposed of on the merits?

231 A.—(a) (1) Yes.

(2) The Government are unable to reply to this inquiry as the records connected with the petition have been returned to the petitioner.

(b) & (c) The Government have already declined to interfere on behalf of the petitioner and are not prepared to re-open the case. They have no information regarding other cases.

232 Q.—Will the Government be pleased to state—

(a) whether the recognition of the A.V. Secondary school, Cannanore, was withdrawn in April last without giving the manager any previous opportunity of explanation, although the school enjoyed the privilege of recognition for over twenty years;

(b) whether the manager appealed to the Director of Public Instruction to hold his proceedings withdrawing recognition in abeyance offering to give satisfactory explanations and adequate guarantees for efficient management and that the Director declined to do so; and

(c) whether the manager memorialised to the Government in the matter and what orders have been passed thereon?

232 A.—(a) The recognition was withdrawn in April last. The Inspector of Schools previously told the manager of his intention to recommend the withdrawal and discussed the whole situation with him.

(b) The manager did appeal as stated but the Director having no confidence in his explanations and guarantees declined to reconsider the order withdrawing recognition.

(c) Yes; the Government saw no sufficient reason to interfere with the decision of the Director of Public Instruction in the matter.

233 Q.—(a) Will the Government be pleased to state whether it is a fact that since 1900 13 Police officers have been brought to South Kanara from outside districts as Inspectors thus blocking the ordinary promotion of local men; and that several of them did not know Kanarese and none of them knew Tulu, the principal local vernacular?

(b) Will the Government be pleased to direct that Police officers of the grade of Inspectors and below should not generally be imported into South Kanara without a knowledge of Kanarese and Tulu?

233 A.—(a) The Government have no information.

(b) Government are not prepared to issue any special orders.

The Hon'ble Rao Bahadur K. Suryanarayanamurti Nayudu Garu.

234 Q.—(1) Is the attention of the Government drawn to the article headed "Grievances of the copyists in the Judicial establishments" published in the *Justice*, dated 10th September 1917?

(2) Will the Government be pleased to state whether any scheme for the improvement of the pay and prospects of the copyists in the Judicial Department is under the consideration of Government and if so when it is likely to come into force?

234 A.—(1) Yes.

(2) The Honourable Member is referred to the answer to question No. 79.

Withdrawal of the recognition of the A.V. Secondary school, Cannanore.

Importation of police officers into South Kanara.

Improvement of the pay and prospects of the copyists in the Judicial Department.

APPENDIX I.

[Vide answer to question 9 asked by the Hon'ble Khan Bahadur A. T. G. M. Ahmad Tambi Marakkayar Sahib Bahadur at the meeting of the Legislative Council held on the 20th November 1917, page 4 supra.]

Posts on	Non-Brahman Hindus.	Muham-madans.	Indian Christians.	Brahmans.	Others.	Total.
<i>Chief Secretariat.</i>						
Rupees 50 to 99	5	1	1	5	1	13
" 100 to 299	3	..	4	11	..	18
" 300 to 499	1	..	..	1	..	2
" 500 and above	..	..	..	..	3	3
Total	9	1	5	17	4	36
<i>Home Secretariat.</i>						
Rupees 50 to 99	7	..	..	8	..	15
" 100 to 299	..	..	..	11	2	13
" 300 to 499	..	..	..	1	..	1
" 500 and above	..	..	..	1	1	2
Total	7	..	..	21	3	31
<i>Local and Municipal Secretariat.</i>						
Rupees 50 to 99	3	..	3	12	..	18
" 100 to 299	3	..	..	8	..	11
" 300 to 499	..	..	..	..	..	..
" 500 and above	..	..	..	2	1	3
Total	6	..	3	22	1	32
<i>Public Works Secretariat including Irrigation.</i>						
Rupees 50 to 99	9	2	1	28	..	40*
" 100 to 299	1	..	1	14	..	16
" 300 to 499	..	..	..	3	..	3
" 500 and above	..	..	..	..	6	6
Total	10	2	2	45	6	65
<i>Revenue Secretariat.</i>						
Rupees 50 to 99	4	..	3	11	..	18
" 100 to 299	2	..	..	6	1	9
" 300 to 499	..	..	1	..	..	1
" 500 and above	..	..	..	1	3	4†
Total	6	..	4	18	4	32
<i>Madras Collectorate including Income-tax Deputy Collector, Special Survey and Land Records Officer and Tahsildar, Superintendent of Stamps and Stationery, Protector of Emigrants and Paymaster, Carnatic Stipends.</i>						
Rupees 50 to 99	11	4	5	12	..	32
" 100 to 299	1	1	1	6	..	9
" 300 to 499	..	..	..	..	..	..
" 500 and above	..	1	2	1	..	4
Total	12	6	8	19	..	45
<i>Board of Revenue (Land Revenue).‡</i>						
Rupees 50 to 99	3	1	2	17	..	23
" 100 to 299	1	..	1	8	..	10
" 300 to 499	..	..	1	2	..	3
" 500 and above	..	..	..	1	2	3
Total	4	1	4	28	2	39
<i>Board of Revenue (Settlement).‡</i>						
Rupees 50 to 99	7	..	..	9	..	16
" 100 to 299	3	..	..	6	..	9
" 300 to 499	1	..	..	1	..	2
" 500 and above	..	..	..	1	..	1
Total	11	..	..	17	..	28
<i>Board of Revenue (Separate Revenue).‡</i>						
Rupees 50 to 99	3	..	3	16	1	23
" 100 to 299	4	..	..	8	3	15
" 300 to 499	1	..	..	..	..	1
" 500 and above	..	..	..	..	2	2
Total	8	..	3	24	6	41

* Includes four quasi-permanent and five temporary draftsmen.
† Includes one temporary appointment of Deputy Secretary.
‡ Excludes Members of the Board of Revenue.

APPENDIX II.

[Vide answer to question 13 asked by the Hon'ble Rao Badadur V. K. Ramanuja Achariyar Avargal at the meeting of the Legislative Council held on the 20th November 1917, page 5 supra.]

G.O. No. 2990, Revenue, dated 24th September 1917.

READ—the following paper:—

Letter—from M.R.Ry. Diwan Bahadur L. D. SWAMIKANNU PILLAI Avargal, I.S.O., M.A., B.L., LL.B., Registrar of Co-operative Societies.
To—the Secretary to Government, Revenue Department.
Dated—Madras, the 16th June 1917.
No.—G. 33.

Adverting to paragraph 4 of G.O. Mis. No. 818, dated 17th March 1917, I have the honour to submit my report as to what action is being taken by me in respect of the recommendations of the Committee on Co-operation included in class (a) of the appendix to the Government of India Resolution printed in G.O. No. 2259, Revenue, dated 2nd October 1916.

I shall take up the recommendation seriatim and report upon each.

Recommendation 1.—The attention of all Assistant Registrars has been drawn repeatedly at conferences as well as by means of circulars to the importance of encouraging the formation of non-credit societies.

The following statement shows the number of such societies as they existed at the time of visit of the committee and now:—

On 30th June 1914.		1st June 1917.	
Purchase, or purchase and sale	10	Non-agricultural—	
Production	1	Purchase, and purchase and sale	18
Others	5	Production	1
	—	Others	11
	16		—
Agricultural Societies—			30
Purchase, or purchase and sale	6	Agricultural—	
	—	Purchase, and purchase and sale	11
	22		—
	—		41
			—

In addition to the above as many as six credit societies have decided to carry on non-credit work by means of the joint loan by-law enabling several members of a credit society to do non-credit work with the help of advances obtained from the society on their joint credit.

Recommendation 2.—No systematic inquiry into the present circumstances of village industries has been made, although attempts were made here and there to organize weavers' societies. A special officer seems necessary to undertake this work, because the Assistant Registrars are fully employed otherwise. The Director of Industries has undertaken to have his two Weaving Superintendents trained under the Registrar and he is making a gradual survey of industries.

Recommendation 3.—This recommendation that urban non-credit trading societies should be registered with caution, is being strictly observed.

Recommendation 4.—No separate societies were organized in the past in villages to undertake the joint sale of the produce of members, as it was difficult to secure two sets of men in villages to manage two different societies, one for credit and the other for non-credit work. In some of the credit societies, joint sale or joint purchase is undertaken by means of a joint loan by-law, as explained above, and Government have more recently authorized the Registrar to try experiment with due caution in organizing societies for combining credit and non-credit work.

Recommendations 5 to 7.—My report No. B. & G. 59, dated 24th March 1916, dealt with the subject of cattle insurance societies. Assistant Registrars and some Veterinary officers have been studying the reports on cattle insurance societies in Burma with a view to making a beginning in this Presidency.

Recommendation 9.—There are no hail insurance societies in this Presidency for the protection of agricultural crops and none seem to be required.

Recommendation 10.—Government have recently permitted the organization of Agricultural credit societies doing non-credit work also. The caution imposed in the Committee's recommendation will be borne in mind.

Recommendation 11.—Central Banks in the Madras Presidency are reluctant to finance non-credit societies which are on a limited liability basis: the reluctance can only be overcome gradually.

Recommendation 13.—Societies dealing with non-members.—There is a by-law in every non-credit society that its sales or purchases should be confined to members. In one or two societies which are proposed to be registered, it is provided that surplus articles may be disposed of by sale to non-members. Dr. Slater, Professor of Indian Economics in the University of Madras, is of opinion that sales in store societies should not be restricted to members.

Recommendation 14.—The formation of societies for depressed classes, weavers and other artisans, is engaging the attention of the department. Societies have been registered for the depressed classes during the year. Non-agricultural societies generally are a well-known feature of co-operative work in the Madras Presidency and the general excellence of their work has been repeatedly dwelt on in the Registrar's annual reports.

Recommendation 15.—The liability in non-agricultural societies is always limited except in some of the poor men's societies such as the Madras Salt Loaders' society, the numerous scavengers' societies, fishermen's societies, etc., where close mutual knowledge exists, and unlimited liability is both possible and necessary for raising a reasonable amount of working capital.

Recommendation 16.—Urban societies in this Presidency are self-supporting and as a class they are doing excellent work.

Recommendation 17.—Employees' societies in this Presidency enjoy the full support of the respective heads of offices and the monthly instalments for repayment of loans are deducted from pay by the disbursers. In every such society, except in Government Servants' societies, there is a by-law that the borrower should agree to the monthly instalments being deducted from his pay by the disbursers. Although there is no such by-law in Government Servants' societies—and none could be framed without a general order from Government—every borrower in such societies agrees to the deduction of the monthly instalment from his pay by the chief ministerial officer of his office with a view to its being sent on to the society's office. Wherever possible, societies permit Government servants to take loans on Postal Insurance policies.

Recommendation 19.—There was a proposal during the time of my predecessor to organize a Land Mortgage Bank for the benefit of zamindars but it did not mature. In 1915, the Assistant Registrar at Trichinopoly (now at Madura) submitted a proposal for the formation of an Agricultural Bank for the well-to-do mirasidars of certain villages in Tanjore. The Board of Revenue, in its Proceedings No. 2251, dated 20th August 1915, permitted the registration of the Bank. The orders of the Board were communicated to the Assistant Registrar, but no such Bank has been registered. Unless the proposed Bank can be effectually protected against the baneful results of litigation, I do not think the Bank will work.

Recommendation 20.—The nomenclature adopted by societies in this Presidency with a few exceptions, which are old societies, conforms to the recommendations of the Committee.

Recommendations 21 and 22.—These recommendations in regard to the responsibility of the Registrar to see that societies are organized on sound lines and that the area of operations should be restricted, are being scrupulously adhered to.

Recommendation 23.—Except in a few instances among agricultural primary societies such as Uttiramerur, the number of members is below 100. In town societies, the number may go above 100 but they are not unmanageably large. It is well known that the average membership of agricultural societies in this Presidency is high, but I do not approve of the Central Provinces plan of breaking up a village of 90 houses into seven societies with twelve members each.

Recommendations 24 to 28.—These recommendations are being observed in practice.

Recommendation 29.—Opinions vary on the suitability of co-operation as a subject of instruction in elementary schools. The idea was suggested by me in Mangalore of inserting one or two lessons on co-operation in elementary readers, but I do not know whether it was taken up.

Recommendation 30.—Generally, the Secretary is a Panchayatdar and is expected, at any rate at the organization of a society, to do his work, including the clerical work, gratuitously. Where the clerical work is heavy, a separate clerk ought to be employed, or the Secretary is paid a small remuneration, to which effect a recommendation is usually made in deserving cases, in the audit order by the Registrar. Remuneration is generally expected by Secretaries and it is not grudged to them unless their work is bad. The system of group Secretaries is not in practice in this Presidency. Schoolmasters are frequently employed as Secretaries of societies.

Recommendation 31.—The Committee of Management of a Society ought certainly not to be beyond the control of the general assembly. Much of the time of myself, of Assistant Registrars and of Inspectors and Supervisors is occupied in teaching the members of the general assembly and the panchayat their respective duties. The period for which a committee is elected is generally two years, or even three, instead of one year, as recommended by the committee, although one year is adopted by some societies.

Recommendation 32.—There are no supervisory committees in societies in the Madras Presidency, but I believe the by-laws of certain societies in South Kanara district make provision for the appointment of a Supervisory Council.

Recommendation 34.—Old debts of members are being paid off as far as possible and according to the principle indicated by the committee.

Recommendation 35.—In agricultural societies the panchayat cannot but come to know as soon as a member borrows from outside the society. There is no rule or by-law that a member should inform the panchayat whenever he takes a loan from outside: but the advisability of framing such a by-law has been often discussed. In poor men's societies, where debts are discharged by the society in full, no member is allowed to contract outside debts subsequently. But unless a society is prepared to redeem its members' debts in full, a rule that all outside debts should be declared to the panchayat has not much force. However even if a society does not undertake to pay all its members' debts, it may adopt a disciplinary rule that it should be cognizant of them; but the enforcement of such a refinement is at present left to the discretion of panchayatdars.

Recommendations 36 and 37.—These recommendations in regard to the multiplication of societies by taking advantage of the innate principle of limitation and the formation of societies only in areas where supervision is adequate are being observed.

Recommendation 38.—Advantage is taken of the Government rule, permitting unlimited liability societies to declare a dividend up to $6\frac{1}{4}$ per cent, and in the new model by-laws for agricultural societies, the value of a share is fixed at Rs. 10 instead of one rupee, as before, and the share value is required to be paid either in one lump sum or in ten annual instalments. In Fishermen's societies, the share value is Rs. 40 to be paid in 40 monthly instalments spread over four years, two non-fishing months being allowed for every year. The recommendation that every society should be encouraged to accumulate its own capital is steadily kept in view.

Recommendation 39.—The system of shares in this Presidency is simple and not complicated as in the Punjab or Burma; and the difficulties referred to by the committee do not therefore exist here.

Recommendation 40.—The rules framed by Government under section 43 of the Act provide for a maximum limit on dividends in the case of limited as well as of unlimited liability societies.

Recommendation 41.—This practice of paying share capital by deductions from loans does not obtain in this Presidency, although the committee have no objection to it.

Recommendation 42.—Agricultural credit societies in the Madras Presidency are as a rule formed on the unlimited liability basis. A very small number, which do not depend on outside working capital, were originally constituted on a limited liability basis and continue as such. Tirur, society No. 1, on my register of which the late Diwan Bahadur M. Adinarayanayya was president and founder, is a notable instance.

Recommendation 43.—Primary urban societies depend mainly upon deposits locally obtained. Primary agricultural societies get local deposits whenever possible.

Recommendation 44.—The model by-laws for agricultural societies provide for the paying of slightly higher rates of interest on deposits of members than on those of non-members.

Recommendation 45.—What is called a provident deposit in an agricultural credit society was, at its inception, a compulsory deposit. It has now been made optional and the instalment share system referred to in this recommendation has been introduced into societies generally.

Recommendation 46.—I have separately reported upon current accounts in primary societies. Ordinarily, fixed deposits are obtained for not less than one year at a time.

Recommendation 47.—Short term deposits for periods of one month and less are not generally accepted by primary societies.

Recommendation 48.—What are called current accounts in primary societies in this Presidency are really savings deposits and I have recommended to Government in my letter No. G. 33, dated 31st May 1917, that societies may be permitted to accept such deposits on certain conditions suggested by Government.

Recommendation 52.—One or two cases have come to my notice, where societies failed to repay their depositors, not for want of funds but on account of indifference or ignorance on the part of the panchayat. Necessary action was taken in such cases. As a rule, primary societies in this presidency are punctual in the repayment of deposits and in paragraph 32 of my last administration report and elsewhere, I have drawn attention to the high standard of punctuality in this matter of non-agricultural societies in this Presidency. Difficulty has in a few cases arisen from the fact that section 22 of the Act allows members; but not depositors who are not members to nominate their successors. Societies have been advised by me to induce their non-member depositors to nominate successors under proper attestation. Such nomination would be equivalent to a testamentary deposition, but it would still be open to societies to call for probate or succession certificate before making payment to the representative in interest. Where there is no nomination, parties feel it a great hardship to have to wait for the grant of succession certificate. I have actually several cases where considerable amounts held in deposit by societies have not been paid to successors-in-interest because the latter have not obtained the necessary documents of title from the civil courts. A legal remedy for this difficulty is probably necessary.

Recommendation 53.—Instances of repaying long term deposits before maturity are rare and when they do occur, the societies insist on a reduction in the rate of interest.

Recommendation 54.—There are a few primary societies that have surplus money which they lend, with the sanction of the Registrar, to other societies. A society usually obtains its local deposits at 7 per cent interest or a little less and it would not pay it to pass on its surplus deposits to central banks which would not pay more than $6\frac{1}{2}$ per cent even to favoured depositors like societies. (One of the model by-laws of a local supervising union authorises the union to sanction loans from one affiliated society to another affiliated society. A few loans have been sanctioned under this rule.

Recommendation 55.—Hitherto agricultural societies carried their entire net profits to reserve fund. Now their by-laws are being revised so as to allow some dividend on paid-up share capital under certain conditions. The amount carried to reserve every year will not be so great in future; but as the share value has generally been increased from Rs. 1 to Rs. 10, the difference only between $6\frac{1}{4}$ per cent, the maximum dividend on share capital and $9\frac{3}{8}$ per cent, the ordinary rate of interest levied from members on loans made to them out of the society's share capital, will be added to the reserve fund.

Recommendation 56.—Generally agricultural societies require money at particular seasons; in July for redeeming lands under mortgage with possession; in January, February and March, etc., for paying kist. In urban societies the president and the secretary are empowered to sanction urgent loans not exceeding Rs. 50 on their own responsibility, but there is no need for such a provision in agricultural societies. The panchayat who are residents of the village can always meet at short notice. Facility for investment in the post office savings bank and for the custody of boxes in taluk treasuries are given to societies, but the only place of safe-custody used by them in practice is the postal savings bank.

Recommendation 60.—The promissory-note is not generally adopted by primary societies in the Presidency as a security for loans. To prevent book adjustment of loans and the grant of irregular extensions by the panchayat, the model by-laws now provide that the conditions of loans to be paid with their due dates, the instalments, etc., should be clearly stated in the document executed by the borrower. Such a document is a bond not a promissory-note. The promissory-note implies an advanced stage of business and in societies where there are few or no literate men the regular use of promissory-notes might lead to grave abuses.

Recommendation 61.—Some societies have pass-books but many have only the counterfoil receipt system. Assistant Registrars have been advised to introduce the pass-book system into all societies.

Recommendation 62.—No person can become a member in any society unless he takes at least one share and pays for it. The societies in Kalyandrug taluk, Anantapur district, were organized without shares on the pure Raiffeisen model, but such organization is not now permitted.

Recommendation 63.—This is being observed; limits are imposed by by-laws on non-productive expenditure, e.g., for marriages and religious ceremonies.

Recommendation 64.—Under the by-laws, loans for the purpose of holding over grain for a fair market have to be repaid at the season for selling grain. This would be generally three to four months after the harvest.

Recommendation 65.—The by-laws of every society define the maximum amount that a member can borrow; also the maximum period allowed for repayment. I believe it is a fact that money is more readily taken from societies than from Government for the purposes contemplated by the Land Improvement Loans Act. The question whether advances under the Land Improvement Loans Act should not be paid through societies recently formed the subject of a reference from Government and my views were stated fully on that occasion.

Recommendation 66.—The recommendation in regard to the proper use of loans is being observed.

Recommendation 68.—Societies are advised to keep this wholesome advice in mind, but where the assets of members are ample, about a third to one-half of even the first loan to a society is usually advanced for redeeming prior debts.

Recommendation 69.—The by-laws of societies provide for payment of a loan in instalments out of the proceeds of the business or industry in which the loan is used.

Recommendation 70.—Loans in this Presidency are given not only on personal surety but also on the mortgage of immovable property, on the security of deposits, of Government promissory-notes, of gold and of silver jewels (the last two in rare cases) and of life insurance policies. None but members can stand surety and the responsibility of sureties is enforced. The difficulties in the way of making a rule that all loans shall be advanced on personal surety have been stated by me in successive administration reports. In societies largely composed of illiterate members all kinds of trouble arise from suretyship loans and when the matter goes eventually into a court of law, it is easy for an illiterate borrower to repudiate responsibility. Thumb impression marks have been introduced everywhere and the evil of fictitious loans has been checked to some extent. Lastly, the proportion of loans advanced on personal surety has increased *pari passu* and will, it is hoped, continue to increase as the movement spreads. The advantages of immovable property mortgages are not likely to be appreciated in provinces where the ryotwari system does not prevail.

Recommendation 71.—This question was discussed at one of the conferences held by me with Assistant Registrars and they were asked to try the system of taking tangible security as collateral only.

Recommendation 72.—In some old societies, the by-laws permit this, but loans on the security of shares are not now allowed, since the shares are the security for the society's creditors.

Recommendation 73.—It is difficult, and in my humble opinion not wise, to check the discretion of panchayats as regards the kind of security to be taken for loans. The great aim of the co-operative movement in India is to develop rural credit and I am not in favour of making the development one sided, merely in order to conform to what has been found convenient in other provinces. Secretaries and panchayats are too often men who are over-anxious to increase their own prestige

and influence at the expense of the society's interests and such men may readily fall in with a personal surety system, but to encourage them will only be to create difficulties in the administration and supervision of societies. When good societies adopt the system, they are encouraged.

Recommendations 74 and 75.—Difficulties in dealing with occupancy tenants are experienced only on the West Coast, where I have been told that it is not easy for such tenants even to get receipts for money paid to the landlord. It may be necessary to insist that a tenant paying rent through his society should be entitled to get a receipt through the same channel, but I am told that the landlord may refuse to deal with a society even as an agent for its members. Mr. Hemingway, who knows South Kanara, will be able to deal with this question which seems to affect the Christian occupancy tenants there more than others.

Recommendation 77.—I quite agree that an exhaustive record-of-rights would be a distinct advantage for co-operative societies taking mortgages of land, but the committee appear to have had in mind chiefly the province of Burma.

Recommendation 79.—This concession to members is only possible in good societies, which is also the committee's view. As observed by the committee, several restrictions on the powers of panchayats now considered essential, e.g., the discretion to grant extensions and to receive current deposits, will have to be relaxed if cash credits to members are to be allowed.

Recommendation 81.—Repayment of loans in kind is not accepted by any society except a grain bank. It will be otherwise when societies begin to make advances on produce for which I have recently obtained the sanction of Government.

Recommendation 82.—Penal interest is being levied generally on overdue amounts. It would no doubt be wiser for panchayats and more in the interests of borrowers if pressure were used to enforce punctuality and that against sureties as well as principals. The necessity for applying such pressure is constantly impressed on societies by the Registrar and his staff.

Recommendation 83.—As an additional check on fictitious adjustments of loans, a liability register has been introduced into all societies. The register shows at a glance what amount a member has borrowed and repaid from day to day and it must be evident from a comparison of dates whether he has repaid such amounts out of fresh loans obtained by him, i.e., by adjustment. This is a point insisted on at inspections. Where even the liability register fails to disclose adjustments, as when A repays a loan or an instalment out of an amount debited to B in a different page of the liability register as an advance, the practice is to stop the privilege of granting fresh loans out of collections and to insist on all collections being remitted to the central bank. This restriction has generally a good effect, but it entails the disadvantage that innocent members cannot get loans when they require them and have to wait until application is made to the central bank for a fresh loan and money is obtained from that source generally after a reference to the Assistant Registrar.

Recommendations 84 and 85.—Government have framed rules in accordance with these recommendations to refer disputes to arbitration.

Recommendation 86.—Recoveries are no doubt now made in most cases by societies themselves or with the help of supervisors employed by a supervising union. This perhaps is the principal reform which I have been able to make during my tenure of office, but I cannot say that the reform has reached its last stage. Many supervisors have been recently entertained for this purpose and trained, but they have to be thoroughly grounded in their work. Government Inspectors are employed mainly on this work when they are not conducting the audit, which means that the Government staff still occasionally makes recoveries. At one time there was no other agency in the Presidency except the Government staff for making recoveries. I hope the state of affairs of which the committee complain will, before long, become a thing of the past.

Recommendation 87.—does not call for any remark. The term 'reserve fund' and 'fluid resources' are explained in this recommendation.

Recommendation 90.—The rules and practice in the Madras Presidency in regard to 'common good funds' conform to this recommendation.

Recommendation 91.—In paragraph 53 of my administration report for 1914-1915 I have explained that the committee's reference in this paragraph is *not* to sanitary works executed through the agency of co-operative societies, a policy which Government view with favour.

Recommendation 92.—This recommendation is observed. Sixty-three societies were dissolved in 1915–1916 and six in the current year.

Recommendations 192 and 193.—I generally interview Collectors during my tours and have on not a few occasions inspected societies in company with District officers. Assistant Registrars are able to do this oftener. Collectors and Divisional officers and officers of allied departments frequently attend co-operative conferences held within their jurisdiction and Collectors usually preside at them. Government may perhaps be pleased to draw the attention of Collectors to the first sentence of this recommendation as regards the training of Assistant Collectors. District and divisional conferences are frequently held. There were few district conferences held during my time which I did not attend in person and I am able to say that a co-operative conference is now an important public function in the district or division where it is held and it is perhaps the only occasion on which officers not directly connected with co-operation and agriculture see something of co-operative work.

Recommendation 198.—No Court of Wards funds have, I believe, yet been invested in any of the societies in the Presidency. The attention of the Court of Wards might be invited to this recommendation.

Recommendation 200.—No grant by any private individuals or local bodies has been made to any society; but the attention of municipal councils and local boards might be drawn to this recommendation.

Recommendation 203.—Assistant Registrars have given effect to this recommendation in limited areas which suffered from drought or floods. Cycles of bad and good years are borne in mind in fixing periods of repayment. In fishermen's societies on the West Coast I have had some practical experience of the necessity of providing for years of scarcity and the special model by-laws of fishermen's societies have been drawn up with this object in view.

Recommendation 204.—No loan from Government is now being given to any society.

Recommendation 205.—Societies and the better informed public know fully well that Government disclaim financial responsibility for the movement. Everybody and the less well-informed parts of the country, the popular idea still is that the money advanced through co-operative societies is Sircar money. The officers of the department and honorary organizers and supervisors are instructed to explain as clearly as possible the system of co-operative finance whenever they organize, start or visit a society; but the ryot has too good an opinion of the benevolent Sircar to give in readily to stories, or what he considers such, about central banks and the way in which they raise their working capital.

Order—No. 2990, Revenue, dated 24th September 1917.

Recorded with the following remarks:—

(i) *Recommendations 5 to 7.*—The Government are inclined to agree with the committee that the introduction of cattle insurance need not be deferred until adequate means exist for applying prophylactic measures, and are prepared to allow a few societies to be organized as an experimental measure.

(ii) *Recommendation 52.*—The point raised by the Registrar regarding the difficulty experienced by representatives of deceased non-member depositors in obtaining repayment of deposits will be dealt with separately.

(iii) *Recommendation 54.*—The committee's recommendation may be adopted as a general direction or indication of policy but not as a hard and fast rule.

(iv) *Recommendation 60.*—The Government agree with the Registrar and would allow the present practice to continue.

(v) *Recommendation 61.*—The Government would suggest that a summary of the main points of co-operation be printed within the cover of pass books to be issued to members of societies in future.

(vi) *Recommendations 70 and 71.*—The recommendations cannot be accepted as hard and fast rules in view of the economic condition and public sentiment in this Presidency.

(vii) *Recommendation 73.*—The statistics of loans advanced on personal security exhibit a steady growth in the right direction and the Government do not consider that this growth should be forced.

(viii) *Recommendation 192.*—Separate orders will issue on this recommendation.

(ix) *Recommendation 198.*—The consideration of this recommendation is deferred for the present.

(True extract)

A. R. KNAPP,
Acting Secretary to Government.

To the Registrar of Co-operative Societies.

APPENDIX III.

[Vide answer to question 31 asked by the Hon'ble the Raja of Ramnad at the meeting of the Legislative Council held on the 20th November 1917, page 8 supra.]

Estate	Amount invested in the 5 per cent War loan 1929–1947.	Amount invested in the 5½ per cent War bonds 1920 and 1922	Amount invested in the post office 5-year cash certificates.	Total.
	Rs.	Rs.	Rs.	Rs.
Kallikota Attagada (Ayan)	7,500	7,500	7,500	22,500
Pedda Merangi	..	5,025	..	5,025
Madugula	10,400	..	..	10,400
Chundi	6,400	..	..	6,400
Kangundi	34,000	..	..	34,000
Timmajamma's estate	11,000	..	..	11,000
Kadavur (Devasthanam)	2,100	..	..	2,100
Mambarai	3,200	..	..	3,200
Sivaganga (Chattram)	2,000	..	..	2,000
Urkkadu (Ayan)	31,600	..	..	31,600
Urkkadu (Endowment)	1,000	..	..	1,000
Uttumalai (Ayan)	19,000	..	..	19,000
Kadambur	4,200	..	..	4,200
Zamorin's Estate (Guravayur Devaswam)	1,00,000	..	..	1,00,000

APPENDIX IV.

[Vide answer to question 66 asked by the Hon'ble Mr. A. S. Krishna Rao Pantulu at the meeting of the Legislative Council held on the 20th November 1917, page 14 supra.]

Statement showing particulars regarding legislative measures under the consideration of the Government.

Legislative measures.	When the measures were taken up for consideration.	Progress achieved.
The Hindu Co-parceners Partition Bill.	1915	The opinions obtained on the Bill have been communicated to the Additional Member in charge of the Bill for consideration.
The Hindu Limited Owners Bill.	1915	The subject of the Bill is under correspondence with the Government of India who were last addressed on the 1st October 1917.
A Bill to amend the Madras Medical Registration Act, 1914.	1917	Leave to introduce the Bill was granted by the Council on 23rd November 1915; and the Bill was published under Council rule 32 on 20th March 1917. The Secretary of State and the Government of India were addressed on 14th May 1917.
The Mappilla Succession Bill.	1916	The Government of India and the Secretary of State were addressed on 31st August 1917. The reply from the Government of India has been received.
A Bill to amend and consolidate the Madras City Municipal Act, 1914.	1914	Early in 1916, a draft Bill prepared by Mr. Galletti was submitted to the Government of India. The Bill was then revised with reference to the suggestions made by the Government of India and referred to the Corporation of Madras for remarks in January 1917. The Bill is now under revision with reference to the remarks submitted by the Corporation, the Madras Chamber of Commerce and other public bodies. The Government of India have postponed further consideration in the meanwhile.
A Bill to amend the Madras District Municipalities Act, 1884.	1914	A draft Bill prepared by Mr. Galletti was first revised with reference to the orders passed on the suggestions made by municipal councils and then referred to a special committee for examination. The recommendations of this committee are being considered.
A Bill to amend the Madras Local Boards Act, 1884.	1915	The draft Bill prepared by Mr. Galletti has been revised with reference to the orders passed on suggestions made by local boards, and the Government have appointed a committee to consider it.
Amendment of the Court of Wards and Impartible Estates Acts.	1913	The Government of India have been addressed for approval to the proposed legislation.
The Children Bill.	1915	The Bill will be published shortly.
The Madras Prevention of Adulteration Bill.	1914	A draft Bill was submitted to the Government of India in 1915. It was then revised with reference to their remarks and submitted to the Government of India once in March 1917 and again in September 1917. Their further remarks have been received recently and are under consideration.
The Madras Town Planning Bill.	1915	The consideration of the Bill has been postponed until the Bills to amend the Madras City Municipal Act, 1904, and the Madras District Municipalities Act, 1884, are taken up.

APPENDIX V.

[Vide answer to question 150 asked by the Hon'ble Mr. A. Suryanarayana Rao Pantulu at the meeting of the Legislative Council held on the 20th November 1917, page 29 supra.]

G.O. No. 1437 L., dated 1st October 1917.

READ—the following papers :—

(i)

G.O. No. 1720 L., dated 5th December 1916.

ABSTRACT.—Opinions of district boards and taluk boards and their presidents invited on the question of the relations between taluk boards and the local fund engineering establishment.

(ii)

File of replies to the above Government Order.

Order—No. 1437 L., dated 1st October 1917.

Recorded with the remark that district practice and opinions appear to vary greatly and the Government are not prepared to issue any general orders or to aim at uniformity of practice.

(True extract)

R. A. GRAHAM,
Acting Secretary to Government.

To all presidents of district boards.

APPENDIX VI.

[Vide answer to question 152 asked by the Hon'ble Mr. A. Suryanarayana Rao Pantulu at the meeting of the Legislative Council held on the 20th November 1917, page 29 supra.]

Name of district.	Amount of unexpended balance on the 31st March 1917 out of the Provincial grants made for minor sanitary works.	Name of district.	Amount of unexpended balance on the 31st March 1917 out of the Provincial grants made for minor sanitary works.
	RS.		RS.
1. Anantapur	19,084	14. Koraput	40,656
2. Arcot, North	88,330	15. Kurnool	31,994
3. Arcot, South	51,439	16. Madura	42,758
4. Bellary	47,966	17. Malabar	69,922
5. Kanara, South	23,442	18. Nellore	7,859
6. Chingleput	46,386	19. Nilgiris, The	8,716
7. Chittoor	58,297	20. Ramnād	58,648
8. Coimbatore	74,508	21. Salem	15,729
9. Cuddapah	27,442	22. Tanjore	61,884
10. Ganjam	60,433	23. Tinnevely	29,774
11. Gōdāvari	53,620	24. Trichinopoly	31,308
12. Guntūr	48,038	25. Vizagapatam	72,296
13. Kistna	33,457		

APPENDIX VII.

[Vide answer to question 158 asked by the Hon'ble Mr. T. Ranga Achariyar at the meeting of the Legislative Council held on the 20th November 1917, page 30 supra.]

Statement showing the retail price of salt at the headquarter stations of the several districts of the Madras Presidency during the fortnight ending 15th October 1917.

District.	Quantities per rupee in seers of 80 tolas.	District.	Quantities per rupee in seers of 80 tolas.
1. Ganjam	14 85	14. Chittoor	14 40
2. Vizagapatam ..	18 00	15. North Arcot ..	13 20
3. Godavari	16 00	16. Salem	12 60
4. Kistna	21 60	17. Coimbatore ..	12 00
5. Guntur	16 25	18. Trichinopoly ..	15 43
6. Kurnool	12 50	19. Tanjore	16 42
7. Bellary	10 33	20. Madura	17 86
8. Anantapur	13 25	21. Ramnad	16 29
9. Cuddapah	13 60	22. Tinnevely	19 80
10. Nellore	18 00	23. Nilgiris, The ..	9 60
11. Madras	19 14	24. Malabar	13 20
12. Chingleput ..	18 00	25. South Kanara ..	12 33
13. South Arcot ..	15 60		

* Adirampattanam salt

† Vadaranniyam salt.

APPENDIX VIII.

[Vide answer to question 163 asked by the Hon'ble Mr. T. Ranga Achariyar at the meeting of the Legislative Council held on the 20th November 1917, page 31 supra.]

List of civil sub-assistant surgeons dismissed from the service during the last four quarters and the reasons for their dismissal.

Period.	Name of sub-assistant surgeon dismissed.	Reasons for dismissal.
Quarter ending 31st December 1916.	W. A. Muthayya ..	For refusing to proceed on military duty.
Quarter ending 31st March 1917.	Nil.	
Quarter ending 30th June 1917.	Muhammad Tabir ..	For refusing to proceed on military duty.
	M. Venkataratnam Pantulu.	Do.
	A. C. K. Hebbar ..	Do.
	G. Manuel	Do.
	B. Virasarma	Do.
	D. Duragaprasada Rao	Do.
	P. Venkata Rao	Do.
	S. Nallanayagum Pillai	For disobeying the order of the District Medical and Sanitary Officer directing him to go to a cholera-affected village, in subordinate conduct and refusal to proceed on military duty.
	P. Narasimham	For refusing to proceed on military duty.
	T. S. Pichohu Ayyar ..	Do.
	A. Sitaramayya	Do.
	K. Dhundi Ganapati ..	Do.
	P. Subba Rao	Do.
	J. Kamaraju	Do.
	S. Perumal Razu	Do.
	K. Purushottam	Do.
Quarter ending 30th September 1917.	T. Mallappa Razu ..	Do.
	O. V. Muthukrishnan ..	For refusing to rejoin duty in the Bellary district on the expiry of the leave granted to him.
	S. Subba Rao	For refusing to proceed on military duty.
		For refusing to rejoin military duty on the expiry of the leave granted to him by the military authorities.

APPENDIX IX.

[Vide answer to question 172 asked by the Hon'ble Mr. T. Ranga Achariyar at the meeting of the Legislative Council held on the 20th November 1917, page 33 supra.]

Name of officer.	Nature of special duty.	Period.	Salary and allowances per mensem.
1. Sir Robert Clegg, K.C.J.E.	In connexion with the pending proposals for legislation on the subject of local boards and municipal councils.	Three months from 16th October 1917.	Rupees 3,750.
2. Mr. M. E. Couchman.	For the purpose of re-organizing the Department of Industries and examining the position of the various experiments carried on by the department.	22nd May 1916 to 25th October 1916.	Salary in the regular line, viz., Rs. 2,250 in the beginning and Rs. 2,500 later plus deputation allowance of Rs. 250.
3. Mr. C. A. Innes ..	Do.	From 26th October 1916.	Salary in the regular line, viz., Rs. 1,900 plus deputation allowance of Rs. 10 per diem.
4. Mr. N. E. Marjori banks.	An enquiry regarding Indian emigration.	From 17th October 1916 to 30th August 1917 (partly in India and partly in England).	For duty in India, salary in the regular line, viz., Rs. 2,250 at first and Rupees 2,500 later plus deputation allowance of Rs. 10 per diem. For duty in England two-thirds salary (i.e., two-thirds of Rs. 2,500) plus daily allowance granted by the Secretary of State.
5. Mr. A. R. L. Tottenham.	An examination of the possibility of reducing work and establishments in the Government Secretariat and in the offices of the Board of Revenue and Collectors.	Six months from 29th October 1917.	Salary in the regular line, viz., Rs. 2,250.
6. Mr. E. A. Davis ..	Introduction of the Forest Panchayat scheme.	From 1st April 1916 to 21st August 1916.	Salary in the regular line, viz., Rs. 1,500 plus a compensatory allowance of Rs. 150. (Special duty began on 24th February 1916.)
7. Mr. A. Mo. G. K. Tampoe.	An enquiry into the agricultural practices prevailing in the Godavari Western delta.	(i) From 4th May 1916 to 27th August 1916 and (ii) from 28th May 1917 to end of October 1917.	Rs. 1,240 during period (i), Rs. 1,200 as salary plus deputation allowance of Rs. 150 during period (ii).
8. Mr. J. Gray	An enquiry into the method of collecting statistics of wages and the accuracy and significance of those statistics.	From 13th April 1916 to 6th September 1916 and from 19th October 1916 to 31st March 1917.	Salary in the regular line viz., Rs. 1,083½ plus deputation allowance of Rs. 206½.
9. Mr. E. M. Gawne ..	Compilation of the Presidency Administration report.	Three months from 16th September 1916.	Salary in the regular line, viz., Rs. 766½.
10. Mr. S. Wadsworth ..	Do.	Three months from 17th September 1917.	Salary in the regular line, viz., Rs. 766½.

APPENDIX X.

[Vide answer to question 176 asked by the Hon'ble Diwan Bahadur A. Subbarayalu Reddiyar Avargal at the meeting of the Legislative Council held on the 20th November 1917, page 34 supra.]

Statement showing particulars as to the number of irrigation sources under the Cheyyar anicut system which were raised in class at the resettlement of the North Arcot district, the number of appeals preferred and the number of sources in regard to which the classification was modified with reference to the appeals.

Number of irrigation sources under the Cheyyar anicut system which were raised in class at the resettlement of the North Arcot district.	Number of sources in respect of which appeals were preferred.	Number of appeals preferred.	Number of sources in regard to which the classification was altered with reference to the appeals.
46	25	40	1

APPENDIX XI.

[Vide answer to question 199 asked by the Hon'ble Mr. P. Siva Rao at the meeting of the Legislative Council held on the 20th November 1917, page 38 supra.]

Period or year.	Number of men who passed out of the College of Engineering, Madras.			Number of men recruited to the permanent upper subordinate establishment from those who passed out of the Engineering College, Madras.			Percentage of		
	Engineers.	Civil Upper Subordinates.	Military Upper Subordinates.	Engineers.	Civil Upper Subordinates.	Military Upper Subordinates.	Column 5 to 2.	Column 6 to 3.	Column 7 to 4.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1890 to 1894 (average.)	5	7	2	1.6	4.6	1.0	PER CENT. 32	PER CENT. 66	PER CENT. 50
1895 to 1899 (average.)	5	21	2	2	5.4	2.2	4	26	110 (the excess was recruited from the balance of previous years.)
1900 to 1904 (average.)	10	28	2	8	7.3	1.4	8	27	70
1905 to 1909 (average.)	15	28	1	1.8	3.2	1.2	11	11	120 (the excess was recruited from the balance of previous years.)
1910	10	12	4	..	1.0	1.0	Nil.	8	25
1911	20	12	3	..	..	1.0	Nil.	82	33
1912	16	22	4	1	18.0	2.0	6	31	50
1913	16	12	6	5	94.0	5.0	31	783 (the excess was recruited from the balance of previous years.)	83
1914	15	28	2	10	3.0	2.0	67	11	100
1915	Nil.	23	6	2	8.0	5.0	The recruitment was made from balance of previous years.	35	83
1916	21	36	Nil.	1	4.0	..	5	11	..

APPENDIX XII.

[Vide answer to question 200 asked by the Hon'ble Mr. P. Siva Rao at the meeting of the Legislative Council held on the 20th November 1917, page 38 supra.]

Circular Memorandum No. 552 D., dated 23rd July 1913.

With reference to the reorganization scheme sanctioned in G.O. No. 1185 W., dated 12th June 1913, the Chief Engineer desires to make the following remarks.

2. It has been his pleasing, though difficult, task to give promotion to a very considerable number of the upper subordinate staff, and it seems desirable that the members of the department should have some idea of the principles upon which these promotions have been made.

3. It will not be out of place here to remind members of the department that seniority alone constitutes no claim to promotion but that it must invariably be accompanied by efficiency.

Also that efficiency in a particular post does not necessarily connote efficiency for higher posts, the duties of which are different.

For instance, an efficient subordinate may be quite incompetent to administer satisfactorily a subdivision, and it therefore follows that no subordinate can expect to be promoted to the rank of sub-engineer unless he has shown that he is fit for charge of a subdivision.

Then, again, it must be understood that the scheme has been sanctioned not only with the object of improving the prospects of the upper subordinate staff but also for the purpose of improving the efficiency of the department and especially of the subdivision officers.

With this object in view, a certain number of men who by their education or by their practical work have shown themselves to be specially capable have been selected for accelerated promotion, and with the increased number of higher appointments available it has been possible to do this without injustice to those who have been passed over. It is hoped and expected that the latter will not only not be disheartened by this but also that they will put increased energies into their work and endeavour to render themselves fit in the future for special advancement.

4. Following the general principles laid down above, the Chief Engineer considers that, except for very special reasons, no subordinate should be promoted to the rank of sub-engineer, permanent, unless by actual trial he has shown himself thoroughly competent for charge of a subdivision, and as a general rule promotions to sub-engineer, permanent, will be by selection of those who have been shown by experience to be the most competent subdivision officers.

Promotion to the new first and second grades of sub-engineers will generally go by selection. In the other grades of sub-engineers promotions will generally go by seniority, provided that the periodical reports are satisfactory.

As the class of supervisors is intended to be the recruiting ground for sub-engineers, no one will, as a general rule, be promoted to the rank of supervisor unless he is reported to be fit or likely to be fit for subdivision charge.

It is, however, recognized that there may be a certain number of subordinates who, while being thoroughly efficient in that capacity, are not competent as subdivision officers. Such men will be considered fit to rise to the rank of supervisor, second grade, and if their reports continue satisfactory they may go up in their turn to supervisor, first grade, but not higher.

5. It is requested that, in future, when writing their reports, officers will bear the above principles in mind and especially when dealing with those of overseers, first grade.

6. When selecting men, other than assistant and sub-engineers, for charge of subdivisions, Superintending Engineers are requested to utilize first of all, as far as possible, all available supervisors who are competent for subdivision charge, but when all the really competent supervisors have been so selected, men of the overseer class who possess special qualifications may be selected for trial as subdivision officers.

In all cases of selection for subdivision charge of supervisors or overseers not already holding the temporary rank of sub-engineer, applications must be made to the Chief Engineer to give them this rank while in charge of the subdivision. Such applications should be accompanied by full reasons for the selection and especially when senior men are passed over.

C. A. SMITH,
Chief Engineer, P.W.D.

To all Superintending Engineers.
,, the Sanitary Engineer to Government.
,, the Chief Engineer for Irrigation.

ACT ASSENTED TO; RULES FOR THE CONDUCT OF BUSINESS AT MEETINGS OF THE COUNCIL; COMMUNICATIONS TO THE COUNCIL; A BILL TO AMEND THE MADRAS VILLAGE COURTS ACT, 1888.

(The Secretary; Mr. Gillman.) [20TH NOVEMBER 1917.]

ACT ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

The SECRETARY then announced on behalf of His Excellency the President that the Agency Tracts Interest and Land Transfer Act, 1917, had received the assent of His Excellency the Governor-General on the 26th July 1917.

ACT ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR.

The SECRETARY reported that the Agency Tracts Interest and Land Transfer Act, 1917, which was passed at the meeting of the Council held on the 24th May 1917, had received the assent of His Excellency the Governor on the 23rd June 1917.

RULES FOR THE CONDUCT OF BUSINESS AT MEETINGS OF THE COUNCIL.

The SECRETARY reported that the amendments made in rules 23, 24, 31 and 32 of the Rules for the conduct of business at meetings of the Council at the meeting held on the 22nd May 1917 had received the assent of His Excellency the Governor on the 11th July 1917.

COMMUNICATIONS TO THE COUNCIL.

The SECRETARY reported the receipt of the following communications to the Council:—

Regarding the Bill to amend the Madras Village Courts Act, 1888.

From M.R.Ry. Mannarghat Muppil Nayar Avargal, Mannarghat, Malabar, dated 24th July 1917.

From M.R.Ry. O. Chamundi Kavandan, Nattarampalli, Tiruppattar taluk, North Arcot district, dated 25th July 1917.

A BILL TO AMEND THE MADRAS VILLAGE COURTS ACT, 1888.

The Hon'ble Mr. H. F. W. GILLMAN, in introducing a Bill to amend the law relating to village courts in the Madras Presidency and moving that it be read in Council, said:—"Your Excellency, I beg leave to introduce a Bill to amend the law relating to village courts, in the Madras Presidency, and to move that it be read in Council. Honourable Members will observe that the Bill has two main objects—first of all, to popularize the village courts, and secondly to give them more power. The figures of suits instituted during the last three years 1914-15-16 have been obtained, and we find from them that, while the village munsifs sitting alone have on an average had about 125,000 suits instituted before them, when we come to the figures of the village courts, we find they are something under 8,000. It seems to be clear, therefore, that these bench courts are not popular, and the main reason is generally believed to be the manner in which they are constituted. Under section 9 of the Village Courts Act, the village bench court consists of three members, one nominated by the plaintiff, and one nominated by the defendant, with the village munsif as the president. Now these panchayatdars who are nominated by the respective parties are not generally impartial, but each has a bias in favour of the man who nominated him, and so the decision in the last resort rests with the village munsif and the value of a collective decision is thereby lost. That is one reason. Another reason for the unpopularity of the bench courts is that something like 75 per cent of the suits instituted in the village are either uncontested or compromised and the parties wish naturally to avoid the delay and the expense that is entailed on the summoning of benches, and are therefore prepared to accept the decision of the village magistrate. The remedy that we propose is given in paragraph 7 of the Bill, namely, to establish these panchayat courts with a panel of members of not less than five and not more than twelve. In Mr. Phillips's report which I propose to publish for the information of the Honourable Members, he made very careful inquiries on this point and reported to this effect with regard to the village panchayat courts. He says: 'My inquiries go to show that a bench approximating more closely to a panchayat type would be more popular. Almost without exception, every witness, whether official or non-official, whether men of position or petty traders and money-lenders, was in favour of a village panchayat court. Not only did those to whom it was suggested express approval, but many, of their own accord, proposed the establishment of such a court and gave as a reason for the suggestion the satisfaction given by the private panchayats in the settlement of petty disputes. Such witnesses were particularly numerous in the Gōdāvari district where the question of panchayats appears to have been before the public for some years past. The Coimbatore District Conference of 1914 also adopted a resolution in favour of panchayat courts. Even village munsifs with a number of suits on their files were of opinion that a panchayat court would give more satisfaction than their own courts, although these latter were by no means unpopular.'

"We do not propose to interfere with the jurisdiction of the village munsifs sitting alone for the reason above given, namely, that many of the suits are uncontested ordinarily and also because in the more enlightened districts where the headmen are often of a better class, we find that the public have confidence in their decisions. It is a fact which can be seen from the figures given in Mr. Phillips's report, which the Honourable Members will have later on, that the

20TH NOVEMBER 1917.]

(Mr. Gillman; the Advocate-General;
Mr. A. S. Krishna Rao.)

more enlightened the district the greater is the resort to the village munsif's court. Tinnevely, Malabar and Tanjore have each over ten thousand suits, whereas districts like Bellary, Ganjam, Kurnool and Anantapur have under one thousand.

"Now this Bill does not propose to give exclusive jurisdiction to the village courts, that is to say, to direct that suits up to a certain value should not be filed in the District Munsif's court. Such a step would be in our opinion rather premature until we have tested the popularity and the efficacy of these courts. We have inserted in the Bill a provision which Honourable Members will see as an amendment to section 13-A of the Bill of 1889, which is calculated to deter plaintiffs from disregarding the village courts and taking their suits direct to the district munsif. They lose their costs, and the defendant will be given his costs as between pleader and client.

"The other feature of the Bill is, as I have said, to give these courts more power. We have raised the limit of the village court's civil jurisdiction from 20 to 50 rupees and on the criminal side we have given the panchayat courts power to try a number of minor offences such as a court of that description is eminently fitted to dispose of and adjudicate upon. We have made the procedure as simple as possible and not liable to appeal.

"Those, gentlemen, are the main principles of the Bill and we have incidentally introduced a clause in regard to the promised abolition of punishment by stocks. Government do not wish that these village courts should be regarded as or should in any way degenerate into inferior stipendiary tribunals and they prefer to retain the panchayat idea and the sentimental respect of the people for it and they consider it essential that the methods of these courts should be simple and spontaneous with the maximum of mutual trust and minimum formality.

"I trust that this Bill will receive favourable consideration at the hands of the Council."

The Hon'ble the ADVOCATE-GENERAL:—"I beg to second the motion that the Bill be now read in the Council."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I wish to make a few observations about the principles and some of the general provisions of this Bill. I am glad that the Government have appreciated the difficulties of the old Regulation V of 1816 and Regulation XI of 1816 and the Village Courts Act I of 1889 and have now taken steps to abolish the old Regulation V of 1816, to modify Regulation XI of 1816 by omitting the punishment by stocks and to introduce a new machinery for disposing of petty civil and criminal cases, by amending Act I of 1889. It is true that this Bill is intended to provide an effective machinery for the purpose of rendering speedy justice in petty civil and criminal cases. But the point which deserves careful consideration at the hands of the Council is whether the machinery so far provided is calculated to serve the desired end and whether it will produce satisfactory results in the way in which we would all desire it should produce. The Bill now before the Council suggests the establishment of panchayat courts or judicial panchayats, by whatever name they are called, independently of other panchayats, established or to be established in the country. There has been a volume of opinion as to the desirability of investing the general panchayats with various functions one of which has been the jurisdiction in civil and criminal cases. The Decentralization Commission after examining the question at considerable length pointed out that under the circumstances village panchayats might be organized and might be invested with functions in respect of these questions as well as other questions also. It has also to be taken into consideration that, when later an experiment was tried in the Province of Bengal, when this question was carefully gone into by the Bengal District Administration Committee, they suggested another course. They suggested the formation of union panchayats on general lines, and they suggested that the president of that panchayat with two or three other members of it to be added by a system of co-option might exercise criminal powers. That is the suggestion made so far as that province is concerned. I am now placing before this Council three sets of circumstances—one is that we might have judicial panchayats which will have nothing to do with the ordinary panchayats, and will exercise different functions; secondly, to have the general panchayats invested with these functions; and, thirdly, the Bengal method, whereby the general panchayat will exist but a sort of sub-committee will be formed for the purpose of exercising either civil or criminal functions. I am aware that no hard-and-fast rule can be laid down in regard to this matter, and that the circumstances of each village must vary and that panchayats have to be organized according to the circumstances of the various villages. I do not think it will be correct to say that the panchayats should be altogether distinct bodies because there are several villages where it would not be possible to organize different panchayats for different purposes. If there are villages so situated, I have not the slightest objection to different panchayats being formed. If there are no such villages, there should be only one panchayat which might be invested with civil and criminal powers. If there are villages where the Bengal system can be tried, it may be tried. I would suggest that due provision should be made so as to enable these different principles being applied under the circumstances of different villages. That is one aspect of the question which I wish to place before the Council.

"The other aspect which I wish to place before the Council is that the panchayat now proposed to be organized under clause 7 is a panchayat wherein the popular voice is not represented and is not heard, but it is a panchayat summoned by the Collector, all the members being nominated."

The Hon'ble Mr. H. F. W. GILLMAN:—"May I just interrupt?"

(Mr. Gillman; Mr. A. S. Krishna Rao; Mr. Siva Rao.) [20TH NOVEMBER 1917.]

"The intention is by rules to provide a sort of informal election among the villagers by the Collector. It is intended that villagers shall have a voice in the election of the members."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I am aware, your Excellency, that in the Statement of Objects and Reasons the Hon'ble Mr. Gillman stated that in the selection of the panchayats the Collector will be guided as far as possible by the wishes of the people of the locality. If that is what is proposed to be done, I submit that it would not meet the requirements of the case at all. There should be a proper provision incorporated in the Act itself to provide for a proper system of election. When in the old Act whereby union panchayats were organized we have a section, section 123, providing for the system of election for members of the union panchayat, and providing also for the system of election of the president of the union panchayat. I fail to see why we, legislating 33 years later, should find it hard to incorporate a provision in the Act itself, giving the power of election to the villagers, and giving the panchayats power to nominate their own president. So far as Bengal is concerned, they wanted to try and profit by the experience gained in Madras. We have made further progress in village organization than Bengal. Notwithstanding that in trying a new experiment it is distinctly suggested that in the formation of these union panchayats there should be the principle of election introduced. They distinctly state that the members of the union panchayats should be partly elected and partly nominated in the proportion of two-thirds elected and one-third nominated. Again, the chairman of the panchayat, or the president, as he might prefer to be called, should be elected by the members of the panchayats under certain sections. In the Province of Bengal, they were trying a new experiment and they did not find any hesitation in giving expression to the principle of election accepting the proportion of two-thirds and one-third, and to the principle that the panchayats should have the right to elect their president. I fail to see why this Council should have any hesitation in respect of that matter in accepting that principle."

"The other matter regarding which I wish to say a few words is about the question of the concurrent jurisdiction of the district munsif. I am sure there will be considerable difference of opinion with regard to that point. But I am only asking whether a provision incorporated in the present Bill whereby it would be in the discretion of the district munsif to allow costs would be sufficient to dissuade persons from having resort to the expensive civil courts. I do not suggest that the question of concurrent jurisdiction must be taken up in the case of all courts at once, but power may be reserved in the Act itself, power for giving exclusive jurisdiction to such courts where they are in a position to work satisfactorily and for that principle being extended freely. I believe this aspect also deserves consideration because the Bill does not make any provision. In the case of some panchayats it may be a matter for some consideration whether it should not wait but in the case of those panchayats which are working satisfactorily there need be no hesitation in giving them exclusive jurisdiction."

"I therefore submit that these three main principles should be borne in mind before the Bill is given a final shape. I welcome the introduction of this Bill, and I do not for these reasons feel called upon to oppose this Bill but I make these observations on the Bill with the hope that these aspects will be carefully considered by the Select Committee, when the matter goes to the Select Committee, and that a more satisfactory Bill will be placed before us."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, even at the outset, I must say that my attitude is not one of wholesale opposition to the Bill, but I have got my own misgivings the Judicial Panchayats Bill, or the Village Courts Amendment Bill, is to administer speedy justice to the villager; the object is not merely that, but also to entrust great responsibility to the villagers, to train them in the art of self-government and also to train them in the art of managing their own affairs. That is also one of the main objects with which judicial panchayats features of this Bill are and whether they will satisfy the desired objects in view. First, as it is rather premature to vest exclusive jurisdiction in these village panchayats even in the beginning. But these village panchayats have been on their trial for a very long time and we may start by trusting them with these large powers. The Government have reserved for themselves powers of dis-establishing any village judicial panchayats which are not doing their duties properly. They have got the power of initiating in the first instance these panchayats in suitable areas. So, the Government will have a sort of double control—first, in initiating these judicial panchayats, they have got the option of initiating them only in suitable areas; next, after watching their work, they have reserved the power of dis-establishing them or of removing any troublesome or dishonest member of the panchayat. These are ample safeguards in cases of any dereliction of duty or neglect of duty and I think it is safe even now to invest them with exclusive jurisdiction especially in connexion with civil administration. There is some difficulty in the case of criminal administration, because the village courts have got a limited power of sentencing and imposing fines. Probably there may be fit cases in which the punishment ought to be more in some cases and the matter might have to be taken up before higher courts. But in the case of civil administration, I fail to see any reason why exclusive jurisdiction should not be bestowed on them even at the outset."

"I have carefully examined section 9 of the Village Courts Act of 1888, and this Bill repeats substantially the arrangement under the same section 9. Under the old state of things it is left to the option of either party to apply for the formation of a panchayat, and if either party desires to have the matter referred to a panchayat, it should be referred. The Collector

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had to form the panel, and the parties had to choose their representatives with the village headman sitting as the foreman to dispose of cases. In how many cases hitherto did the parties wish to resort to such courts? The Honourable Member in charge of this Bill explained that these Benches were not popular, because, each nominee chosen by each party was disposed to show a bias in favour of the party who nominates him. There was also a complaint of delay and that was the reason of the unpopularity of these Benches. It seems to me that that is not the real reason of the unpopularity of these Benches. These villagers are slow to express their desire to resort to village panchayats; there will be the headman who is all powerful, who has wielded all this power for any length of time and who would be unwilling to part with this power, and who will be the last man to carry out these provisions in a sympathetic spirit. I welcome the moment when these village munsifs will be abolished. I desire not merely that exclusive jurisdiction should be vested in these judicial panchayats, but also that village munsifs should be deprived of all jurisdiction in this matter. There should be only one court in a village. There is no use of multiplying courts and there is no reason to give an option to the party to refer to a Bench. There is the headman who has got influence enough to induce people to refer the matters to himself. So it is better to abolish the village munsif's court, and in substitution of the village munsif's court to have these judicial panchayats. It is also desirable that the munsifs should be directed in such cases to return the plaints for proper presentation to village panchayat courts. The provision now introduced that, if in any fit case the munsif thinks that the suit ought to have been instituted in a village panchayat court, he can refuse them costs, is a feeble remedy which would not have the desired effect. The munsifs should be empowered to return all these plaints for proper presentation before judicial panchayats."

"The next feature which I wish to dwell upon is that the villagers have no faith in judicial panchayats nominated by the Collector. Even the Decentralization Commission when they recommended the formation of these village panchayats with not only civil and criminal functions, but also administrative functions, they strongly proposed that they should be chosen by some sort of informal election. It is only in such a constitution that the villagers would have any faith. I do not think they will have any faith in a panchayat chosen by the Collector. I can picture to myself what will happen. The village headman will suggest names to the Collector, and I do not think the Collector will ever have direct and personal knowledge of the persons suggested or of who the useful member in the village is and then it comes to the old story again. If he is disposed to be tyrannical, he can continue to be so even after the institution of these judicial panchayats."

"So, while welcoming the general features of the Bill, and while appreciating the efforts made by the Government to vest judicial powers in judicial panchayats, I have got serious misgivings that this Bill would not have the desired effect unless these village panchayats are vested with exclusive powers and unless they are also chosen by the villagers themselves. I sincerely express the hope in the same connexion that administrative panchayats will follow shortly in their wake."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Your Excellency, I beg to welcome this measure in the sense that half a loaf is better than no bread. We would have welcomed a measure, a consolidating Act for the village panchayats dealing in all its aspects namely both administrative and judicial but however, we welcome this anxious desire on the part of the Government to resuscitate this ancient institution in this country, the land of panchayats."

"Now as regards this measure itself, I am afraid the measure is not quite up to expectations. First of all, the term panchayat, which has been introduced in the Bill, instead of the term Bench Court which was in the Act of 1889, seems to be a misnomer having regard to the way in which the members of these panchayats are to be chosen under the Bill. It is quite true that the Bench Courts have till recently proved a failure and the reason for that failure—it is admitted that it was a failure—is not, as the Honourable Member in charge of the Bill surmises, the reason which he has mentioned, namely, the bias of the nominees of the parties or the forced compromise at the hands of the Bench. I rather think that the reason of this unpopularity of the Bench Courts till recently was that the people had no confidence in the Benches constituted for them by others. I am glad the Government are anxious to preserve the panchayat ideas. I am glad from what the Hon'ble Mr. Gillman read from Mr. Phillips' report that the evidence given before him was unanimous that the essential ideal of panchayat should be maintained. Now we have to ask what is the essential ideal of panchayat. In the early days when the panchayat system prevailed did others, outsiders, nominate the village elders, or did the people of the village choose their own elders? Nobody ever suggested that the divisional officer or the tahsildar or the Collector chose the village elders for the villagers? It is a matter of course with them as to who the village elders will be by common choice of the people of the village. If a provision is made in the Act itself instead of leaving it to the rules, it would be far better. I quite recognise that the Honourable Member stated that it is the intention of the Government to introduce rules to safeguard that the wishes of the people would be considered. But it is far better that the Act itself makes it compulsory on the officers constituting the panchayats, for provision being made to give effect to the wishes of the people. I do not for one moment suggest that there should be a formal election which usually prevails in other elective bodies, but still the Act itself must contain provisions making it compulsory that these panchayats must be composed of people chosen by the people. As to the manner of the choice the rules may provide for that but the Act itself must provide that the members of the panchayats must be chosen by the people. It is only then that we can make the panchayats popular."

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Otherwise history will repeat itself, for we have had the institutions of the panchayats for one hundred years, but we are still grumbling that they are not a success. If the Government would really push on the matter in a sympathetic spirit, as they have been doing in the last three years, I am sure the people will take interest in it. In 1915-16 Government issued instructions to the Collectors and Divisional Officers to encourage the trial of suits in Bench Courts, and after that there has been a considerable increase in the figures showing that these institutions were more popular. Whereas in 1914 there were 318 Bench Courts and they disposed of 2,500 cases. In 1915 there were 493 Bench Courts and they disposed of 7,722 suits, and in 1916 there were 506 Bench Courts which actually did this work and they disposed of 10,389 suits. That shows that if interest is really taken by Government and their officers in encouraging these institutions the people will respond to the call made on them. That is the indication showing that this measure will be welcomed by the people and that the people will be ready to respond. I therefore ask that so far as the appointment of the panchayat goes the statute must provide that it shall be by the choice of the people. There is one other objectionable feature in this Bill which I wish to point out, in the early stage—the power taken by the Collector to remove from any office any member of a panchayat court for “incapacity, misconduct or other just and sufficient cause.” I think such a power ought not to vest in the Collector at all. I would rather go back to the provision which we had in Regulation V of 1816, that is, treat them as gentlemen, and let them be removable only for corruption. Do not leave it to the sweet will and pleasure of these divisional officers. What is incapacity? One man's opinion of incapacity may not be the correct opinion. Then again what is misconduct? There are also the words “Or other just and sufficient cause.” No respectable villager would take office under these circumstances and conditions. It is well known and it has been testified in all these inquiries about village officers, and I see it embodied in the Government order which contains the opinions collected in connexion with these panchayats that respectable people do not take the office of village munsifs. I think it is because of the treatment that they are subjected to at the hands of the Revenue and other departmental authorities. Therefore, if this power is given to the District Collector, he seldom knows these things himself and even if he does know them we know how often he is guided by local excitement and various other causes. One officer may not like that the villagers should be acting in one way or other and there are various ways in which the village officer may incur the displeasure of the Collector. If there should be such a power it ought to be with the District Judge or some other officer who will exercise purely judicial functions and not executive functions. With this power reserved, I am afraid respectable people may not come forward. These are matters which I wish to point out in connexion with the constitution of the panchayats.

Now as regards the scope and jurisdiction, I doubt whether this optional jurisdiction conferred upon these panchayat courts will be sufficient to drive people to resort to these courts. If, on the other hand, we make it compulsory on the part of the people to resort only to these courts and make them the courts of lowest jurisdiction for the purpose of filing, sufficient safeguards may be inserted in the Bill in order to induce people to go to these courts. I would rather have the panel of the panchayats selected or elected for a year or for three years as the case may be, and I would give the option to the parties each of them to nominate one and these two with three independent people out of the panel already selected to try these cases. We are not giving them facilities of legal help. It is a well-known practice for people to nominate their own arbitrators or umpires. These three independent people will be the umpires or the arbitrators and these two people will be their counsel, as it were, and they will still form part of the Bench. As the procedure will be a rough and ready method, with no legal procedure, there is no harm done. They are people on whom they, the parties, can rely and they are also independent people who can come to independent conclusions on the matter. The parties will therefore have confidence in them. I therefore suggest that if such a confidence can be infused into the public, namely, that they themselves have got a voice in the choice, that they are choosing from out of their own people, then they will be encouraged to go to these courts. I think it is the better course. If people are compelled to resort to the village courts we can avoid a lot of expenditure now incurred in having to travel long distances. That is so far as compulsory jurisdiction is concerned. I would also retain the provision which exists already in the old Regulation of giving optional jurisdiction that is where both parties desire the panchayat courts may have power to decide suits of any value. Similarly also I would advocate the giving that power to these panchayats to decide small petty disputes in villages, not only monetary disputes but other disputes such as for instance irrigation disputes between the owners of two fields or disputes as regards the settling of accounts between landholders and ryots of small means involving only small sums and various other small things that can best be decided by the local people instead of their having to resort to these courts at a distance, which generally do not come to right conclusions on the matter. I would also advocate that where both parties desire partition suits in families may be settled by these panchayats. These are ruinous things in various families and those family quarrels can best be disposed of by people who know both the parties. I would like to include such a provision in this Bill. I find both in Regulation V of 1816 and another Regulation XII of 1816 provisions for what are called district panchayats. That is not dealt with in this Bill. These judicial panchayats which we are now constituting might be given similar powers that the district panchayats had under that old regulation.

Then a third point which I wish to refer to is the subordination of this panchayat system. To whom should they be subordinate in the exercise of their judicial functions? Should they be subordinate only to the divisional officer or to the District Magistrate or only to the District and

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Sessions Judge as it was in the old Regulation, so that the highest judicial officer in the district may once for all deal with it? I would say that the District and Sessions Judges, or where there are sub-judges exercising the powers of Additional District and Sessions Judges, the powers of revision in civil and criminal cases may be centred in them. These are the observations I wish to make. I hope these matters will receive consideration in the later stages of the Bill.”

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—“Your Excellency, I join with my colleagues in welcoming this Bill. But there are certain defects to which I wish to call attention. The definition of the term village munsif is not satisfactory. Whether the village munsif is a munsif for revenue purposes or for judicial purposes is not clear. A village munsif for revenue purposes often does menial services. I have found several village munsifs running after the Tahsildar's carriages, and I do not think any man of self-respect will accept that position. Therefore, it is necessary to define that munsif is a munsif for judicial purposes only.

“Secondly, I object along with my colleagues to the appointment of the members of the panchayat by the Collector. As the Bill stands, the Collector is not merely the District Collector. He may be the Revenue Divisional officer. Neither is in a position to select proper persons. He must depend upon the Tahsildar and others and these may be prejudiced persons. The best selection will be by the villagers themselves. The selection should be at the outset by ballot; if the selection should be for one year or for three years, there need be no power for the Collector to interfere and remove unsatisfactory persons. I do admit that mistakes may be made; but if people find that by had selection they put themselves in uncomfortable positions, they will select the proper people. We have been asking for responsible self-government in all directions; we have been asking for it in the districts as well as in the provinces; we want the people themselves to select the members of the panchayat. We have been disliking nomination, we have been protesting against it and asking for election. The Bill goes back upon this policy.

“The third point is that the Bill proposes that the president should be selected by the Collector. That is not responsible self-government; he should be selected by the members of the panchayat. I find from what the Hon'ble Mr. Gillman has stated that the village munsif will be left alone. Where a panchayat court is started, the village munsif should be abolished. I have one important suggestion to make.

Civil courts of the district munsif and sub-judges are overworked now and we are going to establish additional courts. If the panchayat courts can be allowed to execute the decrees of sub-judges' courts and munsifs' courts a sensible relief will be given to them. I think it has been said by many litigants that the real difficulty begins after they get a decree. This is admitted by all. In 1915, 335,847 execution applications were disposed of; but so many as 252,253 proved wholly ineffective and infructuous. That is, in over two-thirds of the applications not even a pie was realised. Satisfaction was got in full only in 16.45 per cent of the applications and partial satisfaction was got only in 7.58 per cent of the cases. In the previous year, the figures were 313,061 applications and 233,829 were infructuous. There are also difficulties in bringing distrainted property to court for sale. Moveable properties of the judgment-debtor are attached and standing crops may be also attached. At present the ordinary courts when executing such decrees have to bring the properties to the court or leave them at the place of attachment, in the charge of a person who has given security. The bringing of the properties to court causes great trouble, and carting charges fall upon the debtor. Crops attached have to be guarded, and harvested, and the produce has to be sold and the money brought to court. In many cases cattle and other live-stock are attached, and unless a person is found in the village ready to give security and to take charge of them, they have to be brought all the way to court and fed and kept there till they are sold. At present notices are served and distraints are made by the court amins. That is not a satisfactory arrangement. The court amins are low-paid persons amenable to influence and their work cannot be well supervised by the presiding judges, because their work is already heavy, and they cannot attend to execution work, and because that is not taken into account in considering whether the disposal of cases by a munsif is satisfactory or not. They go by the number of tried and disposed of cases and not by the amount of execution work. I therefore say that power should be taken by the Bill to entrust the execution of decrees to the panchayat courts. Even if the Government are unwilling to embark upon this at the outset, I would suggest that decrees in Small Cause cases might be entrusted to them. The village panchayat courts are already executing their own decrees, and by consent of parties they also execute decrees in suits the value of which goes up to Rs. 200. If the Government are willing, they may sanction the execution of decrees up to Rs. 200; over and above them, power may be given to them at the discretion of Government. Several notices have to be given in execution proceedings, where property has to be attached and sold. All this work is not properly done, not efficiently done, because there is some misdescription and there is delay. If the work is given to the panchayat courts, they can easily find out the land, attach it and sell it. The panchayats might be asked to report on particular questions of fact. This work is now done by commission and commissions are always costly and expensive.

“There is one other point. As regards jurisdiction I find section 13-A does try to limit the resort of the people to the district munsif's court, but that is not sufficient. Sir Harold Stuart made a distinct promise in the Council that exclusive jurisdiction would be given to the panchayat courts when they do their work satisfactorily. In compliance with that promise, I think provision should be made that when a panchayat court does its work properly it should be given exclusive jurisdiction.

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"I hope that these defects will be remedied when the Bill is considered by the Select Committee, and before it comes before us. If Government do not see eye to eye with us on these points, I for one would rather go without this Bill and wait till the Council is reformed than have this Bill. If the Bill is not satisfactorily amended, I shall have to vote against the Bill."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"My Lord, we had, in connexion with a Government Order various questions which were discussed two or three years ago, when the whole scheme of panchayats, covered by that Government order was discussed at the time. The question as to whether the panchayats should be of a functional type or whether general panchayats should be established was also discussed at the time. I see that several of my Honourable Friends have raised the question again. My Lord, there is no doubt that if these courts are to succeed and if confidence is to be engendered, some system of election in the selection of the members of panchayats ought to be adopted. I am glad to notice that the Hon'ble Mr. Gillman has stated, though it was not at all clear from the Bill, that he wishes to provide for a system of election in the rules to be framed. Some suitable provision to enable that promise to be carried out has to be introduced in the Bill itself; and I trust that when this Bill comes to be shaped in the Select Committee, this question of the suitable constitution of the panchayats would be safeguarded. It is of the utmost importance that if these village courts are to deal efficiently with petty litigation they must command the confidence of the villagers; as has been observed by several of my Honourable Friends there is absolutely no doubt that if the matter is left with the Divisional Officer, he will have to rely on the Tahsildar who will have to go to the Revenue Inspector and we shall probably have these panchayats constituted in a manner which will not at all command the confidence of the villagers. Therefore, my Lord, I think that is one of the vital points in this Bill—the question of the constitution of these panchayats.

"Then as to the question of their functional character I would suggest that an enabling provision should be introduced in the Bill so as to empower the Government or the Collector to invest existing union panchayats with judicial functions. It would be a compromise between the idea of separate judicial panchayats and the idea of general panchayats; it would probably be inconvenient and impossible in several localities to constitute two sets of authorities, one for the disposal of purely judicial work and the other for administrative purposes. Therefore, my Lord, I think if some enabling provision is introduced in the Bill empowering the Collector or the Government to invest existing union panchayats which are elected bodies, wherever conditions are suitable, I think it would be possible to give effect to the suggestion that has been made, namely, that these should be placed on a popular basis.

"On the question of exclusive jurisdiction, I am not able to agree with my Honourable Friend Mr. Siva Rao, that exclusive jurisdiction should be a matter of universal application in the case of these judicial panchayats. It seems to me it would be somewhat hazardous at present to deprive the people of the right to resort to ordinary courts to which they have been accustomed hitherto, unless they are given some powers; at the same time, I think some provision must be made, where conditions are suitable, to confer exclusive jurisdiction on panchayats which have been specially constituted for judicial purposes. Under the scheme of this Bill, we have a village court presided over by a single munsif still sitting in the same locality; and if these judicial panchayats are constituted then we shall have another tribunal.

"Then again we leave the option to the villagers to go to the district munsif's court so that there is provision for three courts instead of one. I think, if conditions are favourable and if we get suitable panchayats sufficiently intelligent and commanding the confidence of the public, it is better to concentrate the work of disposal of petty litigation in panchayats under this Bill. All that I suggest is that there should be an enabling provision by which the jurisdiction of the ordinary munsif's court might be withdrawn as well as the jurisdiction of the single munsif sitting as the village court.

"There is only one other observation which I wish to make and that is the question referred to by my Honourable Friend Mr. Ramanuja Achariyar, relating to the execution of decrees through the medium of village tribunals. On that point, I am only in partial agreement with him. It seems to me that the execution of decrees is one of the weakest points of judicial administration now. If these new judicial tribunals are to be encumbered with a great deal of the work, which is now being done by paid agencies, such as, the distraint of cattle or moveable property, the sale of immoveable property, the taking care of these proper-ties, the realizing of moneys, it would be probably far too much work to entrust to honorary tribunals. I am afraid that as a general proposition it may not be quite feasible to use these agencies for the execution of ordinary decrees. But at the same time I consider that his proposal is worthy of examination and wherever possible, some portion of the judicial work which is now done in villages by paid agencies and which is done in the most unsatisfactory manner may be done under the supervision of these new village courts. In Bengal, the District Administration Committee put forward some proposals with reference to the execution of summonses and certain other class of work. But I am not quite sure what their proposals are. The matter is one which deserves examination.

"There is only one other point and that is the point mentioned by the Hon'ble Mr. Ranga Achariyar. He stated that he would have a panchayat court where the parties should have the option to nominate judges. That would really be re-enacting the old regulation, and I do not think I would favour the constitution of a committee or a panchayat of that description. I am entirely with him with regard to the retaining of optional

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jurisdiction. It seems to me altogether unnecessary to withdraw the optional jurisdiction of trying suits up to Rs. 200 which has been conferred on these panchayats; if that optional jurisdiction can be retained, it would be a satisfactory thing.

"In this connexion, I might perhaps mention, after the last discussion in this Council, I was taken up with the idea of the Conciliation Boards under the Deccan Agriculturists Relief Act in the Bombay Presidency. Under that Act, conciliators who are appointed in villages were given the power of refusing to give certificates in cases which are triable by village courts, where they wish them to be tried in the ordinary courts. I brought this fact to the notice of Sir Harold Stuart at the time to see whether it would be possible to introduce the conciliation idea into this Presidency. I was informed by the Hon'ble Mr. Rajagopala Achariyar, that after an examination of the question based on actual experience the idea of Conciliation Boards has entirely failed to give satisfaction. I have not been able to look into the papers but he has assured me that the idea of these Conciliation Boards withholding their sanction to parties who wish to go before the ordinary tribunals has not met with success in Bombay.

"Therefore, in all these directions this Bill is capable of considerable improvement and I trust that the question of petty litigation will be considered in the light of the observations made by my Honourable non-official friends in this Council."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I wish only to make one or two remarks. I see from the schedule to the Act, that Regulation XI of 1816 is repealed to some extent. I find practically in some places or villages there will be village courts exercising both civil and criminal jurisdiction in the place of the village munsif. After this change, it will be necessary that we take notice of the village police establishment and the village revenue establishment and certain powers will have to be reserved to these panchayats in cases where the village munsifs are practically ousted, to reserve to them such powers as might have to be exercised for the efficiency of the village administration both in police and revenue work.

"My Lord, with reference to the remarks about execution work to the extent of money-decrees, there may be no difficulty. The village establishments may be fairly strengthened and it is likely to be strengthened when these panchayats are formed and then power may be taken to transfer money-decrees to a certain extent, so that they may execute them and realize the amounts, as far as possible, to the best advantage of the parties concerned. That is the second point which I wish to lay before this Council.

"I should join with my other friends in the request that optional jurisdiction may be preserved and that power may be reserved—"

The Hon'ble Mr. H. F. W. GILLMAN (*interrupting*):—"What do you mean by optional jurisdiction?"

The Hon'ble Mr. K. RAMA AYYANGAR:—"To enable the parties, whenever they want even in other cases like partition and other things to submit to the jurisdiction of the village courts, to get those matters settled for them. We need not restrict it to suits of the value of Rs. 50 alone. We can include—"

The Hon'ble Mr. H. F. W. GILLMAN (*interrupting*):—"In other than money-suits you mean?"

The Hon'ble Mr. K. RAMA AYYANGAR:—"Yes, where the parties find it more convenient to do so. In petty land disputes, irrigational disputes, for example, channel disputes which, on payment of 12 annas court-fee, drag on from the lowest to the highest court, it will be possible for the villagers in the case of a village court, to settle it in a few minutes time, instead of having survey maps, and inquiries by big officers which only spoil the chances of a satisfactory decision. In such cases it will be certainly advisable to reserve the power to enable the particular Bench Courts to have this power extended to them.

"These are the three points that might be well considered in the case of the judicial panchayats now proposed, besides others which might also be considered. But I should think these three points cannot be avoided from being considered."

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, I beg to move that the Bill be referred to a select committee. I would like to say that before the select committee is summoned, the Government intend to circulate the Bill for full discussion in public, because they realize as well as anybody else that public approval of this Bill is necessary and therefore there will be no summoning of the select committee until the Government are in possession of opinions on the Bill."

The Hon'ble the Advocate-General seconded the motion.

The Hon'ble Mr. H. F. W. GILLMAN:—"I beg to propose that the select committee be constituted of the following gentlemen:—

"The Hon'ble the Advocate-General, the Hon'ble Mr. A. R. Knapp, the Hon'ble Muhammad Aziz-ud-din Husain Sahib Bahadur, the Hon'ble Mr. R. Ramachandra Rao, the Hon'ble Mr. M. Ramachandra Rao, the Hon'ble Mr. A. Subbarayalu Reddiyar, the Hon'ble Mr. K. Sadasiva Bhat, the Hon'ble Mr. A. S. Krishna Rao, and myself.

The Hon'ble the Advocate-General seconded the motion.

The motion was then put and agreed to.

70 A BILL TO AMEND THE MADRAS MEDICAL REGISTRATION ACT, 1914;
RESOLUTIONS RE BIFURCATION OF THE KISTNA DISTRICT
AND TRAVELLING ALLOWANCES TO HONORARY ASSISTANT
REGISTRARS WHILE UNDER TRAINING.

(Mr. A. S. Krishna Rao ; Mr. M. Ramachandra Rao ; [20TH NOVEMBER 1917.
Mr. Gillman ; Mr. K. R. V. Krishna Rao ;
Mr. Ramanuja Achariyar ; Mr. Venkatapati Raju.]

A BILL TO AMEND THE MADRAS MEDICAL REGISTRATION ACT, 1914.

The Hon'ble Mr. A. S. KRISHNA RAO :—" Your Excellency, after I gave notice of the motion to introduce my Bill to amend the Madras Medical Registration Act two years ago, I first got a communication from the Secretary that the views of the Government of India would be ascertained before it was put on the agenda ; but I received a communication again two days ago informing me that the Government of India have by telegram withdrawn their objection to the introduction of this Bill subject to certain remarks which would follow by letter, that the letter had not been received by then and in addition that the Hon'ble the Surgeon-General would not be present and therefore it has been suggested that I might postpone it till the next meeting of the Council. Under these circumstances, I beg to postpone it to the next meeting."

With the permission of His Excellency the President the motion was postponed.

Resolutions on matters of general public interest

RESOLUTION RE BIFURCATION OF THE KISTNA DISTRICT.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—" Your Excellency, the resolution that stands in my name is as follows—"

The Hon'ble Mr. H. F. W. GILLMAN (*interrupting*) :—" May I say that Government accept the resolution ? "

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—" Your Excellency, I shall formally move it. It is in these terms :—"

' I. This Council recommends to the Governor in Council that the proposals made for the bifurcation of the district of Kistna be first published in the district before they are taken up for consideration by the Government' "

The Hon'ble Mr. K. R. V. Krishna Rao seconded it.

The resolution was then put and agreed to.

RESOLUTION RE TRAVELLING ALLOWANCES TO HONORARY ASSISTANT
REGISTRARS WHILE UNDER TRAINING.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—" I beg to move the following resolution :—"

' II. This Council recommends to His Excellency the Governor in Council that the recent order in regard to the appointment of honorary assistant registrars may be modified by giving them travelling allowances while they undergo training, and giving them the necessary staff on the completion of the training to enable them to do their work efficiently.'

" Your Excellency, the proposal to appoint honorary assistant registrars is welcome. It provides public control over co-operative societies minimizing official control. As was observed by somebody in the British Parliament, ' the official mantle clings closely and tightly and has the effect of cramping and hampering those who wear it.' The official assistant registrars do not always give satisfaction. Officialdom has its own defects. There was a recent case between a central bank and the assistant registrar and it was necessary to appeal to Government. The proposal, therefore, to appoint non-official assistant registrars is satisfactory. The proposal also involves less cost to Government. But the objectionable feature is that no travelling allowance and no establishment will be allowed for the needs of the proposed assistant registrar. An old co-operator writing to me says ' having asked for fish we are now served with scorpions.' Capable and enthusiastic co-operators are not often favourites of fortune. They will be kept out. Those who are willing to expend their own money will regard it as an investment to be recouped later on or to bring its own interest. Such notions of spending money as investment are not uncommon at present. In devasthanam elections, I know, tens of thousands of rupees are spent in the hope that the money would be recovered. This idea ought not to be encouraged by Government. I therefore hope that this resolution will be accepted by Government."

The Hon'ble Mr. B. VENKATAPATI RAJU :—" Your Excellency, I have much pleasure in seconding the resolution. When we invite the co-operation of others in this work, we should do it ungrudgingly. I do not understand why, when these honorary officers want to do the work which was done by paid agencies at a cost of many thousands, we should grudge paying them a small amount in the shape of travelling allowances. Moreover, I do not understand how

RESOLUTIONS RE TRAVELLING ALLOWANCES TO HONORARY
ASSISTANT REGISTRARS WHILE UNDER TRAINING AND
STUDENTS AND PUBLIC MEETINGS.

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20TH NOVEMBER 1917.] (Mr. Venkatapati Raju ; Sir Alexander Cardew ;
Mr. Ramanuja Achariyar ; the President ;
Mr. Narasimha Ayyar ; Mr. Siva Rao ;
Mr. Sadasiva Bhat.)

they can go on doing their duty without having even a clerk to attend to the routine work or a servant to carry all the records. In these circumstances, I support the proposal of the Hon'ble Mr. Ramanuja Achariyar, that these people should be given free facilities to help the co-operative movement, so that honorary co-operators might do their work freely and cheerfully."

The Hon'ble Sir ALEXANDER CARDEW :—" Your Excellency, I did not wish to interrupt the Honourable Mover as I thought he had got his speech prepared but the answer to question 180 would have shown him that the Government have taken the action that he wishes, and therefore the resolution is superfluous. I have no objection at all to accept it. The Government Order has not yet issued because we have got to get, on the advice of the Accountant-General, the sanction of the Government of India to the grant of travelling allowance to this class of honorary non-officials ; but, subject to that sanction, travelling allowances will be given, according to the scale which is drawn by officials of the same rank, and establishment will be also given, according to the scale recommended by the Registrar in individual cases."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—" I should have been glad if the Hon'ble Sir Alexander Cardew had made this statement earlier. I did not want to inflict my speech on the Council. Question 180 was not put by me. During the short time that is allowed to us to peruse the questions and answers, we cannot be expected to peruse carefully all the questions and answers."

The resolution was then put and agreed to.

RESOLUTIONS RE STUDENTS AND PUBLIC MEETINGS.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—" Your Excellency, myself and certain friends of mine at Trichinopoly made a representation on this question on the 7th of this month. I know Your Excellency has this question under consideration, and I know Your Excellency is anxious to make a satisfactory settlement. I will not, therefore, move this resolution."

With the permission of His Excellency the President the following resolution of which notice had been given was then not moved :—

" III. This Council recommends to His Excellency the Governor in Council to withdraw G.O. No. 559, Educational, on the subject of students and politics."

His Excellency the PRESIDENT :—" There are other resolutions in the same sense in the names of other Honourable Members. I will be glad if they express acquiescence in the same way."

With the permission of His Excellency the President, the Hon'ble Mr. B. Venkatapati Raju, the Hon'ble Mr. P. Siva Rao, the Hon'ble Mr. K. Sadasiva Bhat and the Hon'ble Mr. B. V. Narasimha Ayyar deferred moving the following resolutions to the same effect standing in their names.

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—

" IV. This Council recommends to His Excellency in Council that G.O. No. 559, dated May 1917, regarding the attendance of students at public meetings, etc., be cancelled."

The Hon'ble Mr. B. VENKATAPATI RAJU :—

" XI. This Council recommends to the Governor in Council that the Government be pleased to reconsider the orders issued in G.O. No. 559, Home (Education), dated 1st May 1917, and confine to the Disciplinary Regulations, Chapter VIII-A of the Madras Educational Rules."

The Hon'ble Mr. P. SIVA RAO :—

" XXVI. This Council recommends to His Excellency the Governor in Council that the G.O. No. 559, Home (Education), dated 1st May 1917, may be cancelled."

The Hon'ble Mr. K. SADASIVA BHAT :—

" XXVII. That this Council recommends to His Excellency in Council that G.O. No. 559, Educational, should be withdrawn."

72 RESOLUTION RE SUPPLEMENTARY QUESTIONS IN MEETINGS OF MUNICIPAL COUNCILS AND LOCAL BOARDS.

(Mr. Narasimha Ayyar; Mr. A. S. Krishna Rao; [20TH NOVEMBER 1917.
Mr. Rajagopala Achariyar.]

RESOLUTION RE SUPPLEMENTARY QUESTIONS IN MEETINGS OF MUNICIPAL COUNCILS AND LOCAL BOARDS.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—“The resolution that I have the honour to move runs as follows:—

‘V. This Council recommends to His Excellency in Council that the rules for interpellation of chairmen of municipal councils and of presidents of local boards may be amended so as to provide for supplementary questions being put without previous notice.’

“This, I believe, is one of the simplest propositions which have been placed before this Council. As for the necessity of supplementary questions, I believe no Honourable Member of this Council will express any doubt. We have made as good a use as we can of supplementary questions here with great advantage to the public, and I believe the power of putting supplementary questions enjoyed by this Council is rather scanty as compared with the power which is allowed in Parliament. There, any member can put forward questions with reference to an answer given to any member, and if that state of things prevailed here the Hon'ble Mr. Ramanuja Achariyar would not have said to-day, that it was not necessary or possible for each member to read all the replies given to all the questions of other members. In any case, the value of the privilege of putting supplementary questions is known to us and is sufficiently appreciated by one and all of us. I believe, therefore, that the extension of that privilege to local boards and municipalities which are now having the system of interpellations—I believe the extension would not be grudged or objected to. I may explain what I mean by the rules for putting supplementary questions. Rules 12 and 13 of the Council Manual are the rules which I wish to be extended to local boards and municipalities. These two rules read thus:—

“Rule 12.—Any member who has asked a question may put a supplementary question for the purpose of further elucidating any matter of fact regarding which a request for information has been made in his original question.

“Rule 13.—The member in charge may decline to answer a supplementary question without notice, in which case the supplementary question may be put only in the form of a fresh question at a subsequent meeting of the Council.”

“The next rule says that these rules, except rules 6 and 7, apply also to supplementary questions. Therefore, I believe the difficulty in respect of understanding my proposition would not arise. I can conceive of two objections that could be raised. One is that the privilege of interpellating is not sufficiently used. The privilege of interpellating in various taluk boards is not very much used. I know in several municipalities and taluk boards it is freely used. I can also meet the next objection which I have heard some people raise. Here in this Council, the Government, with their vast Secretariat and files of papers with printed notes, may be able to answer supplementary questions. The same facilities may not be available to chairmen of municipalities and presidents of local boards. On this matter I have consulted several gentlemen who have been and who are now in the position of chairmen of municipal councils, and presidents of local boards. I have been myself chairman of a very busy and active municipality, and the Salem municipality, and I have never experienced any difficulty in answering supplementary questions, because generally we studied our records when we went to preside at a meeting. The same opinion has been expressed by several of my honourable friends whom I find here who are at the head of taluk boards and municipalities. I do not think, therefore, that the Government need fear that they will be placing too great a burden on the Councils and taluk boards. As the proposition appears to be so clearly in furtherance of the advance of local institutions, I hope it will be accepted.”

The Hon'ble Mr. A. S. Krishna Rao seconded the resolution.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—“Your Excellency, the Honourable Mover has practically himself suggested the answer, which I proposed to give, namely, that this is primarily a question for the local bodies to consider. In the first instance, we do not want so to amend the rules as to make provision for putting supplementary questions, unless a large majority of local bodies who will be affected by these rules, feel that they would like to have that change made. This is essentially a matter in which the Government are entitled to take the view that they would prefer not to take action, unless it be at the instance of the local bodies themselves. As a matter of fact, not a single municipal council has yet asked us to make the modification in the rules, such as would provide for the putting of supplementary questions. I think about seven years ago three local boards mentioned it. But since then we have had no representation from local boards. I can assure the Council that if there is a general feeling on the part of local bodies—municipalities as well as local boards—that they would like to have the rules amended so as to provide for this, the Government would gladly defer to their wishes. I think the obvious course under these circumstances is for representations to come from local bodies generally, because if you make provision for supplementary questions to come from here, they will apply to all local bodies, whether they wish it or not. Assuming that a particular local body thinks that it would be to the interest of its good management, not to have this provision, I do not think this is a matter which should be forced upon it. The analogy of this

RESOLUTIONS RE SUPPLEMENTARY QUESTIONS IN MEETINGS OF MUNICIPAL COUNCILS AND LOCAL BOARDS; INCREASE OF THE STRENGTH OF DISTRICT BOARDS TO PROVIDE SEATS FOR ALL TAHSILDARS AND ONE ELECTED MEMBER FROM EACH FIRKA AND INCREASE OF THE STRENGTH OF TALUK BOARDS TO PROVIDE ONE ELECTED MEMBER FOR EACH FIRKA

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Council can hardly apply. We have got a large establishment and we meet, I believe, less often than local bodies, and we are able without undue strain to deal with questions and supplementary questions. Even here, I am sure that my non-official friends will bear me out when I say that the putting of a supplementary question is somewhat different from the getting of an answer satisfactory to themselves, and if you introduce this rule into municipal local bodies, there is the contingency that in some places it may not work quite as satisfactorily as we all wish. Therefore, I would rather not take up any definite attitude in this matter, for or against the introduction of this modification of the rules. I would say, so far as the Government are concerned, we are willing, in case the representation is made by local bodies, generally to consider the matter fairly. I trust that this assurance will be accepted by the Honourable Members who have moved and seconded the resolution as satisfactory.”

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—“Will the Government be pleased to send a copy of the resolution with this discussion to all municipal councils and district boards?”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—“Yes, with pleasure.”

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—“As the Government are going to take the opinions of municipal councils in this matter, it is unnecessary for me to press this resolution.”

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE INCREASE OF THE STRENGTH OF DISTRICT BOARDS TO PROVIDE SEATS FOR ALL TAHSILDARS AND ONE ELECTED MEMBER FROM EACH FIRKA.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—“Your Excellency, I propose not to move this resolution at present.”

The following resolution of which notice had been given was withdrawn:—

‘VI. This Council recommends to His Excellency in Council that the number of members of district boards be increased so as to provide for the nomination of all tahsildars and for the representation thereon of each firka by one elected member.’

RESOLUTION RE INCREASE OF THE STRENGTH OF TALUK BOARDS TO PROVIDE ONE ELECTED MEMBER FOR EACH FIRKA.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—“Your Excellency, I wish to move my resolution in a slightly altered form. After the words ‘each union’ I wish to introduce the words ‘each group of unions.’ The resolution would then be in the following terms:—

‘VII. This Council recommends to His Excellency in Council that the strength of taluk boards may be increased so as to provide for the representation thereon of at least one elected member for each union or group of unions and at least one for each firka within their limits.’

“Your Excellency, this resolution is based on the provision in the Local Boards Act, section 19, which runs thus:—

“Upon this Act coming into force in any district or taluk the Governor in Council shall, by notification, declare:—(i) What shall be the maximum number of persons to be appointed, for the time being, members of any district or taluk board, (ii) What shall be the number or proportion, if any, of such members to be appointed by election. Provided that the Governor in Council may, by notification from time to time, cancel or modify such declaration.”

“The Act gives ample power to your Excellency's Government to raise the strength of taluk boards, and in this resolution the matter pressed forward is this: the strength of taluk boards is not sufficient considering the area covered by the operations of taluk boards. At an earlier meeting of the Council we had a resolution accepted by the Government to the effect that taluk board areas should be made as small as possible and that taluk boards should be created for as many areas as possible, that there should be as many taluk boards as there are taluks; but we have not created new taluk boards to the extent desired. As there is no possibility of increasing the number of taluk boards, the next step that commends itself to us to advance the interests of local self-government in local areas is to give adequate scope for people in the rural

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TO PROVIDE ONE ELECTED MEMBER FOR EACH FIRKA.

(*Mr. Narasimha Ayyar ; Mr. Suryanarayana Rao ;* [20TH NOVEMBER 1917.
Mr. Rajagopala Achariyar.])

areas to take part in the management of the affairs of the taluk boards. Time was when taluk board affairs did not interest people very much and members who were on a taluk board did not take part in the taluk board proceedings except for the honour of it. But times have changed considerably and at present there is fortunately a larger interest taken by the people in rural areas in the management of their own taluk board affairs. I will first take the elections. We have now had contested elections for taluk board areas. A friend of mine at the bar sent out a manifesto, and that state of things is a very great improvement on the previous condition of affairs. I do not find enough scope in particular localities to put forward their views in a particular taluk board.

"The member representing a particular firka or taluk does not attend to unions. I have heard frequent complaints from certain unions which have no representatives—that they do not understand why such an important body as the union, whose affairs come up so often before taluk boards, should go unrepresented. The affairs of unions figure very largely at almost every meeting of the taluk board; and, besides, unions have to contribute money themselves, and they have got particular interests to take care of. I do not say that it is absolutely necessary that each union should have a member, for, in that case, there may be a taluk board which may contain a far larger number of members than is possible. Therefore it is that I have introduced the words 'group of unions'. In my district of Salem, the number of unions is small. It is possible to have one representative for each union. In other districts there may be a large number of unions, and in such cases two or three unions may be linked together for purposes of representation, so that they may join and send one representative to the taluk board. I have been present at taluk board meetings and district board meetings. Questions are raised there, affecting the welfare of these unions, why a particular well is necessary, why water-supply has proved a failure, etc. I find when these questions are raised there are no persons available to give the information. This complaint, I hope, is a very sound and a very real one and the grievance has to be redressed. I believe, therefore, that it would be possible for the Government to accept a resolution in these terms.

"The policy now is to increase the number of unions. I have myself in the Legislative Council drawn the attention of the Government on a previous occasion to the fact that there are increasing that number and these have to be grouped, and a certain number of them would have to be given representation. That would not only improve their affairs immediately but would give a greater amount of interest in the work of local self-government to the members of unions as well as the members of taluk boards. As to one for each firka, that is the minimum. Suppose there are ten or twelve unions we can provide for a dozen members. Rural areas are outside unions and these firkas may be represented by representatives living outside the unions. We may avoid overlapping so as to include those who are not living in the union. I believe in this way we might increase the strength of taluk boards.

"I would conceive of only one objection. At any rate, when I discussed the matter with one Collector, he raised the objection that the number of taluk board members may be considered to be too unwieldy, by the divisional officer or any other gentleman who presides. Those fears are not at all well-founded. I do not contemplate the necessity of increasing the strength of taluk boards higher than the strength of this Council. It is about forty-five. The amount of interest evinced in taluk boards should be encouraged. As I once pointed out, there is a glum silence when most of the propositions are passed, and things are carried on very rapidly, many members not being the wiser for it. That is due to the fact that sufficient facilities are not afforded for people to take more interest in these matters. If my resolution is carried, more interest would be taken by the people and better work will be turned out by taluk boards."

The Hon'ble Mr. A. Suryanarayana Rao seconded the resolution.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I may assure the Honourable Mover of the resolution that this question has been examined with considerable care and we also applied the principle for which he is contending to the case of several taluk boards to which it could be applied, that is, before the resolution was put forward in the amended form. The main objection is that it would make the taluk boards unwieldy. I could give figures, if necessary. So far as firkas are concerned, every firka is represented in the taluk board just now by an elected member, with the exception of two firkas in the Gobichettipalayam taluk, Coimbatore district, and a few firkas under the Bezwada and Narasapur taluk boards in the Kistna district. Every firka is represented on the taluk board. So far as that is concerned, we already have what is asked for in the resolution.

"With regard to unions, however, not only is the number of unions so large that to provide for them all especially in taluk boards, greatly increases the strength of taluk boards, but we have also this fact that of late years in response to the popular demand, we have been rapidly increasing the number of unions all over the province with the result that the unwieldiness of taluk boards will become even more marked if we attempt to give each union a representative. Before the Honourable Member gave notice of the amendment, when we examined the question, we found that even if we make no change whatever in the nominated element in the taluk boards, some taluk boards would get quite formidable. For instance, Narasapur would have 37 members, Dindigul and Usilampatti 34 each, Namakkal 34 and

RESOLUTIONS *RE* INCREASE OF THE STRENGTH OF TALUK BOARDS 75
TO PROVIDE ONE ELECTED MEMBER FOR EACH FIRKA AND
TEMPORARY SUSPENSION OF THE LEVY OF RAILWAY-CESS.

20TH NOVEMBER 1917.] (*Mr. Rajagopala Achariyar ; Mr. Narasimha Ayyar ;*
Mr. Rama Ayyangar ; the Raja of Ramnad.)

Salem 32. But if the proportion between the nominated and elected members is to be maintained—I don't say it should be—if this change is to be introduced, then Narasapur will have 53, Dindigul and Usilampatti 42 and 49, Namakkal 47 and Salem 45. What exactly is unwieldiness in a local board we can have no definite rule about, but still it does occur to me that, when we are face to face with a taluk board of the strength of 50, most of us will agree that it is unwieldy.

"Then we come to the more important point as to how to group these unions. I have not been able to examine that point as the Honourable Member has given notice of the amendment only just now. I do not think it will by any means be easy to group unions to form electorates. These unions are not all in one place and they are mostly apart from each other. The question of grouping is one of difficulty. At present every union can represent its difficulties to its chairman, and the chairman of the union could represent his needs to the president of the taluk board. If the Council would agree to it, I would refer this question and the resolution with the debate on it to district boards to ascertain what their wishes are. After all, this is a matter affecting them and till we know what view they take of it—whether they want this kind of representation,—it is not possible for the Government to commit themselves to any definite view, nor could it be the wish of Honourable Members to commit themselves to any view. On that understanding, I hope the Honourable Member would agree to withdraw his resolution."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Is it only to district boards or taluk boards also?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Taluk boards also."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I have only one or two remarks to offer. The idea that a taluk board might consist of representatives from each union is difficult to work; but if there is an election by a number of unions of one or two members to taluk boards that will represent certainly the union areas, so far as that elected member is concerned and for the non-union areas there may be members chosen. If according to the rate of population in the union and non-union areas the number of elected members is divided and groups of unions are asked to elect one or two members, that will enable the taluk boards to have the necessary element to give information as to the wants of every union comprised in the taluk board area. Dindigul and Usilampatti are in the jurisdiction of the area which I represent and I know as a matter of fact, that in these taluk boards we have some village munsifs and other official members on the boards. But if the unions are asked to send their representative, they will be able to select persons who will be able to represent best the interests of the unions. That will certainly introduce the principle of election sufficiently low down so that we shall have representatives in the district boards from smaller areas also. While on the one hand, it will introduce this principle completely, it will on the other hand, secure proper advice to taluk boards."

With the permission of His Excellency the President, the resolution was then withdrawn.

RESOLUTION *RE* TEMPORARY SUSPENSION OF THE LEVY OF
RAILWAY-CESS.

The Hon'ble the RAJA OF RAMNAD:—"My Lord, the resolution, which I have the honour to place before this Council, runs as follows:—

'VIII. This Council recommends to His Excellency the Governor in Council, the suspension of the levy of railway-cess till normal times are restored.'

"When I resolved to bring to the notice of the Government and this Council this question of suspending the levy of railway-cess till after normal times are restored, I was not without apprehension as to the effect the proposed suspension will have on the programme of district board railway works. But pressed by large land-owners to represent the hardship they feel in the matter, and strengthened by the fact that the cess levied has not been, or could not be, utilized for the purposes for which it is intended, I ventured at this attempt. That no new railway line could possibly be constructed during the existence of the present war, needs no particular mention. But the only valid question that will naturally rise seems to be whether the various district boards should not have sufficient funds to their credit to start new works immediately the favourable opportunity presents itself. It is no doubt true that, unless the cess is continuously levied, the amount required for the construction of the sanctioned works cannot be met to any appreciable extent. But when one finds that for the last so many years that cess has been levied, only very few lines have been constructed and owned by a few district boards, whatever the cause might be, one naturally feels it a hardship to pay the cess every year. That the feeling of the land-owner is not unjustifiable is amply borne out by the observation made by Sir Harold Stuart when, as a Member of Council, he said that 'the object of the cess is to open up the country by building new lines, but not to augment the revenue of district boards'. When the cess had been levied for about ten years before 1912, we find in that year only two

RESOLUTION *RE* TEMPORARY SUSPENSION OF THE
LEVY OF RAILWAY-CESS.

(*Mr. Narasimha Ayyar ; Mr. Rajagopala Achariyar ;* 20TH NOVEMBER 1917.
Mr. Fraser ; Sir Francis Spring ; the Raja of Ramnad.)

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, my position in this debate is rather peculiar. I agree with the Honourable Mover of this proposition that he is entirely within the law in making the motion, but on the merits I have my doubts, apart from the view of particular district boards. As the Hon'ble Mr. Ramachandra Rao said it would be not wise for us to press this measure before the Council. As the view of the law has been mentioned by the Hon'ble Mr. Rajagopala Achariyar it is hard for me to discover how it is possible for the legislature to legislate if section 59 does not give power to the Governor in Council to modify. The Governor in Council under section 59 are empowered to give their direction, 'to direct the district board to levy such taxes or tolls at any rate or rates not exceeding those authorized by this Act as he may deem necessary, etc.'

"If it is contended that this particular tax does not come in the words 'the Governor in Council may direct the levy of such taxes or tolls',—if that expression does not include the railway cess, the cess cannot be imposed at all. The Governor in Council issues the direction under this section and it is only then that it is levied, and then there is a proviso. It is provided that the Governor in Council may modify or cancel such directions. What is the direction referred to? It is only the very direction that is referred to in the earlier paragraph under which the Government may direct the district board, the very direction under which it is levied is the one that is stated, in the last portion, as capable of cancellation."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Section 59 refers to taxes and tolls mentioned in clause I and clauses III to VII. The railway-cess is clause II, which is expressly excluded from section 59, otherwise your construction is right."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I believe with reference to clause II also the direction to levy it is contained in section 59; if the proviso to the section does not contain it, there is a later section which gives power to the Governor in Council to frame rules to carry out the provisions of the Act. If there is a careless omission in the drafting of section 59 there is a general provision. If really it should be necessary for us to suspend the further levy of the cess the proper thing for the Governor in Council to do is to dictate the general policy to district boards. I have thus far indicated only my opinion as to the position of law taken up by the Hon'ble Mr. Rajagopala Achariyar."

"As to the subject matter I think in the case of the Salem district board, opinion would not be quite so clear for the suspension. The Hon'ble the Raja of Ramnad is quite right in saying that it will be felt as a relief by the ordinary tax-payer, but after all the district board may not come to that conclusion. Therefore, it is much better that we leave it to district boards to form their own conclusions."

The Hon'ble Mr. GORDON FRASER:—"My lord, I would like to oppose the resolution and point out one aspect which the Honourable Mover has overlooked. There is no doubt that when normal times are restored the demand for railway materials will be so enormous that their value will go up to a figure far in excess of what it was in pre-war days. Sums of money which would have been sufficient to meet the cost in pre-war days will not be sufficient after the war. Unless the imposition of this railway cess is a very serious hardship, it would be a retrograde step to suspend the levy of the cess at the present moment. Every penny of the capital that can be collected at the present moment will be wanted when we come to take these railways in hand."

The Hon'ble Sir FRANCIS SPRING:—"My lord, I am in full agreement with the Hon'ble Mr. Gordon Fraser. In this matter my own personal interest in the case under discussion arises from my having been in this Council when the amendment of the District Boards Act became law. At the same time I was the Secretary to Government in the Railway Department and in that capacity was concerned in the drafting of clause (ii) of section 57 and of section 58, about the imposition of the cess, the resolution of the Board, the six months' delay and the Government reserving any power to themselves to suspend the levy of the tax. But that is not a matter of very much consequence; and the legal aspect of it has been dealt with very fully by the Hon'ble Mr. Rajagopala Achariyar and others. My own interest in it lies in the small tax, especially just now. It is not a tax for the benefit of anybody outside the district. It is intended solely for the benefit of the district. Once the cess is levied the district will get its railway sooner or later. It has only to guarantee interest on the capital required. It seems to me that just now would be the worst possible time to relieve any district boards of the power to levy the cess, in the light of what the Hon'ble Mr. Gordon Fraser said, that materials would enormously increase in price after the war."

The Hon'ble the RAJA OF RAMNAD:—"May I know if the Honourable Member will be pleased to undertake to refer the matter to the various district boards?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I do not propose to refer the question to the district boards."

The Hon'ble the RAJA OF RAMNAD:—"I do not press the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION *RE* REDUCTION OF SCHOOL AND COLLEGE FEES. 79

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RESOLUTION *RE* REDUCTION OF SCHOOL AND COLLEGE FEES.

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I beg to move:—

'IX. This Council recommends to the Governor in Council that the Government be pleased to take necessary steps for securing the reduction of fees of the students both of schools and colleges to facilitate the wider spread of education.'

"Your Excellency, educating the people is one of the most important duties of the State. Education is the highest service which the present generation can give to the future. As Mr. Wendell Phillips states, 'Education is the only interest worthy the deep controlling anxiety of the thoughtful man.' His Imperial Majesty King Emperor George V, in his visit to India, observed that education was one of the first needs of this country and graciously made an annual grant of fifty lakhs for its improvement. His Excellency Lord Chelmsford is of the same opinion. Not the least of the proofs of His Excellency's earnestness in that direction is the conference of Directors of Public Instruction recently held at Delhi and the most statesmanly speech he made in opening it though the result of its deliberations is most disappointing, and though in the nature of things that great champion of India's aspirations Sir Sankaran Nair, could not make his progressive views go far in that official body impervious to popular notions, however strong and reasonable they may be."

"When the question of school fees came for discussion, Mr. Hornell who represented Bengal, proposed they should be raised! And what made him think that the people could pay higher fees? He knew there were some students who paid large sums to their private tutors! I cannot for a moment think that he did not know what bad logic it was to generalise from a few cases. But the fee question is inseparably associated as much with the responsibility of the Government about the education of the people as with the people's ability or inability to pay more for the education of their children."

"When India was governed by the East India Company, Sir Thomas Munro pleaded 'that the amount spent by the Government on education, would be amply repaid by the improvement of the country and the growing prosperity of the people and the State, that the general part of the middle and lower classes were then (in 1826) unable to defray the expenses incident upon the education of their offspring, while their necessities required the assistance of their children as soon as their tender limbs were capable of the smallest labour'."

"This is as faithful a description of the state of people now, as it is of the people of nearly a century back. In 1822 Sir Thomas Munro obtained information from the Collectors that there were 12,498 schools in this Presidency with 1,88,650 students including 4,540 girls. Of those institutions 740 were colleges known then as *pathasalas*, and the school fees if any were ranging from one anna to four annas a month and never exceeding eight annas. We have in 1915-16 public elementary schools about 28,151 for boys with 1,201,273 of pupils and 340 secondary schools with a strength of 130,353 and 13 colleges with 8,378 students. It would not do to say that the education is spreading fast and wide. Measure the present state of education in the country with the century of British rule which has since elapsed. Measure it with the progress made in various other civilized countries. Measure it with the number of men skilled in handicrafts or manufactures. Measure it with the many who find that education is beyond their means. Do that and say whether the progress is commensurate with all these. If the educational policy of Sir T. Munro had been acted up to all these years, a far better account could have been given of the spread of education in the country. We do not agree with the observation of Lord Curzon that 'ever since the cold breath of Macaulay's rhetoric passed over the field of the Indian languages and Indian text-books, the elementary education of the people in their own tongue has shrivelled and pined.' We hold that western education was a boon in so far as it secured the solidarity of the Empire and trained the people in understanding their rights, liberties and duties and responsibilities and dispelled ignorance and prejudices."

"Why should the state of education be now as it is? The answer is not far to seek. The present high rate of school fees is mostly responsible. Look back on the scale of fees in 1822 and on the scale today. Are the masses richer now to be able to pay the fees today? Granting they are, are they as many times richer as school fees of to-day are heavier, than the fees of that period? Is it not the duty of every one to foster the love of knowledge, so ungrudgingly instilled in the minds of the people by the British Government? When there is such a rage in the country for western education, is its spread to be checked by raising the fees frightfully high as being disproportionate to the means of the people?"

"Fees are raised all over India. When that is felt as a great hardship, why should things be made harder for the people of our Presidency by raising the fees higher than in the other provinces? On what principle is it done? Are we richer than they?"

"When we compare the average annual fee paid in the Arts Colleges in 1907-12 with the fee of today, we find the following enhancements:—

"In Madras from 65-9 to 85, In Bombay from 68-8 to 72-5, Bengal from 54-3 to 64-7, the United Provinces from 46 to 71-5, the Punjab 55-5 to 61-9, Eastern Bengal and Assam 47-6 to 50-2, the Central Provinces 46-8 to 49-6."

"While in Burma and the North-Western Province there is a reduction from 87-2 to 82-8 and from 59-9 to 49-88 respectively. The average increase in all is from 60-7 to 68-3 and in India the increase is by 12-5 and in our Presidency by 29-4."

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"If we go back to 1896-97, we find that the average fee levied in Madras was 55-7, whereas in the whole of India it was 51-8. Thus we notice that during the last twenty years, the fee in this Presidency has been increased by over 53 per cent. It should take one's breath away to notice the increase here.

"To return now to the secondary schools. The average annual fee per pupil in the Madras Presidency was in 1896-97 Rs. 13-4, in 1901-02 Rs. 14-9, in 1906-07 Rs. 15-6, in 1911-12 Rs. 17-7, while the average fee for the whole of India is Rs. 14-7. The increase of fee in the secondary schools in our Presidency during the last twenty years is over 32 per cent. What wonder then, that out of the total expenditure of Rs. 25,59,000 in 1912, so much as Rupees 17,82,000 were realized from fees alone?

"Here is a statement of the contributions from school fees and public funds in the various provinces.—

'In the Madras Presidency 66 per cent—13 per cent, Bombay 49 per cent—33 per cent, Bengal 62 per cent—19 per cent, the United Provinces 40 per cent—43 per cent, the Punjab 57 per cent—32 per cent, Burma 48 per cent—43 per cent, Eastern Bengal 70 per cent—17 per cent, the Central Provinces 26 per cent—61 per cent, North-West Province 37 per cent—47 per cent, Coorg 34 per cent—66 per cent.'

"If this is our position in comparison with the other provinces, there is a thing in which we are unique. While in the rest of India the fees rise as the student goes higher, from 8 annas in the lowest class of the secondary school gradually to Rs. 3 a month in the highest class, in this province the student pays Rs. 22 a year in the first three forms and Rs. 42 in fourth, fifth and sixth forms. The old fee of Rs. 20 for the third form has been raised to Rs. 22, and the enhanced rate made uniform for the two lower classes which were formerly paying less than Rs. 20; and in the three higher forms, the annual fee of Rs. 38 for the sixth form has been raised to Rs. 42 and that is made the rate for the two forms below. Here is originality indeed! In defence of this scale, it has been said that it is meant to be an effective check on ill-advised promotions. If the fact, that a student paid a higher fee in a higher class, was an inducement for indiscriminate promotions, what about the greater chances of undeserved promotions from the third form where the fee is Rs. 22, to the fourth form where the fee is twice that? How strong should be the temptation to go wrong there? There is the Inspector of Schools to exercise effective control in the matter of promotions. Whatever that may be, is the guardian to be punished for the suspected weakness of the teacher or the avarice of the manager? Or will the rate of the sixth form be fixed for all the six forms to make the check ideally perfect? How far the present scale of school fees has proved a check on unmerited promotions, can be seen best from the promotion of passes in the Secondary School Leaving Certificate examination to the strength of the class. It is indeed hard for us outside the Educational Department to see how the percentage of passes depends upon the amount of school fees paid. The scale of fees has not produced, nor ever can, what is claimed for it.

"Certainly the managers of schools hail any increase in fees to make their schools more and more than self-supporting and may even go to the length of saying that enhanced fees would not affect the strength of schools. As a matter of fact, there was a fall in the strength in our Presidency, while there was a rise in the strength in all other provinces. In 1906-07, 216 out of every ten thousand of school-going age were at school; in 1911-12 the number fell to 193. But it is not much to the point to inquire whether the present scale of fees has led to any fall in the strength of schools. If the institutions have the strength they have, it is due to the hold which is believed to give them respectable means of livelihood, many families have been ruined. That many fortunes have been wrecked in what the nature of examinations in this Presidency has proved but a wild goose chase, is not a fact which can be got at from public statistics but deplorable that many who are educating their boys, are doing so at a cost that is really ruinous to them, than that so many are too poor to educate their boys, or than if there had been a considerable fall in the strength of the schools.

"Let us now examine the recommendation of Lord Curzon's Indian University Commission of 1902. It is most unfortunate to the country, that the Commission should have held, that 'fees must not be fixed so low as to tempt a poor student of but ordinary ability to follow a University course which it is not to his real interest to undertake.' Could this recommendation students in India managed to get help for their boarding, clothing and schooling and after that a great number of them did very well in life. But that was in days when school fees were as much knowledge as they desire, is a grievous blunder. To ignore that there may be and feverish enthusiasm in the country to acquire western education, when even the submerged may yet rise Sir Muthuswami Ayyars from the poor. In his minute of dissent, Dr., now Sir, Gurudas Banerjee said: "The person to judge of the real interest of a student is himself or those who are directly interested in him and not the University, and it is not justified in imposing restrictions such as a prohibitive fee for the sole purpose of preventing him from entering it when he is otherwise qualified." Dr Gurudas rightly asserts that 'youths of ordinary ability are often found to develop considerably their mental powers later and by slow degrees.' Sir

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Isac Newton was a most unpromising boy till he was eighteen years of age. Dr. Gurudas recommends that every facility should be provided in India to produce men who by adding to their own knowledge and culture raise the position of the communities to which they belong. The Commission is afraid that by lowering the college fees there would be undue competition amongst institutions and consequent impairing of the efficiency. Dr. Gurudas has met the objection by saying that conditions of efficiency should be prescribed instead of fixing any minimum fee for educational institutions.

"If the Government endorse the view of the University Commission, that education is not for the poor, I do not understand why they are doing so much more for the poor students in European schools. The following figures from the quinquennial report for 1907-1912 are very interesting as showing that the Government give special treatment to European schools.

'The average fee paid by the scholars in European schools in the Punjab is Rs. 108 a year, the United Provinces Rs. 107 a year, Bengal Rs. 99 a year, Burma Rs. 85 a year, Bombay Rs. 59 a year, Eastern Bengal and Assam Rs. 55 a year, the Central Provinces Rs. 51 a year.'

"The average fee for the above is Rs. 76, while in Madras it is only 25.

"In the administration report for 1912-13 the Madras Government says that it is improbable that there is any large number of European and Anglo-Indian children not attending any school but in Madras city there has been a tendency to discontinue studies at an early age on the part of the poorer section of the community and with the help of the Imperial grants, inducements were held out to parents to send their children and keep them at school by the grant of clothing and of a free meal a day. This policy was continued year after year, and contributions from Provincial funds were increased to nearly 39 per cent while realizing only 17 per cent of the total expenditure from fees, while so much as 66 per cent or more of the total expenditure was realized from fees in the other secondary schools. These figures I give here not that I grudge the concessions to the European and Anglo-Indian communities, but that it is just to show the same solicitude for the education of the other poor students also.

"The advocates of the enhancement of school fees say, that it is necessary for maintaining the efficiency of the institution, and the results of the examinations are said to be the test of the efficiency of teaching. If that is to be accepted as true, I do not know how to account for the fact that Madras, though it occupies the proud position of levying the highest fees, occupies the lowest place in the matter of results in public examinations. Here is a comparative statement of the results for India:—

'In 1911-12, 70 per cent matriculated in Calcutta, 50 Bombay, 51 The Punjab, 42 Allahabad, 23 Madras.'

"For the Intermediate Examination in Madras 2,448 appeared in 1906-07, but only 1,578 appeared in 1911-12!—a fall of full 870 in the number of applicants! And what was the percentage of passes? 44 as against 69 in Bombay and 48 in Bengal. In subsequent years we find that things are worse though the number of examinees increased considerably.

'In 1912-13 only 33 per cent passed, 1913-14 only 39 per cent passed, in 1914-15 only 28 per cent passed, in 1915-16 only 24 per cent passed.'

"The average percentage of passes in the Intermediate throughout India is 426. Where are we before that with our 24 per cent for the last year? Nor are the results of the Secondary School Leaving Certificate examination better! Here is testimony of facts to the soundness of the explanation that higher fees secure efficiency of teaching, and the results of examinations are a test of that efficiency.

"Coming to the colleges, we find that, as the standard of fees fixed, is the minimum, they fix the fees just as they like, the fees for the Intermediate and B.A. classes ranging respectively between Rs. 32 and 40 in the Nizam's College and Rs. 88 and 112 in the Maharaja's College, Vizianagram, with an admission fee of Rs. 12 on occasions.

"This is how we stand in comparison with the rest of India! It was feared, that any increase in the fees in secondary schools was liable to cause a considerable outcry, and a representation? Committee was appointed in 1909-10 in Madras. The result was, that the fees were quietly increased by 22 per cent! And this in spite of the fact, that secondary education is the basis of all professional and other kinds of education besides being a qualification for public service. The best or the only explanation for all this is the misfortune of our Presidency.

"Regarding elementary education, I do not see, why any fees should have been levied there, the income realized being comparatively small. To find the money to make it free and compulsory, let there be an education cess, if necessary, after economizing the expenditure in the various departments of the State; and the cess will be paid more cheerfully than the railway cess of 3 pies in the rupee, compulsorily levied in some districts. I would recommend that the fees levied in this Presidency should not exceed the average for India. The following scale would be fair and it should be made the maximum in any recognized institution:—

'For the first form As. 8 a month, second Re. 1 a month, third Rs. 1-8-0 a month, fourth Rs. 2 a month, fifth Rs. 2-8-0 a month, sixth Rs. 3 a month, Intermediate class Rs. 4 a month, with an additional rupee for laboratory fees, B.A. class Rs. 5 with additional laboratory fee.'

"It may be objected, that the income of the institutions would fall to an extent that may necessitate the closing of many of them. That would not be the result. There would be considerable additions to the strength of every institution. Taking the first three forms, we get an average income of Rs. 40 a month, and few teachers of the first and second forms are paid more than Rs. 35 a month. While a full sixth form of 40 will pay Rs. 120 a month, that is, the manager will get far more from the class than he pays the teacher. Putting down the average salary of

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the teacher at Rs. 80, there is a saving of Rs. 40 a month. In many schools the sixth form is put in divisions, the class in the Maharaja's College, Vizianagram, being put in eight divisions. And what should be the saving there a year with the reduced fee? Rs. 3,810.

"The fees for the F.L. and B.L. classes in the Madras Law College are Rs. 150 and Rs. 200, respectively, while in the Trivandrum College they are 108 and 136. The Madras Medical College charges Rs. 125 a year for both the L.M. & S. and M.B.C.M. classes, and the College of Engineering charges Rs. 140. I would suggest Rs. 120 a year in the Law College and Rs. 96 in the other professional colleges.

"My Lord, I have not said all that I desired to, lest I should exceed the time limit. With the average income of only Rs. 30 per head, India is decidedly the poorest country in the world. Yet no country thirsts more for knowledge: no country needs it more. We prize western education as one of the greatest boons conferred on India by England. From time out of mind, education has been given free in this country. Even to-day Sanskrit is taught free upwards to the highest philosophy. High scholarship is no doubt desirable, but what India wants is a far wider diffusion of knowledge than depth of knowledge in a few cases. Lower the fees and bring western education within reach of as many people as desire to have it. The people are doing their best in the cause of education. The Hindu University is a monument of the new awakening in India.

"Then there are the princely endowments of Sir Palit and Sir Rash Bihary Ghose and Sir Ratan Tata. The Fergusson College has been founded to give the cheapest and best education. In our Presidency Maharajas, Rajas and zamindars are contributing generously for the spread of education. Let the Government recognize the growing thirst of the people for western education by making it less costly. Let the educational policy of Sir Thomas Munro be the policy to-day. Sometimes going back is the best way to go forward. Let us go back to the days of lighter school fees and education will go forward with a swing.

"Dr. Davies said: 'It will be the millennium of education when every State, recognizing the unspeakable importance of mental culture, shall bind themselves by statutes to train up the minds of those who are destined to defend their rights and to advance their interests.' With these noble words of Dr. Davies, I commend the resolution for the acceptance of the Council."

The Hon'ble Mr. YAQUB HASAN:—"Your Excellency, I beg to second this resolution. There is a widespread suspicion, not altogether unfounded I am afraid, that the Government have placed artificial barriers in the way of education to prevent it from being spread too widely, and the way such questions, as one raised in this resolution, are met by Government only goes to strengthen that suspicion. One of the barriers in the way of education is rightly considered to be the heaviness of fees in schools and colleges. Government have often on such occasions stated, and I anticipate that they will state it on this occasion also, that there is a limit to the resources of the Government and that only a certain amount of the revenue can be allotted to education. I do not believe that Government are so helpless as they are often represented to be. Where there is a will there is a way, is as much true in the case of the Government as it is in that of individuals. There can be no doubt that the heaviness of fees, as pointed out by the Honourable Mover, is keeping a very large number of people from students, which will necessitate more provision to be made for schools and colleges; and the Government may therefore apprehend that their burden of the cost of education will very much increase. They not only will have to bear a larger share of expenditure owing to the reduction of income in the shape of fees but also when more schools and colleges come into the existence, as a result of the increased demand, more grants will have to be made. But it has to be remembered that the cost of education does not fall entirely on Government. At present, fixing the fees at very high rates and by calculating the income and expenditure. By to the standard rate, most of the schools are declared to be self-supporting and very little grant is given to them by the Government. If, on the other hand, the fees are reduced, secondary schools at any rate will no longer be self-supporting to that extent and the Government's share of the cost of education will be proportionately greater. But, at the same time, it has to be remembered that, as long as the people are willing to come forward to start more schools and colleges, there should be no obstacles placed in their way simply because it will increase the cost of education as far as Government are concerned.

"Another objection that the Government may bring forward against reducing the fee will be that the increase in the number of schools will necessitate a larger number of trained teachers and the Government have not enough facilities for training them and indirectly the need of more training schools and colleges will mean more expense to the Government.

"Another objection that may be brought forward is that the education will either have to be restricted to the financial resources of the Government or that the quality of education will have to be reduced. I for my part would rather have the quality of education will larger number of people become educated. I would rather have one hundred half-educated persons to the one highly educated person of the present system. But that is only by the way. There need be no fear of the efficiency of education being impaired, because, after all, the slight reduction of fees that is demanded by the resolution is not calculated to affect the efficiency of the system of education. To my mind it is a very moderate proposal. If the Government see their way to meet it, they will be able to assure the Indians that the Government are really as desirous of education being widely spread as we ourselves are. There is, in my opinion, a great

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necessity for the Government to have a thorough overhaul of their whole educational policy. Till that is done no great improvement in education can be expected. But, of course, that raises a very big question, and some day perhaps this Council may take it up. At present, our demand is only for the reduction of fees in schools and colleges. I hope this proposition will be accepted by the Government."

The Hon'ble Mr. J. H. STONE:—"Your Excellency, in the first place I should have preferred if the Honourable Members who have spoken had borne in mind the distinction between collegiate and secondary education on the one hand and elementary education on the other. The point of view of the Government has always been, in this Presidency at any rate, that while they view with equanimity the possibility of elementary education being free, they could not do so in the case of secondary and collegiate education. The line has always been that secondary and collegiate education should be, so far as may be, self-supporting. I must confess that I am unable to understand the point of view of any Honourable Member of this Council who differs from Government in this respect. It seems to me almost self-evident that any country will seek to make higher forms of education self-supporting. In this country it is not so: it is far from being so. But in this Presidency we have succeeded better than in any other Province, in making it so.

"The Honourable Member pointed out that a larger proportion of the cost of secondary and collegiate education is borne in this province from fees than in any other province. I do not hesitate to say—I have taken the trouble to acquaint myself with the state of education in some other provinces—that we reap the benefit of such a state of things in Madras, whatever Honourable Members may say about our examination results. I do not propose to discuss that for a moment; but I do emphatically say that we are far in advance of other provinces in education, and I am sure one reason is that we have had a larger sum of money to spend on secondary and collegiate education, largely because, as I have said before, we have been able to make this kind of education to a great extent self-supporting.

"What would be the result if we were to reduce the fees? In the first place, somebody must pay this money which we now get in the shape of fees. The Honourable Member thinks that by reducing fees we shall so increase the number of boys coming to secondary schools, that we shall more than make up by increase of numbers for the reduction of fees. That is very much a matter of opinion. We are perfectly well aware that when in England the penny postage was introduced the enormous increase in the number of letters posted resulted in the revenue becoming much greater than what was obtained before from post offices. The Honourable Member seems to think that the same sort of thing will happen in this Presidency—that there is quite an indefinite number of boys waiting to flock into secondary schools if the fees were reduced. It is doubtful if it will be so. If we reduce the fees, there will be no doubt a slight increase in the number of boys; but I do not see what reason the Honourable Member has for saying that there will be such an enormous increase as to make up for the reduction of fees. Supposing he is right in thinking that it would be so, that we should make up in the number of pupils for the reduced fees which pupils would pay, what would be the result? He says he would like to see the forms in the secondary schools go up in number of sections. He mentioned eight sections, as though with approval, in the case of the sixth form. Supposing we have large flocks of students coming into these schools and being divided into sections and taught by any Tom, Dick and Harry, who pretended to be capable of teaching—I know, and Honourable Members must know too that the supply of people fit to be teachers, when all the other needs of the Government have been met, is not a very large one—I mean the supply of people fit to be secondary teachers. I am now talking of those who have the intellectual capacity and the character. Our difficulty is to provide as much secondary education of a decent kind as the people of this Presidency are demanding; and when I say demanding I mean, demanding in an economic sense, that is, to the extent that the people of this Presidency are prepared to pay for. If you reduce the price, in proportion as there is an increase in the economic demand, in that proportion we shall have to supply worse education.

"The Honourable Member referred to the badness of the results of our examination. I am not prepared to admit that examinations are the sole test of efficiency. But it is perfectly certain that if we have to give worse education, we shall not improve the results. Even putting education in that lowest sense we shall be doing a disservice to the country if we do anything which will diminish the efficiency of secondary education, and I do not want Honourable Members of this Council to go away with the idea that it does not matter what sort of education is given in secondary schools. It matters extremely, to the leaders of the people of this country even more than to us, because of the responsible position they occupy. If you go and pass a vote in favour of reducing the fees, you will be, to a large extent stultifying yourselves; you will be passing a vote in favour of diminishing the efficiency of education, which, at present, is by no means too efficient.

"I see in the newspapers what is being done in England for the improvement of education, what Mr. Fisher is saying. It is going to cost enormous sums of money to bring about that state of things which Mr. Fisher proposes. But does he mean that every boy irrespective of ability is going to school to get a thoroughly efficient education for nothing? Surely not. Just as in this country we provide for boys of ability by scholarships so also he will try to provide for boys of ability. He will not provide for every boy whose parent thinks he has got a swan while he has got a goose. Government have already got the proposal of allowing 10 per cent of the boys of secondary schools to be educated free. But these boys will be boys of ability.

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"That brings me to another point which I have often mentioned before that the Honourable Members of this Council are apt to forget that boys differ greatly in ability. All boys are not like one another, and are not equally susceptible of higher education. I am afraid I am keeping the Council too long.

"There are one or two points of detail in the speech of the Honourable Member. The Honourable Member referred to Sir Thomas Munro's opinion. The value of money in Sir Thomas Munro's time was very different from what it is now. That is a point which the Honourable Member may take into account. He told us again that education did not spread on account of the high fees. There were 96,000 boys six years ago, when the fees were raised and there are 136,000 boys now, so that the number of boys in secondary schools has considerably risen notwithstanding the increase in fees. I have already said that I admit that our rates of fees are the highest in India. I admit the proportion of the cost of education met from fees is higher in this Presidency than elsewhere in India.

"To take another detail, the Honourable Member criticizes the fact that there is a level rate of fees in the first three forms and also a level rate from forms four to six and he says that this is intended to be an effective check on ill-advised promotions. That was intended to be a check on ill-advised promotions. It is not an operative check against all ill-advised promotions. That removes a great temptation to bad promotions I am perfectly certain. As to the Inspectors of Schools, these poor Inspectors of Schools are expected to do everything, but they are not omnipotent and we must arrange things in such a way as to make it as easy as possible for them to supervise the schools effectively.

"Then again, he has made out that managers of schools would like to have lower fees. I do not know if it is so or not. I must thank the Honourable Member by-the-bye for his providing me with a copy of the speech.

"I will now come to the practical point as to who will have to pay the difference, if the fees were lowered. It seems to me that the payment must necessarily be from the Government. I do not see who else is going to pay it. Managers of schools are not able to provide more money from their pockets than they do at present. The result would be that you would spread the payment over the people at large; you would be making a number of people share in the paying of these fees or at least in the difference between the present fees and the proposed fees; you would make a number of people share in the fees who are least able to afford it. The Honourable member said that there was an idea abroad that the Government are placing barriers in the way of the spread of education. I really do not think he could have himself thought so. If there is such a public impression I do not believe he himself shares it. It appears to me that Government have given ample proofs that there is no desire to place barriers in the way of education. The expenditure on education has been going up by leaps and bounds at a rate which would have terrified the Government of a short time ago say, ten years ago; that proof is being given by the Government of their desire to extend and improve education by all means in their power. It is quite well known also to the Council that many further developments in education are under consideration. Therefore I do not think that Honourable Members of this Council could really entertain the idea that the Government are doing nothing.

At this stage the Council adjourned for a short interval.

The Council re-assembled after the luncheon interval at 3 p.m.

The Hon'ble Mr. P. SIVA RAO :—"I wish to give my humble support to this resolution. The Honourable mover has made out a very strong case for immediate action; I had been carefully listening to the speech of the Honourable the Director of Public Instruction; I had been aspect of the matter, namely, that the fees levied in this Presidency are the highest in India— one was not attacked by the Director of Public Instruction. Nowhere, in this country are the fees so high as they are in this Presidency, and the question naturally arises for consideration why should this Presidency be an exception to the rule. The Honourable the Director of Public Instruction stated that in this Presidency the institutions are far more self-supporting than they are in the other parts of India. My Lord, in considering these educational matters, we must eschew all commercial considerations out of our minds. If we expect a return for the expenditure incurred on education by way of rupees, annas, pies, I think we shall be undone. The only return that we can expect in a matter like this is the spread of education, more useful citizens, more useful members of society and so forth. That is the proper return we ought to expect in a case like this.

"The Honourable the Director of Public Instruction drew a distinction between elementary education and secondary education and collegiate education and he said that it was conceded on all hands that secondary and collegiate education should be self-supporting as far as possible. I join issue with him, so far as secondary education is concerned. Even in England, there is a very general cry that secondary education should be free as elementary education now is. The other day I was reading the speech of Mr. Fisher delivered in the House of Commons. He said 'that secondary education should be made free is the ultimate goal that ought to be looked to.' What can be said in favour of elementary education can be said in favour of secondary education, as well. The case may be different in the case of collegiate education which may be considered a luxury and if a man wants that luxury he must pay for it; but that does not apply to secondary education. For fostering the growth and spread of secondary education, scholarships should be provided on a liberal scale and also the fees should be reduced.

The only question which the Honourable the Director of Public Instruction was asking was how is this deficit to be met? who is to pay it? The answer is easy. The Government ought

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to make liberal grants; and then the question seriously arises as to whether we cannot economize in other branches of education, for example, buildings. It is an important question whether we are not spending too much on buildings, furniture, apparatus and equipment.

"Then the Honourable the Director did not admit that the reduction of fees would result in an increase in the number of students. I believe that that will be a certain result. If these fees are reduced, we would be throwing open education to a number of poor and deserving students who will then have access to education. If the number of schools is increased, then there is the question of the supply of trained teachers. The Honourable the Director of Public Instruction has asked—where are the trained teachers; if fees are lowered and numbers flock to the schools and the classes have to be divided into sections, where are the teachers? I do not think that is an insuperable difficulty at all. We can train teachers in sufficient and adequate numbers just to cope with the additional work, if any, that may be imposed on account of the increase.

"As regards the badness of the results, there too the reply of the Honourable the Director is weak. The results are the same. I do not think there has been any improvement in the efficiency after the increase of fees.

"Then the objection was taken that the general tax-payer would have to pay this deficit. I think, in a matter like this, the general tax-payer will have to pay, and the Honourable Mover said that even if an education cess is imposed, he does not mind it. It is a serious drawback that the fees that are now levied are the highest in India and there is absolutely no reason whatever why they should not be brought down to the same level as the fees in the other parts of India."

The Hon'ble Mr. A. S. KRISHNA RAO :—"My Lord, I quite agree with the Hon'ble Mr. Stone in thinking that we ought not to do anything in this Council which will have the effect of impairing the efficiency of education. I believe the Honourable Mover himself did not contemplate any such contingency when he asked for the reduction of fees in schools and colleges. If the effect of this resolution must necessarily be that, I shall myself be loath to vote for this resolution. But I believe, my Lord, that, so far as this question is concerned, the solution of it does not necessarily depend upon abstract ideas of efficiency and the requirements of education. The evil is admitted; it is not denied that in this Province among all others the fees have been steadily increasing with the result that they are the highest. It is not contended for a moment that the capacity of the people to pay fees is more in this Province than in other provinces. A further examination of the facts would show that the capacity is less here than in most of the other major provinces in India. If such is the state of things, is there no way of solving this problem so as to give the benefits of secondary education and collegiate education to a larger number of scholars than at present? I quite appreciate that, during the last few years, notwithstanding the increase in school fees, there has been an increase in the number of schools and scholars. But does it necessarily lead to the conclusion that scholars have been freely and easily paying the enhanced fees? Has that question been investigated properly? Is it not the case that several parents and guardians had to put themselves to considerable inconvenience and suffer hardships with the object of sending their children or wards to schools? Is it not a fact that several of these scholars had to beg from door to door to earn their school fees and to get education? Is it not the case that the fear that if they did not get the secondary school-leaving certificate they would be unfit for anything else in life—is it not that fear that made them enter the schools at all cost? Therefore the increase in the number of scholars does not show their capacity to pay fees to a larger extent.

"The evil being admitted and it being fairly clear that the capacity to pay the enhanced school fees is not there, is it not possible for the Government to devise means whereby a reasonable expenditure on education is maintained and a larger number of scholars are given the benefit of higher education? There are two courses which suggest themselves to me. One is the retrenchment of expenditure under various heads and the using of the sum so obtained for the purpose of education. I am glad to find that in reply to a question put by my friend the Hon'ble Mr. Ramachandra Rao, it has been stated that a special officer has been appointed to consider the question of curtailment of expenditure. It is stated in reply to question No. 107, 'Mr. A. R. Loftus-Tottenham, I.C.S., has been placed on special duty for a period of six months from the 29th October 1917 for the purpose of examining the possibility of reducing work and establishments in the Government Secretariats and in the offices of the Board of Revenue and Collectors.' A similar examination possibly in other departments will show that it is possible to secure retrenchment in several directions and those funds may be utilized for this purpose. In addition to that, I find that this Province is entitled to better treatment from the Government of India in the distribution of the Imperial grants for the purpose of education. When once it is clear that the pupils in this Presidency are paying enhanced fees as compared with the other provinces, and when it is also clear that proportionately we have not been getting liberal grants from the Government of India, we have a fair case to take to the Government of India and ask for increased grants for the purpose of secondary and collegiate education. If we make out a strong case, as we hope we can, there is every likelihood of our getting additional grants and of using them for this purpose.

"I also wish that, in the consideration of this question, secondary education and collegiate education are separately considered. The considerations that apply to one do not apply to the other. My Honourable Friend Mr. Siva Rao has already drawn attention to that. So far as elementary education is concerned, the Hon'ble Mr. Stone has pointed out that it stands on a different footing altogether. We need not, therefore, consider the educational cess in connexion

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with this question; that is only in connexion with elementary education. With regard to the reduction of fees in secondary schools and colleges, it deserves most earnest attention, and if real efforts are made it may be possible to reduce the fees."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, I am tempted to make two or three short remarks which struck me in regard to the speech of the Hon'ble Mr. Siva Rao. He has asked the question in this Council, 'where is the money to replace these fees to come from?' And he said 'of course'—I could not help smiling—from the Government. Your Excellency, I do hope that Members of this Council will take a fairly long view of this matter. We have got before us the problem of providing funds for elementary education throughout the Presidency. At the present moment, the expenditure on elementary education—I have not got any figures at hand for this purpose—is entirely inadequate to meet the entire needs of elementary education. I would like to point out what gigantic sums will be required for the purpose. We have a population of 43 millions, so you will certainly have to provide for school places and education for something like five million children. In France, which has got a population considerably less than ours and where the school-going population, because education is being carried on to a later age, is somewhere about the same, they are spending something like ten millions sterling a year on primary education and, in addition to that, a gigantic sum on school buildings for primary education. In this Presidency, I have arrived at the conclusion that the smallest sum we ought to provide for primary education for the whole Presidency would be about three millions sterling a year. I may add that the total Provincial revenues come to 5½ millions sterling or about 800 lakhs of rupees, and we want three millions for primary education. Is it not very unwise to curtail the funds available for primary education by throwing larger charges for secondary education on the tax-payers? You must not look to the Government's pockets. It is clear from the figures I have given that the money which the Government have now got will not be sufficient to meet the cost of primary education. We have got to find a large sum for primary education and I submit to the Council that it will be very unwise to curtail the sums which will be available for primary education by throwing away the fees which are now being received for secondary education. After all primary education must come first. One of the defects of the resolution is that it does not distinguish between collegiate and secondary education and primary education. If the Honourable Member amended the resolution so as to deal with primary education and confined it to primary education, then he would immensely strengthen his case. But he is ambitious and the resolution applies to the whole course of education. I think a word of warning may be useful to the Council and I may draw the attention of the Council to it. The more you sacrifice the funds available for secondary education the less you leave for primary education."

The Hon'ble the Rev. G. PITTENDRIGH:—"Your Excellency, it is impossible not to feel sympathy with the suffering parents. No one is more conscious of the poverty of many of the students than I am. I am brought into contact with it almost every day. At the same time, it seems to me, Sir, that this discussion at the present moment is academic. Apart, altogether, from difficult position at present on account of the war, and, consequently, whenever we go up to the Government for assistance to aided education, we are met with the reply of 'no funds.' Now I wonder whether Members are quite conscious how much the Government of the country is dependent upon aided education. There is no question at all that both elementary and secondary education,—especially secondary education and to a very large extent collegiate education—is in the hands of aided bodies. The policy of the Government is to depend upon aided education, because the Government is unable to educate the country without its help. Now aided institutions have year by year to provide very large sums to carry on this education. If the fees are reduced, I do not see how these bodies can carry on education to anything like the extent that they do now. I believe that a great lowering of the fees would mean a lessening of the education of the country. I am aware the Honourable Mover of the resolution suggested that that would be made up by larger numbers. If I may take one school, the school with which I am best acquainted—I am not referring to the college at all because both the Hon'ble Mr. Siva Rao and the Hon'ble Mr. Krishna Rao leave collegiate education out of account, I am talking of secondary education—the school is just as full as it has any right to be. The numbers cannot be increased in it and annum. If the fees are materially reduced, I do not see how a school of that kind is going to maintain itself without materially increased aid from the Government."

"Then the Hon'ble Mr. Siva Rao spoke of secondary education and quoted Mr. Fisher in that connexion. It must be remembered that secondary education in England is dependent on the rates. It is not merely elementary education, but also secondary education that is maintained from the rates. When the day comes for the cess being imposed in this country, then it will be possible to speak of lowering the fees in secondary schools. I do not know whether it will be possible for many long years to think of free secondary schools, but at all events the fees might possibly be lowered, when the cess is levied, and compulsory elementary education is in force. But, until that time comes, I find it exceedingly difficult to see how the ever increasing cost of education is to be met if the fees are lowered. One thing struck me as exceedingly interesting in the Honourable Mover's speech. He pointed out a constantly increasing expenditure in all the provinces in India, or practically all. There seems to be a reason for that. Does it not

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mean that the education is growing more expensive year by year? It therefore seems to me impossible to do anything in the way of lowering the fees, more especially at the present moment when the Government is absolutely unable to meet the cost in any other way."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"There is one important aspect of the question which I wish to place before the Council. It is really the poor who go in for education; the richer classes do not care for it. Therefore the people who are really going in for education cannot afford to pay for it; that aspect also has to be considered in this connexion."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I only wish to point out that in 1910 there was a resolution on the question of the enhancement of school fees. My late friend Mr. Perrazu felt very keenly the increase of the school fees in secondary schools and brought forward a resolution in this Council in practically identical terms as the present one. My Honourable Friend has complicated the matter somewhat by a too comprehensive resolution which includes elementary, secondary and collegiate education in the scope of this discussion. Probably if he had confined himself to one of the three subjects—I cannot say whether any agreement would have been reached—the resolution would have been considered much more favourably than it has been. I do not expect to see in the near future an imposition of a cess for secondary education, suggested by the Hon'ble Mr. Pittendrigh. I think for several years to come we shall have to rely upon the cess for the expansion of free and compulsory elementary education in this country. The question of lowering the rate of fees has to be considered independently of the imposition of the education cess. As has been pointed out by my Honourable Friends Mr. Siva Rao and Mr. Krishna Rao, I do not wish to say anything with regard to collegiate education, but I have a great deal of sympathy with this resolution with regard to secondary education and I should be satisfied if the Government would consider the desirability of going back to the scale which was in force prior to 1909. If the Honourable Members would look up the proceedings of that year they would find that Sir Alfred Bourne said a great deal in justification of the step then taken, and I do not think the Hon'ble Mr. Stone will contend that simply because the fees were enhanced in 1910 the efficiency of education in this Presidency has gone up. Therefore I think the question of the cost of education in this Presidency as compared with that in other provinces has to be considered; and various other issues which have been raised are somewhat irrelevant to the present discussion. I would confine myself to this one aspect of the question, and I would ask your Excellency's Government to consider whether it is possible to go back to the scale of fees in secondary schools which was in force in 1909. There was a committee at the time which sent up a report, and in consequence of that report the fees were increased. I hope that at least that part of the resolution will receive favourable consideration from the Government."

The Hon'ble Mr. K. RAMA AYYANGAR:—"My Lord, I have one suggestion to make. If permission could be granted to the authorities of the high schools to levy what fees they think fit, if it will be possible for the Educational department to allow the calculation of fees not at the standard rates but at three-fourths of the rates, that would serve the purpose equally well. In fact, where education is so much spread that there would be no difficulty in securing attendance at the high school and colleges, the question will not arise whether the management should levy the full rate or not. But in parts where there are not a number of schools and where education is not highly advanced, it will be only proper to allow the management to levy lower rates than the standard rates, so that in fact they may be allowed to calculate the school fees on the amount they levy, provided it does not go below a certain percentage. A point like that will give scope for a freer and greater diffusion of secondary education in areas where there is not sufficient competition and where the boys have to go to school at considerable sacrifice and inconvenience."

The Hon'ble the Most Rev. JOHN AELEN:—"I have closely followed the discussion on this very important subject and I certainly say that, during the many years I have spent in Madras, when I have had dealings with the Educational department, that the Government have never been wanting in their duty of promoting education. We have seen, as we have heard, that the educational budget has gone up by leaps and bounds every year. So, I do not think we can complain under that head. In my eyes, it is only a question as to how the money should be spent, whether it should be on elementary education or collegiate education or what we might call secondary education. It is all the same. I am very much in favour, as some pointed out, of spending money on elementary education. The Hon'ble Sir Alexander Cardew has shown how much it would cost us before people are provided with elementary education. I do not think we can go beyond that and now reduce the fees for collegiate or secondary education. So I am certainly in favour of what we have been doing."

"There is still one remark that has been made, that students are very poor, I believe that certainly many are deserving of help. It may be that they do receive help in some way or other. That should not be quoted as an example—because they have to go from door to door in order to pay their fees, that this should be a reason why the Government should reduce the school fees. Only the other day I read an article in one of the American reviews that young men in order to get higher education during the holidays very often spent their time as waiters on a ferry boat and tried to make a little money for paying the school fees. It has not yet gone so far as that here; the Government provide very well for the education of the people as far as they can

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do it. It is a strong argument with me that if we are to reduce the fees and to go on with education, we shall have to put taxes on people who do not profit by the taxation. There are not very many in any country who profit by higher education; people who want to reap the benefits of higher education should pay for it. I believe the discussion has been instructive, but yet I cannot agree with the mover of this resolution in regard to the reduction of school fees. Whether reduction of fees will lead to the spread of education I do not go into. My principal argument is that money must be spent on primary education which must be put within the reach of every one, and only then we can provide for higher education, that is, school and college education, as far as funds allow."

The Hon'ble Mr. J. H. STONE:—"Your Excellency, there are various new points raised since I had the honour to speak. The argument that people are too poor to pay school fees has been emphasized. Of course, we are all too well aware that there are boys attending secondary schools under very great disadvantages as regards finding the necessary fees for the schools and for the examinations. We also know that families often submit themselves to hardships in order to provide the necessary money for their children's education; but it does not seem to me that because cases of that kind occur, that is a reason why the State should take upon itself the duty of ameliorating such circumstances. It seems to me a matter for private charity. One knows that private charity does do a great deal to help people to bear the cost of the education of their children."

"I should just like to remark as regards boys who have to beg their fees from door to door, they would have to go to almost as many doors, even if the fees were reduced to the level which the Honourable Member recommends they should be reduced. In fact, this country suffers from too little scope for the persons who have attained anything more than the elements of education; there is no scope for the energy, the employment of their talents and knowledge of an indefinite number of persons taught up to what we call the secondary stage. What we should like to see is a smaller number of boys who go on beyond the third form. Everybody thinks it is necessary to go up to the sixth form, and that is the most expensive form of education. What one would like to see is that this idea was not so prevalent that it is absolutely necessary for every one who gets into a high school to go up to the sixth form. It is only changed conditions in the country generally that will produce a result of that kind. But I do not think that people are very wise in insisting that everybody ought to have secondary education; that is what it comes to that everybody ought to have secondary education and the State should pay for it."

"The Hon'ble Mr. Ramachandra Rao challenged me to say that the efficiency of education has been improved by the enhancement of fees. I think myself that it has certainly been improved by the increase of fees. We have certainly had a large amount of money from fees to spend. If we have not attained considerable improvement, I should say that, if the fees had not been enhanced, secondary education would have degenerated."

"With regard to the calculation of fees at three-fourths the rates instead of the standard rates, it would come to the same thing as reducing the fees. It would give an advantage to the parents of children in schools under private management, but it would not give any advantage to the parents of children in schools under public management, where the standard rates would be in force, whatever the calculation might be as regards the grants for schools under private management."

"I have one more thing to mention, and that is that the Government do make considerable concessions to students, or do allow private managers to make such concessions. For instance, there is the concession of half-rates to all Muhammadan pupils and all pupils of backward classes. There is the scholarship system and there is in prospect a further concession of 10 per cent of free places. It is a great mistake to suppose that although our standard rates are high, every body, irrespective of his circumstances, has to pay these rates. As a matter of fact, they do not. One more concession, and that is not generally known, is not only do we put it in our rules that boys belonging to the backward classes may be admitted at half-rates, but we also make good to the manager what he loses by so admitting them. That I think will be admitted as a very considerable concession at any rate to the most necessitous part of the community."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, to take up the last point urged by the Hon'ble the Director of Public Instruction, that evidently some speakers have overlooked the fact that Government provide a lower rate of fees for some backward communities, I may assure the Hon'ble Mr. Stone that we have not forgotten that fact and that the figure is arrived at after making provision for that. The total percentage of 66 includes concessions given to poor students in the same way as it is done in other provinces. I have not yet heard the answer why these exorbitant rates should be levied in our Presidency, whereas it is not found necessary in other provinces, except one sole statement which we have to accept on the authority of the Hon'ble Mr. Stone that education is much better in this Presidency than in other Presidencies. The Hon'ble Mr. Stone has invited us to the views expressed by Mr. Fisher. I appeal to the same authority. It is a fact that we are spending a large amount on education and the Government are very generous in spending that amount. There is a fear, at least there is that apprehension, that all the amount that is spent on education is not usefully spent. If Rs. 1,000 is to be spent on teaching, we spend Rs. 10,000 on seeing whether the teacher is teaching properly or not and we spend Rs. 10,000 on buildings. People have a notion that the amount spent on education is not usefully spent and the benefit is not fully realized by the people. That is one aspect. The other aspect is that so far as elementary education is

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concerned—that question was talked of on many occasions—though the Hon'ble Mr. Ramachandra Rao thinks that if I had limited my resolution to that, perhaps I would have had a better chance, it is our duty to bring forward all the points to the consideration of the Government and it is for them to do what they think is best. The day may be far off when elementary education is made compulsory, but if it is offered we are prepared to take the burden."

"With reference to secondary education, the Hon'ble Mr. Ramachandra Rao says it would have been better if I had limited it to one alone. I do not understand that aspect of the Hon'ble Mr. Ramachandra Rao's position. But whatever that may be, there is one aspect which ought not to be ignored. As Mr. Fisher, the authority referred to by the Hon'ble Mr. Stone, has stated in these matters we ought not to be solely guided by the educational experts, because they always look at the question with one angle of vision only. In order to arrive at a proper conclusion and in order to give the proper benefit to the country, you must take into your confidence the people's representatives to see how the people may be best benefited. If you consult educational experts, they will want efficiency and on that they will bring forward every stock argument; it does not matter to them if the people suffer or the students suffer so long as efficiency is maintained and they get first class education. I do not propose to take up your Excellency's time; I earnestly appeal that the whole question may be liberally considered by the Government."

His Excellency the PRESIDENT:—"I made a mistake; I ought to have called upon the Mover of the resolution before I called upon the Director of Public Instruction. Perhaps I may just say a word on this resolution before the Council votes on it. I understand that the question of collegiate education is put aside and the question of elementary education, so far as this particular motion is concerned, is rather left out of sight. That leaves us with secondary education. As the Hon'ble the Archbishop pointed out no country in the world ever had more than a limited number of elementary education pupils going through the next grade of education, that is, the secondary education grade. It is only a small proportion, a comparatively small proportion, in England, Scotland or France that ever go through secondary education at all. Now what are we to do in this country? Are we to be different from other countries in this respect, and if so, how are we to be different and how is the money to be found? People have talked during this debate about Government providing money as if the Government had a gold mine out of which they can extract money without incommencing anybody. You forget the fact that Government means the general tax-payers; what you propose to do is to tax the general tax-payer for a benefit which will only go to a small number of those who pay the general taxes. You are taxing the many for the benefit of the few. That is the thing you propose to do, because it is agreed on all hands that if you reduce the fees you will reduce the amount of money available for this kind of education. In order to make up for the reduction of fees, because the number of pupils will not make up for it wholly, you will have to find a larger sum of money from the general tax-payer to provide the fees which you are going to reduce. It is no good thinking that the cost of education is going to go down. It is going to go up. Every year the ideals of education are rising, the equipment necessary is rising, the length of training for teachers is rising. The standard of education all round is rising and secondary education is going to cost more every year. Again, as the Hon'ble Sir Alexander Cardew has pointed out, we are simply on the fringe of education. Elementary education we are only beginning in a general way. Women's education is only beginning and we have got a large advance to make in every direction of education so that the costs are going to go up. Can you get money from other purposes, can you take the money from the other objects which we discussed? There are six resolutions on this paper wanting money for other purposes. When we go to the budget discussion in February and March and April, everybody wants money. I ask the members of the Finance Committee whether there are large sums of money which could be transferred from one head or another for the purpose of secondary education. The truth is we are trying to make our money go as far as we can, and it comes to this; there is only a certain amount of money available for education. It has to be divided fairly between different educational interests and this proposal before the Council is to reduce the money available for education. I am well aware that parents make great sacrifices for their children to have education; but that is not a feature singular to this country. As the Hon'ble the Archbishop pointed out, it is perfectly true that in England and Scotland particularly great sacrifices are made by parents in order to give their children education; so it is in the United States of America, great sacrifices are made and pupils are working for six months in the year in order to pay their school and college fees during the remainder of the year. I have come across instances myself frequently in the United States when children are working, boys and girls are working for six months in order to pay for their own education in the other six months. It is not peculiar to this country that parents are willing, nobly willing and creditably willing, to make sacrifices to give their children education. The question is, go and round the schools in this Presidency, you will find every school crowded. I think the Director of Public Instruction will bear me out. There may be one or two exceptions. I have been in dozens of schools. They are crowded to overflowing, the classes are crowded, the class rooms are crowded and the schools are crowded. Every year we have demands for more secondary schools on the existing lines, that is, the existing fees. Now would it not be folly for the Government who are so hard pressed for funds, folly for the Government and equally folly for this Council to commit themselves to the view that you can deliberately throw away educational resources in these circumstances? It will be a thousand pities if the Council commits itself to any such ideas. The Honourable Gentleman who moved this resolution and others commented strongly on the

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(*The President; Mr. Venkatapati Raju; Mr. K. R. V. Krishna Rao; Mr. Annamalai Chettiyar.*) [20TH NOVEMBER 1917.]

facts stated by the Director of Public Instruction that the fees in this Presidency are higher than elsewhere. All the more credit. The question is, are the pupils getting the benefit of it? We have his evidence, which is the evidence of a great authority, that they are getting the benefit of it. The reward is given to parents in the shape of more efficient education in this Presidency than they get elsewhere. Are we doing injustice to these lads in giving them better education? Are they not more fitted for the work of life than in the other Presidencies? I say it is a proper sacrifice, it is a noble sacrifice, the sacrifice which the parents are making. It is a sacrifice which brings its own reward and brings no regret. It is not as if we have the money to spare and we are holding it back. Every pie of the money that is available is given to education. I for one would only rejoice if it were possible to take money from other branches of expenditure and put it into education because I believe it is a good investment. But I do hope that this Council will not in the present circumstances commit itself to crowded schools to meet the clamant demand for extended education in every direction. I hope it will not commit itself to the view that we can throw away resources which have enabled this Presidency during the last ten years to maintain a premier position in regard to secondary education. I now put the resolution to the Council."

The resolution was put to the Council and lost.

RESOLUTION *RE* MEETINGS OF THE LEGISLATIVE COUNCIL TO BE SUMMONED ON REQUISITION BY NOT LESS THAN TEN MEMBERS.

The next resolution which stood in the name of the Hon'ble Mr. B. Venkatapati Raju was as follows:—

"X. This Council recommends to the Governor in Council that the Government be pleased to summon the meeting of the Legislative Council on occasions of emergency on the requisition of not less than ten additional members of the Council."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"I do not propose to move the resolution."
The resolution was not moved.

RESOLUTION *RE* PROHIBITION OF OFFICIALS FROM STANDING FOR ELECTION TO DISTRICT BOARDS.

The Hon'ble Mr. K. R. V. KRISHNA RAO :—"The resolution that I have the honour to move runs in these terms:—

'XII. This Council recommends to His Excellency the Governor in Council that orders be issued prohibiting Government officials from standing for election from the taluk boards to the district boards.'

"My Lord, this matter was brought before this Council more than once, and it has been shown that the official element in the district boards must be reduced by prohibiting officials from standing for election from taluk boards to the district boards. By section 12 of the Local Boards Act, the President has the power to nominate officials to the extent of one-fourth of the entire strength of the Board. The spirit of that section seems to be that the large majority of the non-officials can by that means be provided with seats in the district board. But by a large number of Government officials, chiefly Tahsildars, being allowed to compete at elections from taluk boards to district boards, the chances which the non-officials ought to have and are expected to have are greatly denied. It may be put forward on behalf of the Government, as it has been on previous occasions, that it is left to the non-official members of taluk boards, not to elect Tahsildars; but, as a matter of fact, when Government officials stand against the non-official members, the chances of non-officials succeeding against the Government officials are very few and far between.

"I now place this resolution before this Council specially for the reason that as the Government have been of late very sympathetic with regard to district boards that as the non-officials as presidents of four district boards and have thereby shown their intention to make these boards more non-official than they have hitherto been, I have chosen this opportunity for placing this matter before this Council in the hope that it will receive sympathetic attention and that such measures as the Government may think necessary will be taken to prohibit officials as far as possible from standing for election to district boards from taluk boards. With these words, I hope the Government will be pleased to accept this resolution."

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR :—"Your Excellency, I beg to second this resolution. The resolution refers to a standing grievance of the public in the matter of election to district boards. It is almost impossible for a non-official candidate to get elected when the rival happens to be an official. I do not think the Government are anxious to

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[20TH NOVEMBER 1917.] (*Mr. Annamalai Chettiyar; Mr. Narasimha Ayyar; Mr. Rajagopala Achariyar; Mr. K. R. V. Krishna Rao.*)

have as many officials as possible get into district boards. I therefore hope that the Government will be pleased to place some limit regarding the election of official members to district boards."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Your Excellency, the Honourable Mover of the resolution has been so good as to bear testimony to the policy that we have been adopting of increasing the non-official element in our local bodies, increasing their powers and so on; and he says that on that account he has been encouraged to bring forward this subject just now. I cannot help feeling that he has chosen a particularly unpropitious moment for the purpose. I shall explain how the matter stands. His proposal is that we should issue orders prohibiting Government officials from standing for election from taluk boards to district boards. Under section 11 of the Local Boards Act the members of a district board other than the ex officio members may be either wholly appointed by the Government or partly so appointed and partly appointed by election by the members of the taluk boards in the district from among their own number. So the resolution really asks us to instruct by a Government executive order the Government officials, not to do a thing which they are permitted to do under the law. Under the law the tahsildar is permitted to stand for election from the taluk board to the district board. The Honourable Member says: it is not good that the tahsildar should be so elected, so you had better tell your tahsildars not to stand for election. That is not exactly the kind of policy which, in the interests of local self-government, we should pursue. If we consider that the law is wrong in that respect, the proper course is to change the law and not by executive instruction to try and make good the deficiencies in the law. I do not say the law is deficient. I am merely mentioning that point for your consideration. The Honourable Member then refers to section 12 and says that the spirit of it is that these people should not stand for election. As a matter of fact, that point was considered and we took legal opinion and the Advocate General definitely advised us that tahsildars elected by taluk boards should be treated as non-officials for the purpose of section 12. And we have now considered the question of making a provision in the Local Boards Act Amending Bill to limit the number of all official members, whether nominated or elected, including the ex officio members, to a definite percentage and that is being done in the Bill which is now under consideration and which will in a few days be laid before a committee of officials and non-officials of which Honourable Members are no doubt aware.

"This question, as the Honourable Member has observed, is rather an old question. It came up in 1915 and the order of the Government in March 1916, passed after taking the opinion of a large number of district boards, definitely said that the subject would be considered in connexion with the amendment of the Madras Local Boards Act under contemplation. This order issued in March 1916, was placed on the Editors' Table and it shows that the Government at that time had an open mind and were prepared to consider the point in connexion with the amendment of the Local Boards Act. I ask what has taken place since March 1916 to make this matter so urgent that the Council should now commit itself to a recommendation that the Government by an executive order should prohibit Government officials from standing for election from taluk boards to district boards without waiting for the amendment of the law? I submit that the amendment of the law is nearer now than it was in March 1916. Is it wise to try and divide the Council definitely on this matter just now? There is an order of the Government explicitly telling you that the Government have an open mind. The law is coming up for amendment. If an attempt is made to divide the Council and the Government take the view that they should not agree to this proposal and oppose the resolution and your resolution goes out, on that account, the position of those who ask for this particular thing is prejudiced by the action so taken. I merely mention this as a point for the consideration of the Council whether, in a matter like this, where we say we have an open mind and we are prepared to consider the matter when the Act is being amended, and when a committee is going to consider the question—whether any useful purpose will be served by asking the Council to divide on the question. As matters now stand, I have no other alternative but to oppose the resolution on the ground that you ask the Government to do a thing by executive order which the legislature does not contemplate. I therefore oppose the resolution."

The Hon'ble Mr. K. R. V. KRISHNA RAO :—"When I first gave notice of this resolution, I was not aware that a committee was going to be appointed."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"May I say a word before the Honourable Gentleman replies. May I ask whether the Government in the amended form of the Bill are considering the prohibition of officials from standing for election? I understand from some remarks that fell from the Honourable Gentleman that the provision is to fix the proportion of persons elected and persons not elected including officials. That is all that is intended. I should be glad to be informed if the Government intend to enact this prohibition."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I am unable to help the Honourable Member and tell him what the Government's intentions are. We have not made up our minds. For myself I have not made up my mind. It is open to the non-official members of the committee to put forward any suggestions. If you fix a certain proportion for the total

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ELECTION TO DISTRICT BOARDS.

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number of officials, both ex officio and nominated, and say that it shall only be that, then you practically achieve this very object, viz., that once the number of officials works up to that percentage, after that no official can stand for election. That provision is put in tentatively, it is open to consideration by the committee. I do not think at this stage I can say on behalf of the Government how the thing will finally stand. I cannot do that."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—“ I take it that the net result of the answer is that it cannot be definitely stated that this prohibition is going to be the subject matter to be considered by the committee.”

His Excellency the PRESIDENT:—"What he has said is, it may be; therefore it is possible."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“ It is open to the non-official members to make it a subject of the report.”

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—“I understand the suggestion is this: there is a committee at which this question may be raised. Then much of the argument of the Honourable Member disappears, because there is a chance of considering a prohibition of this sort to be included in the enactment to be placed before us in a Bill.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—“The order of the Government in March 1916 has definitely committed the Government to consider the question in connexion with the amendment of the Local Boards Act. It has to be considered but I do not say how the matter will end.”

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—“With very few remarks I wish to close my observations. The argument of the Honourable Member is this: this is a matter which the Government are bound to consider and therefore why do you have this discussion and a decision? I think, on the other hand, that if the Government are going to consider it, it is better to have a discussion and a decision of this Council, to show what the views of the Council are. The fact that there is a committee which may raise the point is no reason for postponing it. It is rather a ground for having a discussion, in order that the members present here may have some further facts. I wish to place my experience to show the basis of this resolution.

"I may inform the Honourable Members here that I was present at a taluk board meeting when there was a contest between the tahsildar and a non-official who wished to stand. There was a non-official member who proposed that officials should not be given a chance, because they had plenty of chance of getting their views heard and that the non-official should be supported. I may tell you that that particular Honourable Gentleman who had the audacity to suggest that an official gentleman should not stand had several instances of the anger of the tahsildar for several years. Even two years afterwards, that anger was felt in a subsequent correspondence which is to be found in Salem Collector's office. As matters stand at present, I think it is really undesirable that tahsildars should be allowed to compete with non-officials. I really think that this prohibition has a very sound basis for it and if we take the view of this Council on the matter it will be useful. The resolution that you may pass by majority of this Council could only have the force of a recommendation and it would be a very excellent reason why even if this proposition were to be defeated by reason of the fact that the Government have not made up their mind the fact that the majority of the people's representatives have made up their mind will be of very great value. I think therefore that for this reason it is just as well to have a division on this matter."

The Hon'ble Mr. K. R. V. KRISHNA RAO:—"At the time I gave notice of this resolution I was not aware of the committee that was appointed to sit upon the amending Bill, that is going to be introduced into this Council. But whatever that may be, my object in bringing forward this resolution is that, since by section 12 of the Act, ample provision has already been made for one-fourth of the members to be either officials or experts representing any special interests, no more officials should be allowed to stand for election. If it is found necessary that a certain number of officials should be on the district board, the President of the District Board can nominate such officials, subject to the one-fourth that is allowed in that section. But these officials should not be allowed to compete with non-officials in elections from taluk boards to district boards. My object in moving this resolution at present is to bring to the notice of the Government the desirability of disallowing all public officials from competing with non-officials in elections from taluk boards to district boards. The Government Order which was just now quoted referred to a resolution which recommended that this matter might be taken up at the time of the amendment of the Act. No doubt at the time of the amendment of the Act, this matter will be considered, but my object is that a specific provision should be made that in these elections, as in the cases of elections to the Legislative Councils, officials should not be allowed to compete and stand against non-officials. If the Government are going to consider this aspect of the question with a sympathetic attitude at the time of the revision of the Act, I do not at present press this resolution; I shall gladly withdraw it."

With the permission of His Excellency the President, the resolution was withdrawn.

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20TH NOVEMBER 1917.] (Mr. K. R. V. Krishna Rao; Mr. Annamalai Chettiyar; Sir Alexander Cardew.)

RESOLUTION *RE* CONTROL OF PROPRIETORS OVER VILLAGE OFFICERS.

THE HON'BLE MR. K. R. V. KRISHNA RAO :—“ The resolution that stands in my name is as follows :—

XIII. This Council recommends to His Excellency the Governor in Council that the Madras Proprietary Village Service Act and the rules thereunder be so amended as to give larger powers to the proprietors and zamindars so that they may have greater control over the village officers.

"My Lord, this is also a resolution which refers to an old grievance. This matter was first brought before the notice of the Council in 1911, and then some sympathetic treatment was promised; and it was admitted on behalf of the Government that some rules framed under the sections of the Act were no doubt very stringent and that they needed revision. The same matter was brought to the notice of this Council in 1914. At that time, certain proposals were made by the Zamindar of Doddappanayakkanur. Upon that a Government order was issued and one section was appended and rule 10 was altered to a certain extent; but the control which the zamindars and proprietors desired to have over the village officers for the efficient discharge of their duties and the business entrusted to them by the zamindars is not being secured by the few amendments that were made then. I am now obliged to bring this resolution before this Council because a number of zamindars have for some time been writing to me and complaining that their powers with regard to the controlling of the work of these village officers are being greatly interfered with and that they are losing all control over them. Under the Act, zamindars have the power to appoint these village officers, but the power of appointment that is given by the Act is being treated as only one of nomination. There are instances, my Lord, to support my contention and I have got one in my possession. It appears in the case of a village officer appertaining to the Dharakota zamindari in the Ganjam district, the Divisional Officer has interfered and has almost made it impossible for the zamindar to exercise any control over him. I respectfully submit that in view of the importance of the village officers and the great work which these people have to do for the zamindar, some sort of effective control may be given to the zamindar over these village officers. These people have to do a lot of work and keep important accounts for the proprietors and zamindars; they have to compile certain statistical accounts and returns to the Government, but these people being servants more responsible for keeping the revenue accounts of the zamindars' estate, the zamindars should be made to have greater control over them. At present these people are doing the work both of the Government and the zamindar, being responsible to neither. I want that this double control should not be continued any longer and that commensurate with the importance of the accounts which these village servants have to keep for the zamindars, larger control may be allowed to the zamindars over these officers.

“ In 1914, my Lord, the argument was advanced on behalf of the Government that since the village service cess was abolished and since the zamindars have been exempted from payment of the village service cess, they have no right to ask for any control over these officers. I submit that the village service cess was not remitted on account of any special favour to the zamindars, but in pursuance of the policy of the Government of India enunciated in 1905, by which all minor cesses in all Presidencies throughout India as well as in the ryotwari tracts were remitted and it was long after the village service cess was remitted in the ryotwari area, that it was remitted in zamindari and proprietary portions of this Presidency. So the argument that the zamindars are not paying the village service cess is not a sufficient reason why they should not be allowed to have effective control over these village officers. My Lord, the importance of the work which these village officers have to do for the zamindars will have to be taken into consideration and in order that the zamindars may be in a position to exact work that the village officers have to do for them they must have a certain amount of control. What I submit is that some means may be found and the rules amended suitably so as to allow more effective control to zamindars. I am not at present in a position to make suggestions though certain suggestions were made by the Zamindar of Doddappanayakkannur in 1914. I leave that entirely to the Government; I hope some means may be found so that zamindars may have more effective and better control over these officers in doing the work for them. With these words I recommend this resolution for adoption.”

The Hon'ble Rao Bahadur S. R. M. Annamalai Chettiyar seconded the resolution.

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, I have been following the Honourable Member in his speech hoping that, before he sat down, he would define what he means by proper control and make some definite suggestions in what direction he wants control. But when he came towards the end of his speech, he said he was not in a position to give definite suggestions about it. That being so, it is impossible to see what sort of control the Honourable Member really requires and in what directions he wants the rules to be amended. The Honourable Member argued that because the remission of the proprietary village service cess was in pursuance of the general policy of the Government of India, therefore that remission furnished no reason why the powers of zamindars over the village service should not be

RESOLUTIONS *RE* CONTROL OF PROPRIETORS OVER VILLAGE OFFICERS AND COMMITTEE TO REPORT ON THE RECENT INCIDENTS IN THE PALGHAT COLLEGE.

(*Sir Alexander Cardew ; Mr. K. R. V. Krishna Rao ; [20th November 1917. the President ; Mr. Stone.]*)

increased. But I believe that if the village servants in zamindaris are entirely paid by the Government, the fact that they are so paid furnishes a strong reason why the Government should maintain control over them. However that is a matter which to my mind is of academic interest.

"The fact is that in 1915 the Government wishing to meet the wishes of the zamindars did introduce an amendment to rule 10 which, apparently, so far as that is concerned, may be said to be satisfactory to the Honourable Member. It dealt with leave. Until the Honourable Member defines what else he wants, it is impossible for the Government to accept the resolution or to know in what directions further powers of control are necessary. I would add this: that amendments to Act II of 1894 are at this minute under the consideration of the Government. A Bill has been actually prepared and is nearly ready; and in connexion with that Bill, although it does not pretend to give extra powers to zamindars, still in connexion with that Bill, it would be open to the Honourable Member to make up his mind as to what powers of control he wants and to move amendments in the Act for that purpose. I would suggest to him that as that Bill will be published very shortly and brought before this Council, at the most within a year hence, or possibly sooner, let him wait till the Bill is before this Council and then take up any particular points. The Bill is going to deal with a number of important points as regards village officers, but does not touch upon this question. But it is open to the Honourable Member to raise these points. If, before then, he has any definite suggestions to make he has only to send them to me or the Revenue Secretary and we will consult the District officers and the Revenue Board as to whether they are acceptable. In any case, I cannot recommend to the Council to accept this resolution. It does not say what it means and we do not know where it carries us to."

The Hon'ble Mr. K. R. V. KRISHNA RAO :—"My Lord, no doubt, it is true that my resolution is vague. I have purposely made it vague, because certain suggestions have been made by certain individual zamindars and also associations. The Ganjam Landholders' Association, I understand, have sent a resolution and I believe individual zamindars in the various districts are better able to make suggestions for particular cases in their experience, as regards the particular control they require over these village officers. But I suggest that the zamindars, when the amending Bill is taken in hand, must be given powers to suspend these village officers and to fine them subject to appeal. I may give one instance which has been prominently brought to my notice and which I was authorized to refer to at this meeting by the Ganjam Landholders' Association. One village officer who was summoned by a zamindar in the Ganjam district refused to attend and refused to send accounts which he had to send as a duty and he tendered his resignation, and when that resignation was accepted by the zamindar, a substitute officer reinstated him. Such difficulties are occurring in many places; and to avoid all these troubles and in order that the zamindars may not be placed in a false position so as not to be able to exercise any control over these village officers, I suggest that certain methods may be found, when the amending Act is taken into consideration, to give effective powers of control to the zamindars. I only hope that the matter of giving effective control to the zamindars will be sympathetically considered, when the amending Act is taken up. With these words, I beg to withdraw the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION *RE* COMMITTEE TO REPORT ON THE RECENT INCIDENTS IN THE PALGHAT COLLEGE.

The next resolution on the agenda which stood in the name of the Hon'ble Mr. K. Rama Ayyangar was as follows :—

XIV. This Council recommends to the Governor in Council that a mixed committee of officials and non-officials be appointed to inquire into and report on the recent incidents in the Palghat College, that meanwhile the Principal be requested to admit the students into the classes without prejudice to the results of the inquiry.

His Excellency the PRESIDENT :—"I understand the Hon'ble Mr. Stone wants to make a statement with regard to this resolution."

The Hon'ble Mr. J. H. STONE :—"Your Excellency, I think the Honourable Mover of the resolution would like to know what has happened with regard to the Palghat College. The Syndicate of the University has inquired into the circumstances of this unfortunate strike, as it is commonly called, and it has imposed a severe punishment on three students who were originally expelled by the Principal and have been permanently expelled. Then there was a large number of students whose fault was that they went on strike, against whom nothing else was charged so far as I am aware. Ninety to 100 of these students have been debarred from University examinations for one year. But, as Honourable Members who may happen to have seen Mr. Dewsbury's letter to the press will know, if they will only behave themselves as students usually do, attending the college and peacefully and quietly attending the classes and

RESOLUTIONS *RE* COMMITTEE TO REPORT ON THE RECENT INCIDENTS IN THE PALGHAT COLLEGE AND POSTPONEMENT OF THE RE-SETTLEMENT OF THE PERIYAR AREA.

20th November 1917.]

(*Mr. Stone ; Mr. Rama Ayyangar.*)

if the Principal is able to tell the Syndicate that they have done so the Syndicate will be ready to reconsider the punishment awarded to those students. Assuming that they continue to behave sensibly the great mass of the students who went on strike are going to receive a slight punishment in the shape of a trifling fine which is levied under the designation of admission or readmission fee. That I think is an important point, because the resolution deals with this matter and requests the Principal to readmit the students. The Principal has already done that, and I may remark that they were finally allowed to come back to the college without even an apology. Again there were eight other students whom the Principal says he would not like to have any longer in his college; he does not say that they ought to be in no other college but says he cannot have them in his college. The Syndicate not having been furnished with the grounds on which the Principal says he could not have them in his college have asked him to say why he considered it necessary that these students should be differently treated from other students and we are awaiting his reply, before we consider the case of these eight students. That is the actual state of things with regard to the Palghat College at present. I do not know whether I am in order, but I should like to say that I really do not know whether any good end will be served by a public discussion, at this stage at any rate, of the state of things in Palghat."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Your Excellency, I am very thankful to the Hon'ble Mr. Stone for having made a statement before I could move the resolution. But I have taken his permission to make an appeal to the Council and to the Government. The real point of importance is that a strike of this kind is a new feature in this Presidency and it happens for the first time, and the boys have not had any previous notice as to what their line of action should be in regard to the procession. The subsequent proceedings are better known to the Syndicate and the Honourable the Director of Public Instruction than to myself and I do not want to discuss them. All that I want to do is to make a strong appeal to the Government that the Government and the Syndicate may take a lenient view not only of the case of eight students but also of the three boys who have been for the present expelled completely and debarred from appearing for any University examination. The greatest point I make is, it ought not to appear that during a regime which is so full of sympathy with educational progress that three students were completely debarred for an action which cannot be said to have been taken to be a direct violation of any order promulgated or with any particular intention at the time the act was committed by the boys concerned. The real fact seems to be that there were similar processions in the previous months and it may be that the Principal had no knowledge of these boys going in large numbers or it may be otherwise, but apparently there was no previous warning. I do not want to defend their subsequent conduct, but I hope, even in the case of the three, a lenient view will be taken of the conduct of these students and they may be punished to the extent the Government think they deserve. With these words I do not want to move this resolution."

The resolution was not moved.

RESOLUTION *RE* POSTPONEMENT OF THE RE-SETTLEMENT OF THE PERIYAR AREA.

The Hon'ble Mr. K. RAMA AYYANGAR :—"I have the honour to move the next resolution which runs thus :—

XV. This Council recommends to the Governor in Council that orders might be issued postponing the re-settlement in the Periyar area of dry and wet waste lands which have been sold by Government in auction after the advent of Periyar.

"My Lord, I have confined this resolution to a very small portion of the area affected by the present scheme report which has been submitted regarding the irrigation of the Periyar area. The area that I want ought not to be settled now is the area which was actually sold first as double crop area and a part of which was subsequently excluded from that area, though orders have not been issued to reduce the rates of assessment which originally was taken to be compounded have not been issued to reduce the rates of assessment which originally was taken to be compounded. What I double crop assessment except in cases where they have applied for such assessment. What I want to say now is in respect of those lands which have been sold practically about six or seven years after the advent of the Periyar—this may take us to 1904 or 1905—after reclaiming them at a considerable cost, which is a further investment of capital expenditure on these lands—the act of reclamation has itself continued over a number of years in most lands for the first few years it will not be possible to raise any seedling or crop because it has withered. I can well urge that even to-day the nature of some of the soils has been such that they have been found unfit for any proper crop being raised on them. The total extent of this area may be from 15,000 to 20,000 acres as far as I have calculated and I believe more than 50 per cent of this area cannot be said to have come to any settled state in the soil. The whole extent is saline soil and requires one hundred or two hundred cart-loads of manure per acre. The landowner and he raises the crop the first begins to reclaim the land and makes it fit for cultivation. He raises the crop the first year; when there is spread one inch of manure over the ground, it is just likely it yields something in the year and he raises a crop. But in the course of the second year, when he begins to plough up the upper layer, the whole thing becomes saline and no crop is

(Mr. Rama Ayyangar ; Mr. Subbarayalu Reddiyar ; [20TH NOVEMBER 1917.
Sir Alexander Cardew.]

yielded; he has to cart fresh manure for another upper layer and after some time this goes away. It has been found that any settled income could not be derived from these lands. In the case of gravelly lands, the same has been the position. Any amount of water has been absorbed in no time and wet crops do not grow unless there is a large quantity of water standing for a sufficient length of time. Unless there is sufficiently strong deposit which has interspersed into the soil, it does not allow water to remain; similarly, that has been the case with other soils too. I have had a discussion with the settlement officer also, and as far as I was able to see—I do not think he was bound to make a statement which showed any perfect agreement with me—he admitted that the point that I urged was really valuable and he noticed that in the case of some lands it was so. But I do not want to depend upon it; I went to some of these lands and inspected them and found that in the case of some of these lands, especially the lands belonging to the late Mr. Sashadri Ayyangar who let it on a long lease, the lands were yielding very poorly in spite of fourteen or fifteen years of work at improving them. It may be that in particular cases more than three hundred or four hundred rupees was spent by the ryot who is the owner of the land, and who owes the house near, and was able to procure a large amount of manure and other kinds of deposit to the extent of four or five inches depth. In those cases, it will be seen that the extra investment was the reason for the improvement of the soil. In these circumstances, what I say is that it is only fair that when the lands were sold between 1901 and 1905 and it took time till 1915 to bring them under proper cultivation, these lands ought not to be charged with new rates in the new settlement, because they were waste till they were sold and they paid irrigation charge. In the case of dry lands the dry assessment plus the water-rate is charged; in the case of wet lands, the wet assessment plus the water-rate is charged. The point I want to urge is that the Government have more or less to treat these as lands brought under cultivation for the first time between 1910 and 1915 and thirty years may be allowed for the first settlement from that date. In the scheme report, the settlement officer says that he will reclassify the soils and that in the case of the poor soils which have yielded poorly, he will reduce the rates. What I am trying to refer to is dry waste and wet waste. The charges originally made on them were very poor charges only. The reclassification might reduce it from ten rupees to eight or seven rupees, but the original charge was very poor, dry rate plus water-rate. Any amount of reclassification will not warrant the addition of revenues in the shape of re-settlement charges. That is what I have been contending for so far as these lands are concerned. In the case of these lands, the reclassification might go on, but the re-settlement will be properly introduced after the usual period allowed for re-settlement in areas which have been first brought under cultivation.

“One argument that has been advanced in the scheme report is that people who purchased these lands must be taken to have purchased them subject to the re-settlement. But the re-settlement rules are there and the question is whether when they purchased these lands the re-settlement of the lands within ten or fifteen years of their purchase was contemplated. The Re-settlement Manual does not contemplate that. For certain districts where the settlement is in force, there is no re-settlement for thirty years for lands which are in the interim assigned on darkhast. The same rules might apply, because, when assigned on darkhast, it may be taken that any improvement that the man makes by which he profits may also be charged; but when lands are sold in public auction and money is made out of such sales, when a double rate was fixed first which was subsequently modified into a single rate, because the Periyar was not supplying as much water as it was expected, in fact the supply was confined to the first nine branch channels, the rest of the area was declared single-crop area, though the lands there were sold as double-crop area—but that is a separate matter which does not arise now. But when these lands were sold and purchased by the owners and considerable sums were spent upon their reclamation and when it is practically conceded—I do not think it will be denied—by the settlement officer that these lands do not begin to yield immediately after cultivating them because reclassification of the soil is made now, it is only proper that the re-settlement rate should not be introduced now and may be put off till, say, a period of thirty years from 1915 as I contend, or an earlier date if the Government think that these lands on an average have been made cultivable. That is a point on which opinions may differ; from 1915 or 1910 the re-settlement will be due only in 1940 or 1945. I think there is a case made out for the favourable consideration of the Government and any other view taken of it will as a matter of fact be a view to make as much money as any rules will permit. I should think the Government would be pleased to accept this resolution and put off the re-settlement.”

The Hon'ble Diwan Bahadur A. Subbarayalu Reddiyar seconded the resolution.

The Hon'ble Sir ALEXANDER CARDEW:—“Your Excellency, I am afraid the Honourable Member can hardly expect to convince the Government on this point. He has not really attempted to show any real reason why the lands which have been sold in public auction as these lands were should be treated more favourably, although they have immense advantages of irrigation, than lands taken up every day throughout the Presidency under darkhast or other rules. As regards lands taken under darkhast rules, they are often poor and dry lands and are exposed to the risk of re-settlement the very next year supposing it is due then. If the principle were once accepted that no re-settlement can be brought into effect except after a period of thirty years after the land is brought under cultivation, we shall have the result that lands all over the Presidency would be excluded from the first re-settlement and the re-settlement will be brought

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into effect only at the next re-settlement. That is a proposition that I have never heard advanced before. The only difference between these lands under the Periyar and the lands ordinarily taken on darkhast is the fact that the former were sold in auction. Your Excellency, in the first place, the auction purchaser had notice in the auction sale notice that the lands were liable to revision at re-settlement. The date of the re-settlement was obvious from the knowledge when the settlement of the district fell due. Every purchaser must have known that the settlement of the district fell due in 1917.”

The Hon'ble Mr. K. RAMA AYYANGAR (interrupting):—“May I know if there was a phrase like that—‘the re-settlement of the district?’”

The Hon'ble Sir ALEXANDER CARDEW (continuing):—“Yes, certainly. Everybody in the district knew or must have heard of it—that if there is a change or rise in prices, there will be a re-settlement at the end of thirty years. When a person went and bought that land with notice that this land is sold subject to the liability of revision at the end of the settlement, he knew by mere process of arithmetic how many years he had before the next settlement. I presume that these lands are bought not for sentimental reasons but as an investment and that the purchasers gave the prices with reference to that knowledge. They did not go and bid as much in 1910 as they would have had to bid ten years earlier, because in 1898 they would have had over twenty years before the re-settlement. They would have exercised ordinary business precautions and would have allowed for this revision when they gave the prices. The position of the auction purchaser is thus not easily to be distinguished from that of a man who takes up land ordinarily under the darkhast rules. The latter also knows the liability to re-settlement. If it is not worth his while to take it up, he does not take it up. Similarly in this case, a man would not go and buy the land in auction if he thinks it is not worth his while to do so.

“There is another point to which the Honourable Member alluded. A settlement officer has the power under his settlement investigation to revise hard cases in the course of the settlement. He has the power of re-classifying soils. If he finds lands which have proved to be very rocky or stony and unsuitable for cultivation, that will be a very fit case for re-classification. It is said that not only has the man paid dry rate but he has also paid water-rate. It will be within the power of the settlement officer to compound the assessment at a lower rate than the dry rate and water-rate combined. The re-settlement gives an opportunity of dealing with anomalies of this sort. In that way, it is beneficial to those who have been unfortunate in their purchase. In the case of those who have been fortunate, I am afraid I cannot see any reason why the ordinary rules should not be applied to them. It is true that a great proportion of the purchasers have made a good lot out of the purchase. The lands sold under the Periyar irrigation have proved a fairly satisfactory investment. A constant supply of water is a very valuable factor and it ensures year after year either one or two crops according to the manner in which the land is classed and water is supplied. If any one does not wish to hold a land, he has only to relinquish it. Considering that the Periyar scheme was introduced so long ago as 1897, more than twenty years ago, it seems to be fairly evident to those who are cognizant of agricultural matters that the nature of the soil has been by this time pretty well ascertained and it is not premature to reclassify the soils in the light of the experience gained. For all these reasons it is impossible for the Government to accept this resolution.”

The Hon'ble Mr. K. RAMA AYYANGAR:—“My Lord, I thought this was a simple resolution which might not meet with opposition at all. But the Hon'ble Sir Alexander Cardew has not seen that the average increase of the rate of taxation under the revised scheme is about 34 per cent. I do not know if in the notice of sale of the waste lands it was said they were liable to re-settlement when it fell due for the district. I doubt it very much. I think it was not so. If it was, even then, the conditions I have placed before the Government will enable them to exercise their discretion to postpone it for the period when these lands might have become settled into particular classes. What I urged was that the taram which was given to them before the sales may be continued till the subsequent settlement and the rate of taxation may be classed on that taram. If there is a re-classification of the soil, the re-classification and the consequent extra rate or lower rate may be given effect to later. That is my position. I do not want there should be a reduction in the taram, but the effect to be given to the extra taxation may be given once for all at that time whether it is a reduction or an extra amount that is to be levied as the detailed working might show. That was the position which was quite reasonable. I submit that in any view of the case it will not be proper to drive these persons to take legal remedies even if they have any. I do not think it will be necessary to allow any such position; but a fair exercise of discretion in this matter will avoid any claims being set up while at the same time it will assure the conditions of the re-settlement when made later. I do not want to place that view of it before the Government but, however, it will not matter much, if in the case of these 20,000 or 25,000 acres this concession is shown till the soils settle down clearly; and the whole matter may be considered once for all.”

The resolution was put to the Council and lost.

The Council then adjourned to 11 a.m. on Wednesday, the 21st November 1917.

R. A. GRAHAM,

Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Wednesday, the 21st day of November 1917.

PRESENT:

His Excellency the Right Hon'ble JOHN, *Baron PENTLAND* of Lyth, P.C., G.C.I.E., Governor of Madras—*Presiding*.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O.

The Hon'ble Mr. L. E. BUCKLEY.

The Hon'ble Mr. A. BUTTERWORTH, C.S.I.

The Hon'ble Sir ROBERT CLEGG, K.C.I.E.

The Hon'ble Mr. M. E. COUCHMAN.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. A. B. KNAPP.

The Hon'ble Mr. S. B. MURRAY.

The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.

The Hon'ble Mr. S. Srinivasa AYYANGAR (*Advocate-General*).

The Hon'ble Mr. J. H. STONE, C.I.E.

The Hon'ble Mr. C. G. TODHUNTER.

The Hon'ble Mr. T. RANGA ACHARIYAR.

The Hon'ble the Rev. G. PITTENORIGH.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU Garu.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

The Hon'ble Mr. P. SIVA RAO.

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.

The Hon'ble Mr. B. V. NARASIMHA AYYAR.

The Hon'ble Mr. K. SADASIYA BHAT.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.

The Hon'ble Mr. K. RAMA AYYANGAR.

The Hon'ble Mr. K. B. V. KRISHNA RAO PANTULU.

The Hon'ble B. RAJA RAJESWARA SETUPATI *alias* MUTTUSWAMALINGA SETUPATI Avargal, Raja of Ramnad.

The Hon'ble Mr. B. VENKATAPATI RAJU.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.

The Hon'ble Mr. K. KUMARAN RAMAN KAVALAPPARA MUPPI NAYAR.

The Hon'ble YAQUB HASAN SAHIB Bahadur.

The Hon'ble Mr. GORDON FRASER.

The Hon'ble Mr. C. H. HIGGINBOTHAM.

The Hon'ble Mr. E. F. BARBER.

The Hon'ble Sir GHULAM MUHAMMAD ALI SAHIB Bahadur, Khan Bahadur, G.C.I.E., Amir-i-Arcot or Prince of Arcot.

The Hon'ble the Most Rev. JOHN ARLEN, D.D.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.

The Hon'ble Mr. T. RICHMOND.

The Hon'ble Sir FRANCIS SPRING, K.C.I.E.

The Hon'ble Rao Bahadur K. R. SURYANARAYANAPURTI NAYUDU Garu.

The Hon'ble Sri SOBHA CHANDRA SINGH DEO, Zamindar of Sermagada.

109 RESOLUTION *RE* PROVISION OF PROCESS-SERVICE AND COPYIST
ESTABLISHMENT TO EACH CIVIL COURT IN THE MUFASSAL.

(Mr. Rama Ayyangar.) [21ST NOVEMBER 1917.]

The Council met at 11 a.m. when the discussion on resolutions was resumed.

RESOLUTION *RE* PROVISION OF PROCESS-SERVICE AND COPYIST
ESTABLISHMENT TO EACH CIVIL COURT IN THE MUFASSAL.

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, the resolution which I have the honour to move runs as follows:—

'XVI. This Council recommends to the Governor in Council that process-service and copyist establishment be provided for each of the mufassal civil courts and that the central nazarat and the central copyist establishments be avoided as far as possible.'

"My Lord, I should not fail to refer to a previous resolution on the same subject, notice of which was given by me to be moved in the May meeting of 1915. I was not able to be present and the Hon'ble Mr. Narasimha Ayyar moved the resolution for me in my absence with your Excellency's permission. I have gone through the discussions of the Council and at present I thought it necessary to place my views again before this Council and the Government so that action may be taken on the line indicated. During the discussions in 1915, it was brought out clearly, and that was not controverted, that it was essential for the greater efficiency of these departments that they should be divided and entrusted to individual officers presiding over courts. The one point that was made was that it might cost an extra one lakh and fifty thousand rupees. Another point that was suggested was that the High Court had not recommended or were against the proposal. A third point that was also considered during the discussion was that actually the central nazarats should be less costly than the nazarat attached to each court. These were the main points that were considered and I do not propose to detain that during that discussion there were many misapprehensions. I will be able to place before husbanding of the money set apart for this purpose will clearly show that on the one hand while it will secure efficiency, on the other we will not be incurring any large expenditure, extra, nothing like one lakh and fifty thousand rupees, or anything of that kind.

"To understand that position properly, we must first know that even in the case of these central nazarats, where processes have to be executed by courts outside the limits of the town in which the central nazarat is situated, the processes are sent to the jurisdiction of the munsifs who actually get them executed and send them back by post. That is the first point we have to know. There again a little consideration will show that in places where these central nazarats are situate, there are one or two munsifs' courts and in many places sub-courts also are located. In respect of the district court and the sub-court, processes have to be sent not only in the jurisdiction of the munsif who sits there along with the district judge and the sub-munsif in the place. In those cases though there is the central nazarat with a lot of establishment the processes relating to courts other than the munsif's court of that place actually go to mufassal courts. I will take one example only. In the town of Madura we have got four munsifs' courts, two sub-courts, one temporary and one permanent, and one district court. We have got an establishment of nearly 168 process-servers including the temporary establishment and all. All the same, in the case of processes to be executed in the jurisdiction of the munsif of Periyakulam, Tirumangalam, Dindigul all the processes of the sub-court and of the district court and even of the munsif's court are sent over to these munsifs for execution there: so that the normal work of the establishment of the central nazarat is only the work of the munsif's court in that place, and that of the temporary munsif in that place and also the sub-court. As I said, when the sub-court has jurisdiction outside, it is sent to the munsifs. Then the question arises what is the real work that is done by this central nazarat. We find in Madura, we have a Melur munsif and a temporary munsif attached to that court, we have a district judge and a permanent sub-judge and a permanent munsif attached to that court, we have a district judge has got some processes to be sent out in respect of appeals and other processes connected with the appeals from the munsifs in the town. But in the case of all other processes in respect of proceedings of other munsifs and also in the case of the sub-court, processes relating to suits in the jurisdictions outside the particular munsif's court of Madura, are now served by the nazarat establishment of the mufassal courts. Then analysing this process we find that the processes executed by the central nazarat are much less than the processes executed by any nazarat in the mufassal. I have worked out the figures from the latest Administration Report of Civil Administration; paragraph 24 gives an average for all the mufassal courts and the district courts central nazarat and the other nazarats; while actually the processes for 188 and 455 on the whole. That will clearly indicate that there is actually not so much work turned out by the central nazarat and that ought to be so I submit. As I said the central nazarat cannot actually do the work except where emergent processes are asked to be taken

RESOLUTION *RE* PROVISION OF PROCESS-SERVICE AND COPYIST
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directly through the central nazarat in jurisdictions outside Madura. That is so, the number of processes must necessarily be less, the rest is all done by the deputy nazarats corresponding to the nazarats in the mufassal. That being so, it is clear, this question of retaining the central nazarats cannot be of considerable advantage either in the matter of the execution of processes themselves or in the matter of expediting the work of the judges concerned. The question of the judges not being able to execute the processes as well as when the process-servers are directly under the judges' court—that has been put forward as I said already completely and I do not propose to press it. It is most natural that when a number of judges have to send their processes to another court and that court has to distribute these processes it must be necessarily not possible to regulate the work as well as the particular court can do, which requires the process to be served. This has to be done by another hand. An order of court to immediately serve the process within five days of the postponement of the hearing of a case will be executed immediately by a special peon, but this cannot be done unless it begins to write to the central nazarat, in which case he may have a number of emergent applications which cannot be executed except in a certain order. All these points have been discussed, but what I do want to urge is that there is really no benefit in this central nazarat because it is only for the Madura district munsif's jurisdiction—I take that particular instance only to note the line of argument—all these process-servers will take the process. In the case of the mufassal they are sent by post so that this extra establishment cannot really do more work than what is required to be done by the establishment attached to the Madura munsif's court if it is so attached. But what do we find as a fact? Taking the average for the Presidency for all the existing nazarats other than central in the case of munsifs, eleven amins and forty-one process-servers are seen to exist. But in the case of the central nazarat we find it works to an average of 26 amins and 82 peons. After all, these 26 amins and 82 peons work only for regular work within the jurisdiction of the munsif in that central place. At best, if there were two munsifs' courts in that place you would be having 26 amins and 82 peons only. That is what we have now. There is really no benefit at all by the central nazarat system. I will work out the figures and give the details also. There would be practically no extra cost. Besides there being no extra cost needed there is really not as much work done by the central nazarat as by the nazarats in the mufassal. Taking the figures generally, I find that in all you have got about 224 courts inclusive of the 20 temporary subordinate judges' courts and the 29 temporary munsifs' courts. I take all these 224 courts as permanent courts for which there will have to be attached to each a deputy nazar, a few amins and a few peons. I have worked it out on that basis. What we now find is that in the case of district courts there are 19 central nazarats provided and that is seen in the Civil Budget Estimate of 1917 at page 84. We find provision made for deputy nazars, nazars, amins, and process-servers and that gives an establishment of process-servers in all these courts. What we now find is, as I have already shown, that in the case of the central nazarats there are 26 amins and 82 peons on an average and in the case of sub-courts there are 15 amins and 55 peons and in the case of munsif's courts 11 amins and 41 peons on an average now working throughout the Presidency. What I now propose is that for all these, temporary courts also inclusive, you may give on an average for the district court, just as is provided now in Ramnad, 5 amins and 15 peons, if there is no munsif court attached to it. The Ramnad district is peculiarly situated in Madura. There, all the processes will have to go to mufassal stations and it was found that an establishment of 5 amins and 15 process-servers did not have sufficient work for that court; but when two temporary sub-courts were attached—and they exist now, the Ramnad permanent and temporary courts—what is now given is 15 amins and 55 peons inclusive of the temporary establishment. That comes to this: that 5 amins and 15 peons are needed if they have to execute the emergent processes only of the district court. That is the average in the Ramnad district, and it is one of the heaviest courts so far as the money earning business is concerned. Similarly for every other district court this establishment of 5 amins and 15 peons will be necessary if all their processes are executed through the munsif including the munsif of the locality. Five amins and 15 peons attached to the district court will be for any special processes that will be sent and it is on that basis that Ramnad has been provided. For the sub-court, another additional establishment is provided and that will give 22 central nazarats for the district courts. In the case of the 20 temporary sub-judges and 19 permanent sub-judges, which will together make up 39 sub-judges, what I find already provided for sub-courts is 15 amins and 55 peons. That is what has been provided at present as worked out at page 84 of the Civil Budget Estimate. But there the previous allotment is given, but recently there have been some small cause courts established in some centres and where the sub-judges had Rs. 500 jurisdiction for small causes from Rs. 50 before the mufassal courts have been transferred jurisdiction up to Rs. 100 so that the processes that will have to be executed by the central nazarats of these sub-courts will not require 15 amins and 55 peons. There has been considerable reduction in the jurisdiction on the small cause file of the sub-courts and the work is concentrated on the small cause courts where they are provided and it has been distributed to the munsifs who have been given the jurisdiction up to Rs. 200 instead of Rs. 50 and therefore the provision of 15 amins and 55 peons will not be necessary for these 39 sub-courts. They will stand in the same position as the district courts because their processes relating to the munsifs will be sent to the munsifs who have to execute them and they may require for their special processes for suits between 200 and 500 and for any emergent processes to be sent by them a special establishment. For district courts I showed that 5 amins and 15 peons was the average that was given when it has no other work. In the case of the sub-courts the highest that may be

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allowed is, for their small cause and special processes 10 amins and about 25 to 30 peons. But what is provided is 15 amins and 55 peons for the sub-court and in the case of the munsifs it is 11 amins and 41 peons now. There is establishment only for 97 courts, but I have provided not only for 134 courts in the Province which are permanent, but also for the 29 temporary munsifs' court available, so that I take them at 153 courts and I have given all, the 11 amins and 41 peons for all these courts. Then I have worked out the whole thing. I have not taken the lower figure for the sub-courts but I have taken the higher figure. As I said, it ought to be only 5 amins and 15 peons or at best 10 amins and 25 peons; but for the purpose of my calculation I have taken 15 amins and 55 peons as it now stands. There must be a reduction, but it does not matter. I have calculated on the higher basis. I find that the 22 district courts require 110 amins and 330 peons, the 39 sub-courts would require 390 amins and 1,560 peons and the 163 munsifs' courts would require 1,630 amins and 6,520 peons; that comes on the whole to 2,130 amins and 8,500 process-servers. But those that are now available come to 1,700 amins and 6,200 process-servers, and there is an extra provision made which has been expended for the last two years of Rs. 30,000 for temporary establishment which gives us about 3,000 process-servers and amins more, so that while we want about 10,000 hands we have provision already made in the current expenditure for 11,000 hands. This is by providing more than what they require after the recent changes with regard to the sub-courts in respect of their jurisdiction on the small cause side. Therefore, it is clear that the expenditure now incurred is itself more than is necessary for constituting each court as the court to serve its processes. Not only that, but there is one other point of gain also that I may bring to the notice of Government. We find now there are 11 nazars drawing Rs. 70, 2 nazars drawing Rs. 50, 9 nazars drawing Rs. 50, 4 nazars drawing Rs. 40 and 1 nazar drawing Rs. 35, and about 100 nazars drawing Rs. 25. When we give 5 amins and 15 peons there will be no even if a gradation is sought to be introduced it might be from Rs. 25 to Rs. 35 the average being Rs. 30, and the nazarat establishment will therefore gain up to a cost of Rs. 8,000 to Rs. 10,000 in the reduction of the establishment that will accrue, because the central nazars who are paid Rs. 70, Rs. 60 and Rs. 50 will not have to be paid so much when the new system comes into force. Therefore, I submit, my Lord, that there is a clear case for asking that the matter may be looked into and that the inconvenience to which litigants and parties are put and witnesses are put should all vanish when this arrangement is made. Whereas there may not be so much attention paid when a sub-court wants to complain against the process-server of the superior court when the superior court sends its processes to the subordinate court emergent attention is paid to it. There is no complaint on that score. Those processes are served and they are bound to be executed properly. With these words, I recommend the first portion of the resolution.

"For the central copyist establishment, it does not require very much of argument as in the case of the central nazarat system. It is plain that if a judge has to get through a case as he likes, and the parties are to be furnished with copies the best that could be done by him is to immediately ask in the case or cases that are ready for trial that the copyist examiner should see that the copies are made ready and given immediately. The whole thing is got ready for the disposal of the case. The recent Administration Report clearly shows that there has been an increase in the inordinate delay in the pendency of suits and not a little might be attributed to the delay in the grant of copies and service of processes. In the case of the copyist establishment what we find is, on an average six copyists and one examiner. If we now give that rate to all these, we find that superintendents will not be necessary and every court will be granting copies as early as possible and that does not mean really any extra cost, but as I said there will be in a way a saving of expenditure of the 50 rupees staff and the 40 rupees staff of superintendents. In fact, the copyist establishment is paid Rs. 10 and they are paid also extra for the quantity of work done and it is found that enough number of copyists are employed to see that the work is promptly executed for all the courts. That being so, the distribution of the copyists to the several courts would not require any extra establishment. It must, on the other hand, cause a retrenchment in the expenditure by dispensing with the over-paid superintendents. I have worked that out too, and I don't think I need trouble you with figures. But it is clear with the extra provision for 225 courts that we have in all, I give deputy superintendents ranging between Rs. 20 and Rs. 35 in pay, the cost of that comes to about Rs. 80,640; each court may have one examiner and one reader that gives Rs. 35 and for the 224 courts it comes to Rs. 93,000 and six copyists on an average for the 224 courts on Rs. 10 would come to Rs. 30,000 and the total comes to Rs. 2,03,000. But the actual cost now incurred is Rs. 2,74,000 as appears at page 85 of the Civil Budget Estimate, inclusive of the remuneration for additional copyists. Therefore, even in that view there is no reason for any extra charges. On the other hand, there will be a great satisfaction given both to the litigant public and to the subordinate courts which are specially inconvenienced now by being placed under the central nazarat system. I see in the previous discussion there were things said—"

His Excellency the President:—"If the Honourable Gentleman is going to make any reference to that I may draw his attention to the fact that he has already exhausted his time."

The Hon'ble Mr. K. RAMA AYYANGAR:—"All that I have said is irrelevant to this discussion, because I put it as a business resolution, business both for the litigant public who are put to the necessity of spending more money and to the Government."

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The Hon'ble Mr. T. RANGA ACHARIYAR:—"With your Excellency's permission, I beg to second this motion. The ground on which the maintenance of the existing state of things can be justified is either economy or efficiency. If efficiency cannot be secured properly by the present arrangement continuing, I think we should not pay much regard to economy unless the financial burden is very large. I have heard complaints from various judicial officers that the present existing system is altogether unsatisfactory. They have complained that their processes are not being properly executed and that they have very little control over this establishment which is controlled by central nazars and the person who is at the head of all the process-servers and the peons is a person who is not a highly-paid officer, who will not be able to have that control and check over process-servers and peons which the district munsif or the sub-judge can exercise. Such efficient control is wanting."

"In the second place, processes are not speedily served. Speedy service is necessary especially in the case of money suits and often-times the debtor escapes payment of just liabilities and evades service of process and there are also various irregularities which often-times come to the notice of the judicial officers, but which they themselves cannot check unless they make frequent complaints to the superior authorities. It is not very convenient or happy to make complaints to superior officers about subordinates serving under them. It leads to irksomeness and unpleasantness and it is very seldom that people who really suffer care to complain because other complaints are sure to follow in their wake. Therefore, if you consider it from the point of view of efficiency, having regard to the speedy disposal of the work and also having regard to the nature of the control which ought to be had over these low-paid officers, I think that efficiency requires that each judicial officer should have separate nazars and I do not think that much argument is needed to support that proposition."

"Therefore the only other consideration is whether on grounds of economy the present state of things should be maintained. At first, it was thought that the central nazars would be enough to control this establishment but later on it was found insufficient and they introduced the assistant nazarat system. I speak subject to correction. I have not much knowledge of the mufassal. We have the central nazarat and the assistant nazars."

The Hon'ble Mr. H. F. W. GILLMAN:—"Is the assistant nazar attached to the outside court or is he under the central nazar?"

The Hon'ble Mr. K. RAMA AYYANGAR:—"In eleven courts in the Presidency."

The Hon'ble Mr. H. F. W. GILLMAN:—"I want to know this: are the assistant nazars under the central nazars?"

The Hon'ble Mr. K. RAMA AYYANGAR:—"Yes."

The Hon'ble Mr. H. F. W. GILLMAN:—"Their headquarters is outside the courts."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Yes, mainly."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I must confess I am not very familiar with the details of this. I have had numerous complaints from judicial officers with reference to the way in which the present system is worked. I think a very strong case is made out for improving the present system. I do appeal to the Government that they would see their way to take some steps to improve the present state of things."

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, I regret that I am not as fully informed of this organization of the central nazarat as my Honourable friend Mr. Rama Ayyangar. But I was under the impression that under this system the general control of processes in the district is with the central nazars. I have also been under the impression from the records that there is a considerable saving of expense by having a central system as opposed to the system of separate nazars. For instance, if in the headquarters station there are three courts each serving its processes separately in the same area, that will surely mean that there are three peons going over the same area, whereas under the central nazarat system you will have only one peon. The High Court have considered this question, and they have come to the conclusion that there is full work for the central nazars and also that a reversion to the system of separate nazars would, as my Honourable Friend has said, come to an extra cost of about Rs. 1,50,000 a year, and they think that the advantages of a change are rather conjectural or at any rate not clearly demonstrable. They are not in favour of devoting so much money to what after all is an experiment."

"The question really is whether it is the principle of the central nazarat—I am not holding a brief for the central nazarat—that is responsible for the shortcomings—or whether there are defects in matters of detail such as supervision, control, and pay of the establishments. The High Court have had this matter under very careful consideration and they think that an increase in efficiency can be secured in three ways; the first is by more thorough and frequent supervision and I would like to mention for the information of Honourable Members that in 1915 the High Court issued an order that district judges should depute either district munsifs or sub-judges to inspect the work of the central nazarat in each year. That instruction has been given effect to to some extent but not to the extent that one would wish. I have no doubt that the High Court will press upon district judges the great necessity that exists for more frequent supervision of the work of these nazars."

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"The next direction in which improvement can be effected is to get a better class of officer as a nazar, or deputy nazar. I quite admit the force of what the Hon'ble Mr. Ranga Achariyar has said about the generally unsatisfactory nature of the work of these nazars. I know as a fact that the High Court are considering the question of improving the status of the officers who are mainly responsible for the work of the nazars.

"The third manner in which improvement can be effected is by revising the pay of the process-service establishment. That has been considered both by the Government and by the High Court and an agreement has been reached under which the pay will be revised. That proposal will be included in those which we are about to submit to the Government of India and the Secretary of State in connexion with Mr. Phillips' general proposals. This question of the central nazarat system is after all a matter for the High Court to consider and when the Government are satisfied, as they are satisfied, that the High Court are alive to the drawbacks and unsatisfactory conditions of working of these nazars I do not think that this is a matter in which the Government should of their own motion interfere without some more definite proof that things are very wrong. I will, however, undertake to forward to the High Court the report of this debate and I am sure they will derive considerable information from the statement that has been made to us by the Hon'ble Mr. Rama Ayyangar.

"With regard to the copyist establishment, I would like to say that the necessity for the central copyist establishment seems to be beyond doubt, because among the rules framed by the High Court for the guidance of Civil Courts, there is one which provides that every court shall at a certain date at the end of each quarter forward to the district court records of all cases decided by it. There is also another rule which says that copies of papers required in any suit shall be furnished by the court where those papers are ready. Under these circumstances, it seems to me that it is impossible to consider the question of abolishing the central copyists' establishment.

"As I said before, I do not think this is a matter in which the Government should interfere. But I am sure the High Court will derive considerable information from the debate on this subject.

"I regret I cannot accept this resolution."

The Hon'ble Mr. A. S. KRISHNA RAO :—"Your Excellency, the Hon'ble Mr. Gillman has just asked us whether it is on the ground of any principle or on the ground of lack of super-objection is on the ground of principle. I have no hesitation in saying that the main work done in the matter of the process-service establishment should not be in a position to supervise or to control the establishment in an effective manner but should rely on the work being done by others. I am glad that steps are being taken to improve the position of the central nazars and assistant nazars in several respects. But the main point to be considered is that these subordinate judicial officers should not be placed at the mercy of other officers controlling the establishment.

"Before the inquiry which has been promised by the Hon'ble Mr. Gillman is undertaken, I would like to bring to his notice that when this resolution was discussed in 1915, Sir Harold Stuart then informed us that the High Court was consulted in the matter and that the district judges expressed themselves strongly against the proposal and that for that reason it could not be accepted. It was then pointed out that the real persons whose opinions have to be elicited were the district munsifs and the sub-judges and not the district judges, because it is regarding their powers of control that objection has been raised, and suggestions made to hand over the powers of control vested in district judges. Sir Harold Stuart then informed us that he had no information about the district munsifs or sub-judges having been consulted. As an inquiry has been promised."

The Hon'ble Mr. H. F. W. GILLMAN :—"I promised no enquiry."

The Hon'ble Mr. A. S. KRISHNA RAO :—"As a reference will be made to the High Court, I particularly draw the attention of the Hon'ble Mr. Gillman to this particular aspect of the question that specific instructions may be issued for consulting district munsifs and sub-judges who are likely to be affected by it and having their views ascertained. These are the persons who have been complaining. With all the best intentions of the district judges they will not be in a position to know what the complaints of district munsifs are and it is not all the district munsifs that would be bold enough to freely express their grievances. If an inquiry is undertaken, I am sure it will produce more satisfactory results."

The Hon'ble Mr. A. SURYANARAYANA RAO :—"Your Excellency, I beg to express my views on this resolution having something to do with the Vizagapatam central nazarat system. I find there the same difficulty that has been expressed by the Hon'ble Mr. Rama Ayyangar. Sub-judges and district munsifs have absolutely no control over the central nazarat establishment. If anything has to be done it has to be done only through the district judge and for every small thing a complaint has to be made to the district judge that their work is not efficiently carried out in time or that there has been irregularity in the work done; and whenever these small complaints had to be made the district munsifs and subordinate judges while feeling conscious of some irregularity that ought to be brought to the notice of the district judge, thought that it was not proper or not quite regular on their part to bring these small matters to the notice of the district judge on every occasion; and the consequence was that these matters

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were never directly brought to the notice of the district judge by means of complaints. But all the same, there is that grievance which litigants feel and pleaders find and the officials themselves find. If it is not possible to have one nazarat for each court, taking Vizagapatam, there is the district judge and sub-judge and there are two munsif courts, would it be possible to have one nazarat establishment for the two judges, the district judge and the subordinate judge and another for the district munsifs? Probably work would be facilitated and the work of the district court and the sub-court would not be so heavy as that of the district munsifs, and probably the work of these two judges could be attended to by one nazarat and the munsif's work by another nazarat establishment and probably there may be economy also added to efficiency because the processes which will have to be served will be less in case there are two nazars. I think it is a question which requires serious consideration. This is a real complaint, though the subordinate judges have not actually brought to the notice of the district judges; and I can say, as far as the sub-judges of Vizagapatam are concerned, they have always felt this difficulty.

"Then with regard to the establishment of copyists, if we cannot divide the copyists' establishment, if we cannot have separate copyists' establishment, can we not at least divide the copyists' establishment into two divisions and say that a certain portion should attend to the work of the district munsifs and the other portion to that of the sub-judges and district judges, in which case the work of the sub-judges and district judges will be attended to by one copyist establishment, and the other work by the other section? Such bifurcation in the establishment or some division in some suitable manner has to be effected so that efficiency might be secured. With reference to the remedies that have been suggested for supervision, I do not understand how that can in any way secure efficiency. The munsif or the sub-judge might be supervising the establishment of the central nazarat, but the central nazarat has yet got to do its heavy work and the excuse that will be given by the nazarat is that it has to carry out so many processes and therefore that it cannot spare a separate establishment to carry out the munsif's processes, much earlier than it is possible."

The Hon'ble Mr. H. F. W. GILLMAN :—"The idea is that the district munsif or the sub-judge at headquarters should make a periodical examination of the work of the central nazar to see that he is paying due attention to the work of the subordinate courts—the courts of the sub-judge and the district munsif—and that the man is treating all the courts fairly, and executing the work speedily. That is the idea."

The Hon'ble Mr. A. SURYANARAYANA RAO :—"With reference to that I do not think I can complain that the work is not fairly carried out by the central nazar. What I say is that probably he does not find sufficient establishment or he cannot carry out the processes of the other officers, the sub-judges and the district munsifs, as early as those officers would like to have them carried out. Suppose there is an emergent application for an attachment before judgment or suppose a receiver has to be appointed or some other emergent business has to be carried out, the central nazar might not be able to carry it out because he has got similar orders from other courts also and the consequence is that some have to be postponed. It is only such emergent cases that have to be provided for.

"Then with regard to the better class of officers so far as my experience goes I do not think there are many complaints about it. I cannot say that these people are keeping back processes because they have got any motive to do so. I do not attribute any motive to them to keep back the processes and delay them, nor do I say that they are intentionally causing inconvenience. I do not know whether there is any complaint as regards their pay. I do not know if a revision of their pay would improve matters because the same establishment has to carry out the processes—whether they are paid more or less they will have to do the work. My complaint is that the central nazarat has got too much to do. There may be black sheep here and there, but I do not think the revision of pay would bring about much improvement. My complaint is that the central nazarat has too much to do, and the consequence is that the establishment is not able to cope with the work, and some division is necessary."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"My Lord, the real point raised in this resolution is one that really touches the public and not so much the individual officers like the subordinate judges and munsifs. As the Hon'ble Mr. Gillman is aware, in most of these cases, almost in every suit, summonses have to be taken out to witnesses and also to litigant parties and one of the main duties of process-servers is to effect the service of these summonses to witnesses and defendants in all these civil suits at present. The central nazarat establishment is now under the control of the district judge, and the headquarter munsifs and sub-judges have to have their processes namely these summonses served upon individual parties and living in their respective jurisdiction. This has now to be effected by the central nazarat and the whole army of process-servers which is under their control; and on account of laches, delays and sometimes dishonest evasions of these summonses by questionable means, frequent adjournments of suits have to be given by these sub-judges and munsifs. Therefore, they naturally desire that a portion of this establishment should be attached to their courts so that they may get through the work as quickly as possible. If there is any delay on account of want of supervision, ultimately the parties are driven to take out summonses again and pay for them and pay batta.

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"The whole question is one which affects the public and it is that aspect of it to which I draw attention of this Council in previous discussions. Therefore it is this that has to be examined, and if without increasing the expenditure, it is possible to redistribute the process-service establishment and place them directly under the supervision of officers who have to execute their processes through them, it would certainly serve the public much more than it does now. There is absolutely no doubt whatever that the great complaint, as far as my experience goes and the experience of several of my Honourable Friends who come from the mufassal also goes, is that this process-service establishment is not efficiently supervised and that there is a great deal of delay in the execution of these processes and that there is no way of bringing to book these process-servers who do not do their duty properly, independently of any question of improving their pay which might probably effect improvement. I therefore suggest that this whole question should be examined not so much with reference to increase in their pay which certainly is a chief consideration also but whether it is not possible in the existing circumstances to break up the central nazarats and redistribute the same amongst courts which are at headquarters, in such a way as not to increase the cost. I do not see why the Honourable Judges in the High Court should not examine this question. As was pointed out by the Hon'ble Mr. Krishna Rao last time they seemed to have consulted only the district judges. If really the scheme could be worked out without increasing the cost of the establishment unnecessarily, I think the reform ought to be brought about. I do not see how it can cost as much as Rs. 1,50,000. It is quite possible to work out a scheme in consultation with district judges and sub-judges which will satisfy all parties.

"It is the public that have to pay ultimately for the additional or fresh processes, that have to be considered. I know that the matter is one which is entirely within the purview of the High Court, but this is a matter which ought to be looked at from the point of view of the public. Therefore, I support my Honourable Friend's motion. He has given facts and figures in his speech from which we gather that it is quite possible to re-distribute the process-service establishment without any extra cost and I do not see why it should not be examined. It is true, that the matter is within the competence of the High Court but their Lordships will have to consider the inconvenience to the public and the law's delay and the costs of litigation which ought to be minimised as far as possible. I venture to submit that this is a serious and crying evil in the administration of justice in this Presidency."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, as a lawyer coming from the mufassal I wish to give my humble support to this proposition. I thought that when the Hon'ble Mr. Rama Ayyangar quoted facts and figures, there would not be any trouble on the part of the Government to at least undertake an elaborate enquiry into the matter, to make a reference to all the persons affected, not merely to the High Court but also to the district judges, and not take their views on the matter and arrive at some satisfactory settlement. I thought that that was going to be done. But when the Hon'ble Mr. Gillman said that he did not propose to undertake an enquiry, I was very much disappointed at his attitude. Let the High Court say what they will; but as one who is daily brought into contact with the hardships that are incidental to this system I can assure the Council that this central nazarat and this central copyist system are not working well. Whether viewed from the point of the public or from the point of view of the sub-judges and district munsifs, it is not giving satisfaction to any. The public are complaining hard that the processes are not executed as promptly as they would desire and the sub-judges and munsifs are complaining that they have not got any control over the execution of their own process. After all, what is the principle now contended for? The gist of it comes to this: that each court must have its own staff and must control its own processes, and that each court must be complete in itself. Each court is interested in seeing its processes as promptly executed as possible and very naturally desires to have control over its own staff. Why should we grudge it? The High Court are not in a fit position, I may humbly say, to judge of these matters. After all, they hear only reports of what actually takes place in the mufassal. When the Hon'ble Mr. Rama Ayyangar said that this scheme could be undertaken at little or no cost, the Hon'ble Mr. Gillman did not reply to those figures but on the other hand, said that the scheme proposed would cost Rs. 1,50,000. If the Hon'ble Mr. Rama Ayyangar's figures are to be relied upon, it could be undertaken at little or no additional expense. Never mind the expense, we shall gain immensely even if we are put to the necessity of spending a little more. The benefits to the public by way of prompt execution of services and prompt grant of copies would be immense. I earnestly request the Government to undertake an exhaustive enquiry, to consult the members of the Bar, and various Bar associations and also the subordinate judiciary and not merely the High Court who after all are not in a fit position to express an opinion."

His Excellency the PRESIDENT:—"I think we may close this debate now."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I want to say a few words with reference to the observations of the Hon'ble Mr. Gillman. The first point that was suggested was the question of supervision. I take it that he referred to paragraph 24 of the Administration Report to which is added a sub-paragraph: "In pursuance of a circular order issued by the High Court in 1915, the district judges of Chingleput, Madura, Nellore, Salem, and Trichinopoly deputed the subordinate judges or district munsifs at headquarters to inspect

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central nazarats." I take it that he meant this, and if he meant it, I should respectfully submit that this sort of inspection cannot improve the position that I have already described. Taking it for granted that, once a year, a munsif goes there and sees that the registers are properly maintained, that the returns are shown of processes not served, the matter ends there. Will it really help the sub-judge or the munsif who has to send an emergent process to ask the deputy nazar to send the peon to serve it, if it is within three miles of his court? He has to address a letter to the district judge and the central nazar will send it only in the ordinary course unless special batta is paid. No work can, by an inspection of this kind, improve. That disposes of the first point suggested.

"The second point was the suggestion that better officers for the central nazarats might be recruited. I have been contending quite the other way. Rather than have 168 process-servers under one nazar, 15 peons under one deputy nazar would certainly do the work more efficiently. That is the principle of the military, that is the principle of the police organization, that is the principle of managing any number of persons to do their work effectively. Naturally a deputy nazar on Rs. 25 with fifteen peons is necessarily bound to effect better service of process than a central nazar even with an assistant nazar having a command of 160 peons. My Lord, it is also very clear that, while I have given figures to show that the average for the Presidency inclusive of the central nazarat is a return of so many processes for amins and so many for peons, it is much less in the case of the peons and the amins for the central nazarats. It clearly shows that there cannot be good work done, as good work as when there is a smaller number controlled by an officer. As regards the pay, it is usually more than Rs. 25, and more than that is not required for a deputy nazar. Therefore, I say he is bound effectively to efficiently manage the establishment, rather than continuing the central nazar. Suppose, instead of Rs. 70, Rs. 100 is paid, is he going to become an extraordinary man who will be able to watch the process-servers and the machinations of the peons that take the process to distant places, sometimes to a distance of 30 or 40 miles? The principle cannot work at all. I think it will be a waste of money if additional money is spent on the central nazarat. It does not improve matters.

"The third point that I would like to draw the attention of the Council to is the question of the separate copyist establishment. I thought the Hon'ble Mr. Gillman meant to say that the central copyist establishment was always essential to the district court. I could not follow him quite well. If he meant to say that the same establishment was needed for all the courts in that place I disagree with him. If, on the other hand, he means to say that the copyist establishment attached to the district court must necessarily have a larger number of copyists because they have more copies of records to send, then certainly I can follow that. I have given an average of six copyists for the whole Presidency for each court and you will probably have to give fifteen or twelve copyists in the case of the district courts, whereas with regard to other courts it may be six copyists. If issues are settled today, the copyist might be asked to give issue copies next week. Suppose it goes to the central establishment. He has to send for the originals from the several offices and the originals come only in a certain order. He calls for the papers in a certain order and all that delay is consequently necessary. A greater number of copyists for district courts may not necessitate a central copyist establishment. All that is needed in that case will be, that the payment will be not Rs. 20, but Rs. 30 or Rs. 35 for the district court copyist establishment. Even there, there must be a gain because we are paying in some cases Rs. 50 to a superintendent and something less to others. We need not pay in any event more than Rs. 30 to the superintendent and more than Rs. 15 or 20 to the copyist examiner in the district court.

"I ask, my Lord, if the High Court have really taken upon themselves to re-arrange this nazarat establishment after these small cause judges have been appointed in particular places or after the small cause jurisdiction was taken from particular sub-judges and handed over to the district munsifs. I do not think any attempt has been made to re-adjust the establishment; and if any re-adjustment has been done I do not know. I do not think there has been any re-adjustment in my district. I do not think it is possible for Their Lordships of the High Court to go into minute details of this branch of the administration unless their attention is specifically drawn to this matter and the matter is put in charge of a special officer to be investigated. I have made some remarks and I have placed before this Council figures to show that there may not be any necessity for any special establishment so far as sub-judges are concerned who have to send out processes. I have tried to plead for the cause of the litigant public and the general efficiency of this process establishment. We have not had much sympathy."

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, I think this debate has served a very useful purpose. There is much truth in the criticism made about the central nazarat system, and much to be said for the suggestions to improve the working of these nazarats. As I have said, the whole matter is one primarily for the consideration of the High Court; and it is to them that the Government must naturally look to make an inquiry into the matter. I promise that the suggestions and criticisms made here will be communicated to the High Court; and I have no doubt that the Government will have an opportunity of conferring with them on the matter. I would like Honourable Members clearly to understand that the Government are in considerable sympathy with the views that have been expressed today and will not lose sight of the matter. With this assurance I am sure, the Hon'ble Mr. Rama Ayyangar will withdraw his resolution."

108 RESOLUTIONS *RE* PROVISION OF PROCESS-SERVICE AND COPYIST ESTABLISHMENT TO EACH CIVIL COURT IN THE MUFASSAL AND PROVISION IN THE BUDGET FOR 1918-19 FOR MINOR IRRIGATION WORKS.

(Mr. Rama Ayyangar.) [21ST NOVEMBER 1917.]

The Hon'ble Mr. K. RAMA AYYANGAR :—“ We do not want to actually interfere with the general administration of the High Court but I do press and request the Government to have it in mind and closely press the matter as circumstances require. I beg to withdraw the resolution.”

With the permission of His Excellency the President, the resolution was then withdrawn.

RESOLUTION *RE* PROVISION IN THE BUDGET FOR 1918-19 FOR MINOR IRRIGATION WORKS.

The Hon'ble Mr. K. RAMA AYYANGAR :—“ Your Excellency, the resolution which I have the honour to move runs as follows :—

“ XVII. This Council recommends to the Governor in Council that adequate provision be made in the budget for 1918-19 for minor irrigation works and that instructions be issued to all officers in charge of such works to send up proposals to see that the full amount budgeted for is expended without fail during the course of 1918-19.”

“ This comprises two branches, one relating to minor irrigation works in charge of civil officers which is referred to as 43-A in civil budget estimates and the other relating to a portion of 43-B, relating to the tank restoration expenditure. This matter has been before this Council for the last nine or ten years in respect of minor works in charge of civil officers and works in charge of Public Works officers so far as the tank restoration work went.

“ First, I will dispose of the question of minor irrigation works in charge of civil officers. Usually, before the year 1912 for a number of years the usual allotment made in the budget was Rs. 7 lakhs and this allotment continued for four or five years. But the actual expenditure was considerably less. It was between Rs. 4 lakhs to 5 lakhs. So the matter was brought to the notice of this Council by the member for the southern districts who preceded me; thrice he brought it up for discussion and then it was suggested that there was to be a reorganization of the minor irrigation staff in charge of civil officers and until effect was given to that it was not possible to increase the allotment and the quantity of expenditure. This went on like that for a few years and subsequently it was agreed that the Rs. 7 lakhs allotment should be increased to Rs. 8 lakhs, and it was suggested that extra establishment should be entertained. This got on for three years and we were not able to increase the expenditure beyond Rs. 5½ lakhs. Then in a particular budget discussion I raised the question that the provision for establishment was not sufficient and that more must be provided. The Hon'ble Sir Alexander Cardew said that additional provision from Rs. 1,23,000 to Rs. 1,75,000 was for the first time made in that year and that he expected that establishment to spend more. But what I find is that the total expenditure by civil officers has not been effectively increased, and the year before last we spent only Rs. 5,91,000, and the revised estimate only put it at Rs. 6,25,000, and when it comes to actuals I dare say it will be only Rs. 5,90,000 or Rs. 6 lakhs. That is usual. Under these circumstances, the allotment of Rs. 8 lakhs for a number of years has been only on paper and we have not yet been able to reach the expenditure of the Rs. 7 lakhs allotment, which we made many years back. Under these circumstances, I thought rather than bring a resolution just at the time of the Budget in the March discussion I had better invite the attention of the Government to see that special instructions are issued this year so that the allotments made already together with any additional allotments may be effectively spent in 1918. It is with this object that I have come before this Council, and I had the pleasure of the Hon'ble Mr. Buckley telling me that he had been actually working very much in that direction and probably will accept that portion of the resolution.

“ As regards the other portion which relates to the work of the Public Works Department officers in connection with tank restoration, this thing has been even of greater concern to this province than minor irrigation works. Considerable trouble was taken and it was felt that there should be some effective improvement in the expenditure under this head. It was felt that after the Irrigation Commission's report which found that the mainstay of this province was not so much the major works, which are now paying fairly well, but the minor works, which amounted to about 40,000 tanks, which required to be considerably improved and placed on a very efficient and working basis, it was expected that about Rs. 10 lakhs would be spent in the restoration of these tanks. But what actually was found was that much could not be spent. In the year 1911-12, Sir Harold Stuart got all the Superintending Engineers and Chief Engineers together and there was a conference held with some non-officials also—my Honourable Friend Mr. Ramachandra Rao also attended it—at Ootacamund in which this matter was discussed and the tables attached to the papers placed before that conference showed that prior to that the expenditure per annum at the highest reached Rs. 6 lakhs on tank restoration. Though it was so in 1906-07, subsequently it fell down in 1911-12 to Rs. 4,87,000. It was thought necessary to improve the progress of expenditure and to allot greater money for this purpose. In subsequent years my Honourable Friend Mr. Krishna Rao more than once raised the question of additional allotment and Sir Harold Stuart allowed these allotments to be made and he also said he would find further money if needed. But actually it has not been done and last year, to my

RESOLUTION *RE* PROVISION IN THE BUDGET FOR 1918-19 FOR MINOR IRRIGATION WORKS. 109

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great surprise, I found that it was expected to spend only about Rs. 3,91,000 and it was going down steadily and the Hon'ble Mr. Gillman during the financial statement discussion said that they found it not possible to expend any more. I immediately thought that the whole state of affairs must be thought over again and I appeal to the Hon'ble Mr. Gillman to look into this matter to see that the next budget at least makes sufficient provision. I dare say he will attend to that, but my great point is that before the next budget, specific instructions should be issued that the allotment of Rs. 8 or 10 lakhs or even if it is only 6 or 7 lakhs, is actually spent and that sufficient establishment is arranged or contracts arranged so that the work may be turned out and the whole thing expended so that it will not leave any unspent balance.

“ I do not know how strongly to put this matter. I can only say that we depend upon these 40,000 tanks and that is the mainstay for our revenue. In 1911-12 it was found that a considerable number of tanks deserved repair and it was also said that further steps should be taken by these parties to investigate the utilization of wasted waters. The question was then considered at length and a reading of that report of the conference will show that by questions and answers various things were elicited and it was thought that tank restoration should not be left at that stage without further investigation; but as a result of subsequent discussions Government have been pleased to issue orders to Collectors to see whether any such thing can be considered. Such a scheme will have to be worked separately. I will place my ideas in respect of that matter separately. But so far as the existing tanks go, it is necessary that provision should be made and that provision is absolutely expended. It ought not to be said at the end of the year that we made that provision and that it was not possible to expend it. The matter was discussed and two Superintending Engineers have taken a detailed part as shown in the discussion. The G.O. No. 572 L, dated 13th December 1912, contains full reference. These discussions have proved how the money could be expended effectively and how real progress could be attained. In the last paragraph of that Government Order, this is what has been said :—“ The Governor in Council confidently anticipates a better ratio of progress in future years and Superintending Engineers should frame their budget proposals with a due regard to the possibility of securing a higher outturn of work than in the past.” After so many years we find we have been steadily going down in our expenditure. If that state of things should continue further, it will only indicate that we are not paying as much attention to an important branch of our administration as we ought to and that actually any amount of argument that may be advanced that there were other works to attend to would not obviate the necessity of paying a much attention or more attention to this very essential part of our programme. While the Public Works Department establishment is extending in all about Rs. 96 lakhs, I do not see why this particular branch would not be got done, why sufficient energy and application should not be spent on this particular budget expenditure.

“ My Lord, I think I have said enough, and a reference to previous papers will show that this is an important matter, I do not want to repeat all the arguments which we have advanced in previous discussions. The papers will show that the Government also have accepted the position, and the only thing that remain to be done is to see how effectively this expenditure could be increased. There must be previous arrangements made to see that this is increased at least in the year 1918. I have given sufficient notice, more than six months' notice, now.”

The Hon'ble Mr. P. Siva Rao seconded the resolution.

The Hon'ble Mr. L. E. BUCKLEY :—“ Your Excellency, I am directed to state as regards minor irrigation works under the control of Collectors, that the Government are in full sympathy with the wishes of the Honourable Member. The Council will no doubt remember that about 18 months ago a return was pressed for by the Hon'ble Mr. A. S. Krishna Rao, of the number of tanks in existence and the amount spent upon them. And I would like to take this opportunity of acknowledging the usefulness of that return. Not only has it been useful in itself but it has been very useful in its suggestiveness. As a matter of fact, for a considerable time I have been devoting myself to the very same task that the Hon'ble Mr. Rama Ayyangar has, in trying to see that adequate provision for minor irrigation works in charge of Collectors is made. I do not know what in his opinion an adequate allotment should be, but it has taken me a good many weeks to study the subject and I must confess I have not been able to come to any conclusion yet, in spite of the assistance, which I readily acknowledge, I have received from the Public Works Department. And so, I suspect the Hon'ble Mr. Rama Ayyangar's ideas as to what constitutes adequacy must be still more rebusious than mine. If I attempt to see that a normal provision is fixed which should meet the requirements of the case, I hope he will accept it as the best figure that can be arrived at.

“ With regard to the expenditure the matter is ever less easy. In the matter of the repair of tanks we are dependent on the seasons. If there is a large amount of water in the tanks our work begins late, if rainfall comes at unexpected times our work is delayed. Another serious difficulty arises from the fact that our best working season is from January to July and in the very middle of that, with the 31st of March, comes the end of the financial year and all sanctions lapse and new sanctions have to be obtained. In order to meet that difficulty, some years ago I instructed Collectors to have estimates ready and to start their works for the coming year in February if possible, the contractors being given to understand that payments could be made only on the first of April. The adoption of this plan will help us to get an improved expenditure. About five years ago the Minor Irrigation Department was reorganized with a staff of supervisors, overseers and sub-overseers. Our difficulty has been that we have not been

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(Mr. Buckley ; Mr. Gillman ; Mr. Chidambaranatha Mudaliyar ; Mr. Rama Ayyangar ; the President.) [21st November 1917.]

able to obtain overseers in any number. We have been slightly more successful in the class of sub-overseers, but the terms given were inferior to those given in the Public Works Department. We could not fill the sanctioned posts. Government have now sanctioned the further reorganization by which this control of the minor irrigation works from a professional point of view will be controlled by sub-overseers only and the pay of the sub-overseers has been raised so as to be more or less similar to that of the sub-overseers in the Public Works Department, and it is hoped that we shall now be able to get all the men that we require. I will further look into the question of the staff that there is for each district and if necessary I shall approach Government and ask for an increased staff. The supervising staff will consist of men lent from the Public Works Department. Beyond that I have always felt myself that there is insufficient control over the selection of works for repairs. Too much is left to tahsildars, overseers and sub-overseers. Instructions have only recently gone out that will throw greater responsibility in this matter upon the Divisional Officer. Under these orders he will have to make himself acquainted with the needs of each tank in his division and he will himself have to take a considerable part in the selection of works for repair and it will not be left, as it has been in the past, so largely to sub-overseers and tahsildars. I think that what I have said will meet the Honourable Gentleman's wishes and I can say that, so far as the Minor Irrigation Department is concerned, the Government will accept the resolution ; but I will ask him to be indulgent and not quarrel with us over the question of what is an adequate allotment."

The Hon'ble Mr. H. F. W. GILLMAN :—" Your Excellency, the Hon'ble Mr. Buckley has just given an assurance in regard to the minor works under civil officers and I have no doubt that the Hon'ble Mr. Buckley in framing his budget will give this very important matter due consideration. With regard to the other part of the resolution concerning tank restoration works, I am very much obliged to the Honourable Member for having drawn attention to this matter now. He has done so at a psychological moment when we are framing our budget and I can assure him that, so far as financial necessities allow, we shall, as far as possible, increase the budget for minor irrigation works. There are several directions in which we can do so profitably, and I do not think there will be much difficulty in the Financial Department. I have no quarrel with the wording of the resolution and I will say that Government are prepared to accept the resolution altogether."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR :—" Your Excellency, with regard to this resolution I should like to make one suggestion. Very often we hear that minor tanks are not repaired, because that was not possible and they were not in a fit state to be repaired. In future, I should suggest that figures should be supplied in the reports from which we can gather how many tanks were in a fit state for being repaired, and were not actually repaired every year. I should like to make this suggestion so that we may be able to know how exactly those minor tanks are being treated every year."

The Hon'ble Mr. K. RAMA AYYANGAR :—" Only one word, Your Excellency, I am considerably thankful to the Hon'ble Mr. Buckley for all that he has stated. He has been devoting a lot of time and I think he will improve the expenditure to many lakhs more than it is budgeted. I am certainly willing to await the time when the full extent of Rs. 10 lakhs will be reached. Meanwhile, I do not think that any energy will be spared by him to see that it is efficiently carried out, I am thankful to the Hon'ble Mr. Gillman ; but I think it is this portion which requires greater attention than the work under civil officers, because the bigger tanks are under their control. It is absolutely necessary that they should be brought up to date fitted up with all the necessary calingulas and weirs. It is quite necessary that instructions should be issued to see that good allotment is made and that it is expended in the year 1913. I thank the Government for accepting the resolution."

The resolution was then put and agreed to.

RESOLUTION *RE* RECRUITMENT OF STATIONARY SUB-MAGISTRATES FROM AMONG LEGAL PRACTITIONERS.

The Hon'ble Mr. K. RAMA AYYANGAR :—" I propose to move the next resolution at the next meeting of the Council."

His Excellency the PRESIDENT :—" The Honourable Gentleman will give notice of it in the usual way."

The following resolution was not moved :—

'XVIII. This Council recommends to the Governor in Council that Government do take steps to recruit at least 50 per cent of the stationary sub-magistrates directly from the Bar or from other specially qualified persons by a combined system of competitive examination and nomination.'

RESOLUTIONS *RE* REMOVAL OF CERTAIN AREAS FROM THE AGENCY AND TEACHING OF B GROUP SUBJECTS IN VERNACULAR IN THE SCHOOL-FINAL COURSE. 111

21st November 1917.] (Mr. Suryanarayana Rao ; the President ; Mr. A. S. Krishna Rao.)

RESOLUTION *RE* REMOVAL OF CERTAIN AREAS FROM THE AGENCY.

The Hon'ble Mr. A. SURYANARAYANA RAO :—" Your Excellency, I had a discussion with the Hon'ble Mr. Gillman and I shall bring up the next resolution later on."

His Excellency the PRESIDENT :—" The resolution is not moved."

The following is the resolution not moved :—

"XIX. This Council recommends to His Excellency the Governor in Council that the more advanced portions of the Gunupur and Raigada taluks and the Agency portions of the Palkonda, Srungavarappukota, Viravilli and Golconda taluks be removed from the Agency in the operation of the Scheduled Districts Act and Act XXIV of 1839 and brought under the same administrative control as the ordinary tracts of the Vizagapatam district."

RESOLUTION *RE* TEACHING OF B GROUP SUBJECTS IN VERNACULAR IN THE SCHOOL-FINAL COURSE.

The Hon'ble Mr. A. SURYANARAYANA RAO :—" Your Excellency, I beg to move this resolution which runs thus :—

'XX. This Council recommends to His Excellency the Governor in Council that the principle of instruction in the vernaculars in all subjects except the language subjects be recognized in the secondary school-final course and as a first instalment of the reform, subjects in B group be taught in the vernacular.'

" Now the principle of this resolution is recognized throughout and there are several pronouncements on the subject. His Excellency Lord Chelmsford, Lord Hardinge, and Sir Alexander Cardew have all pronounced in favour of teaching in the vernaculars. It is a recognized fact throughout the whole of India that instruction in vernacular is absolutely necessary for the students to grasp the subjects very well. The only question is, how you are to make a beginning ? There are two groups, ignoring the A group or the compulsory group—two groups B and C. Group B comprises history, geography and the vernaculars. Group C comprises the sciences. Now my proposal is that up to the secondary school-leaving course, subjects might be taught in vernaculars. With regard to text-books I think there are some text-books already which have come into existence and I have no doubt that with sufficient encouragement other text-books also will come in. In my resolution I have confined myself only to the B group for the present. But if your Excellency will permit me, I will include the C group also. Otherwise, I have no objection to confine myself to the B group. No doubt some objections will be taken that more teachers will be wanted and there will be also some difficulty with regard to the examinations as different examiners will have to be appointed. But I think all these difficulties can be got over if we observe economy in other directions. I think it is absolutely necessary that vernacular teaching must be imparted up to the secondary school-leaving course. I am not now talking of those boys who want to study for the college course. They must be taught in English only and in no other language because they must acquire efficiency in the subject and they must be taught in the English language so that they may acquire sufficient knowledge of English to be able to study the subjects in the collegiate course. But so far as those boys, whose course is only up to the secondary school-leaving course, are concerned, there is no reason why they should not be taught in the vernaculars. I think that boys find it difficult to master the subject in a foreign language, and they are practically cramming the subjects because they are not able to understand them in English. That means a lot of waste of energy. I think they might be taught these subjects in their own vernaculars and then they can understand the subjects much more easily and much more quickly. I, therefore, beg to suggest that this resolution may be accepted and that the Hon'ble Mr. Stone might find it possible to compel teachers to teach these subjects in the vernacular up to the secondary school-leaving course."

The Hon'ble Mr. A. S. KRISHNA RAO :—" Your Excellency, I beg to second this resolution. So far as this question of the imparting of instruction in the vernaculars is concerned, there has been a considerable volume of opinion from the year 1858 downwards. I need not detain this Council by referring to the various opinions of educationists when we have got the latest pronouncement of His Excellency Lord Chelmsford when he opened the proceedings of the Directors' Conference the other day. Even there he expressed that the system of education in this country whereby youths were compelled to learn and master subjects in a foreign language was fraught with various evils ; and he hoped that some improvement would be effected in this direction. I am aware that so far as the solution of this question is concerned, it does not merely lie with the Government or with the educational authorities. The first objection that is likely

(Mr. A. S. Krishna Rao ; Mr. Stone ; [2]ST NOVEMBER 1917.
Mr. Suryanarayana Rao ; the President.)

to be urged on this occasion is: is there sufficient demand in this country for education being imparted in vernacular in various subjects? The second question will be, have there been proper text-books produced for imparting instruction suitable to the various classes. These are the two objections which are likely to be urged. It is better that we take note of these difficulties, but we should also realize the importance of this problem to enable us to make a start in this direction as early as possible. Can any one doubt that within the last five years at least vigorous attempts have been made in various vernacular languages, in Telugu and Tamil, to produce scientific primers and various useful books for imparting instruction to pupils? If due encouragement is given for the publication of these books, I have no doubt whatever that in course of time satisfactory books will be produced and it will be possible to impart instruction through the medium of vernacular. I think the time has come when a satisfactory beginning should be made in this direction, especially because there is a strong public feeling in this country and I hope no time will be lost in initiating experiments in that direction."

The Hon'ble Mr. J. H. STONE:—"Your Excellency, the resolution recommends that the principle of instruction in the vernaculars in all subjects except language subjects be recognized. I do not know clearly if I appreciate the meaning of the word 'principle.' It seems to me that an idea can be said to rise into the sphere of principle only when its truth is capable of demonstration and when it is commonly accepted. Now the idea that the vernaculars ought to be used very much more largely than they are in the three higher forms is what is really what is in the Honourable Member's mind. I do not think it can be said to have reached the status of a principle. It is not capable of absolute demonstration that what the Honourable Member wishes will be an improvement on the present system, and certainly it is not an idea which has attained anything like general acceptance. In the debates that have taken place in this Council and in the Imperial Council, very divergent views have been expressed and the same was the case in the Conference that took place in Simla in August last. I do not think it can be said that there is any principle that instruction should be in vernaculars rather than in English in these higher classes and therefore I cannot recommend His Excellency the Governor in Council to accept any such principle.

“Well, then, as regards the more practical aspect of the matter, I would like to point out to this Council that, as a matter of fact, the Secondary School Leaving Certificate scheme does not lay any obstacle in the way of subjects being taught in the vernaculars in these three higher forms. That scheme was drawn up, as Honourable Members are aware, with the object of giving more liberty to schools, to emancipate schools from the tyranny of the Matriculation examination; and this particular form of emancipation was certainly in the minds of many of us when we drew up that scheme. We had particularly in view in regard to this use of the vernacular the case of girls' schools, which we thought would be glad to teach the higher forms in the vernaculars. But curiously enough the girls' schools are the very last to have any such desire. There is liberty under the scheme for what the Honourable Member desires. If any school chooses to teach in the vernacular and asks me to examine that school in the vernacular, I am bound under the scheme to examine that school in it. There is no rule of any sort obliging schools to teach in the English language. Therefore, it is open to the schools to take the first move. It is for them to experiment to see what can be done in this direction. They have absolute liberty to do so. But the Honourable Member wants Government to go further. He wants that schools should be compelled to adopt this line. That is, he wants me to introduce a new tyranny apart from the tyranny of the Matriculation. He wishes me to compel schools to take this line whether they like it or not. I know there are schools which strongly dislike being forced and which say that their educational conscience would not allow them to take that line. I am not prepared at this stage of things to bring compulsion on these schools in the direction that the Honourable Member desires. That is all I need say about this resolution.”

The Hon'ble Mr. A. SURYANARAYANA RAO :—“ If the Honourable the Director says that there is no objection to the teaching of the vernacular by the heads of schools and that it is left to the heads of schools to see whether they can adopt this or not, I have no quarrel with him. I hope this discussion will be read by schools throughout the Presidency and I hope they will teach in the vernaculars.”

His Excellency the PRESIDENT:—"Does the Honourable Gentleman wish to divide the Council?"

The Hon'ble Mr. A. SURYANARAYANA RAO:—"No."

With the permission of His Excellency the President the resolution was then withdrawn.

RESOLUTION *RE* AN AGRICULTURAL COLLEGE FOR THE
TELUGU DISTRICTS.

The Hon'ble Mr. A. SURYANARAYANA RAO :—"Your Excellency, I understand that the question is already engaging the attention of the Government, and that on account of the decrease of staff and other difficulties the question cannot now be considered by the Government favourably. I shall therefore bring it at a more favourable opportunity. I crave for indulgence to withdraw it."

21ST NOVEMBER 1917.]

(Mr. Siva Rao.)

With the permission of His Excellency the President, the following resolution was then withdrawn :—

“XXI. This Council recommends to His Excellency the Governor in Council that an agricultural college be started at a convenient centre in the Telugu districts.”

RESOLUTION *RE* OPENING OF AGRICULTURAL SCHOOLS
IN THE PRESIDENCY.

The Hon'ble Mr. P. SIVA RAO :—“ Your Excellency, I need not take very long over this resolution. The resolution reads thus :—

‘XXII. This Council recommends to His Excellency the Governor in Council that agricultural schools may be opened in some convenient centres in the Presidency.’

“ The subject is one of paramount importance. It is impossible to exaggerate its usefulness in a country where almost the entire population live on agriculture. In fact the agriculture is the one industry which maintains the millions of India and in this matter there are infinite possibilities before the country. It is highly essential that the average cultivator should be made familiar with the modern and scientific methods in agriculture.

“The Agricultural College at Coimbatore which is now supplying the highest scientific needs of the country cannot go far to popularize scientific agricultural education. We are aware that the Government have the best interests of this department at heart and are already taking steps to spread agricultural education by leaflets and other ways and also by the opening of the additional agricultural farms throughout the Presidency. We are highly thankful to your Excellency's Government for their kind endeavours in this matter. In October 1913 the question of the curricula of studies in the Agricultural College at Coimbatore was raised by the Director of Agriculture. Then he proposed a revision of the courses of studies in the college—one of two years' duration for agriculturists and another of four years' duration for candidates for diploma for Government service. The fact is that the instruction given at Coimbatore is high and is given in English, and practically deters even willing students from completing their course on account of their deficient knowledge of English, and the gentlemen farmers whom it is originally intended to benefit have not been so benefited. In December 1913 the Agricultural Conference met at Coimbatore and approved of the two years' course at Coimbatore. This proposal for the opening of the agricultural schools in some convenient centres of the Presidency practically gives effect to the recommendations of the Agricultural Conference. Instead of starting the proposed bifurcation of courses in the Coimbatore College itself the Government may open schools in which the two years' course is provided and the instruction is imparted in the vernaculars so that these schools may serve as feeders to the college. The students who show special aptitude for highly scientific education may pursue their studies further in the college after completing their courses in the proposed schools. Besides Coimbatore College is situated in one corner of the Presidency and is not easily accessible to all the students coming from the various districts. It is highly desirable therefore that the Coimbatore College should fulfil the purpose of a central institution and the proposed schools which provide for a lower course of instruction should be within the reach of all. It is equally expedient to open these schools in convenient centres in the Presidency as the local conditions vary; and practical agricultural education in order that it may be effective should be with strict reference to local conditions. There are also considerations of distance and expense for undergoing a course at Coimbatore which can be avoided by opening schools in convenient centres.

"The present Agricultural College is very popular and the growing demand for the agricultural institutions is tested by the fact of the number of applications received for entry into the college and increased interest shown by the cultivators in attending cattle shows and competing therein and also in visiting model farms. Only a limited number of applications could be admitted under the present state of accommodation in the college. One feature of the proposed schools should be that they should impart instruction in elementary agriculture in the vernacular. I think that vernacular should be made the medium of instruction in the lower standards. Circulars will not do. The schools should diffuse agricultural

“ Mere issue of leaflets and circulars will not do. The schools should impart agricultural knowledge throughout the country.

"In the report on the introduction of improvement into Indian agriculture in the year 1909 it is stated: 'In many countries one of the best means of bringing practical information to the cultivators of the land has been the issue of leaflets and circulars couched in the popular language. In India where the standard of education is lower than most western countries the distribution is more problematical but they have been used with success.'

"At the Agricultural Conference held at Coimbatore the resolution was passed : 'The Board should recommend for the consideration of the Local Governments the importance of the schools. ... under agricultural schools in Bombay.'

"It is futile to teach agriculture in primary schools. It cannot be appended to any system of general education. The schools should always be attached to some farms. There should be technical institutions solely devoted to the study of agricultural education.

(Mr. Siva Rao; Mr. K. R. V. Krishna Rao; [21st November 1917.
Mr. Rajagopala Achariyar.]

"The Hon'ble Sir John Atkinson when this resolution was moved in the Legislative Council in May 1914 stated in his reply: 'The object of these proposals have the full sympathy of the Government. They do deserve and it is their most earnest desire to promote not only the study but the practice of agriculture in every way they can. The present difficulty is the want of trained and educated staff. The staff of the Agricultural department is small. It is certainly inadequate to the staffing of schools. I think it is highly probable that in due course we shall follow that example set in Poona. At Poona there is a regular agricultural school. It is a residential school with hostel and the pupils live in it. It will be the endeavour of the Government at the very earliest moment to take into consideration whether we ought not to follow in the footsteps of the experiment that has been made at Poona.' Further he stated: 'I can only say that the Government hope to be able to open schools when they have increased the staff.'

"His Excellency the President said on the same occasion: 'I can assure the Council that this Government are entirely desirous, as Sir John Atkinson has said, of going ahead in this matter, so far as funds permit and so far as the trained men can be obtained.'

"The Agricultural Educational Conference met last on the 18th of June 1917 at Simla and in his opening speech Sir Claude Hill stated: 'The ultimate goal, in fact, which I put before myself is one agricultural high school in each district with several lower grade schools in the district attached perhaps to demonstration farms leading up to the high schools.'

"The question considered by the conference was 'Whether it was desirable to lay down as the ultimate goal the establishment in each district of one agricultural school of the status of high school and of one or more of agricultural schools of the status of the middle or Anglovernacular schools leading up to the high school.' In explaining his position in regard to this question, Sir Claude Hill stated that there was no other country in which agriculture bulked so large in the daily life, hence he thought that it would be but right to have a scheme like one contemplated in the question as a goal. In the course of the discussion Mr. Wood, the representative of Madras, stated that in Madras they had pinned their faith in agricultural matters to the belief in demonstration farms and any attempt to start schools for agriculture would act as a handicap on their present programme of work. All that he would like to see done under the present circumstances was to assist in giving an agricultural tint to primary education. After an elaborate discussion the conference unanimously resolved that it was desirable to start one or more agricultural schools in rural districts usually near demonstration or experimental farms but it was divided as to advisability of having any agricultural high school. Mr. Wood did not of course subscribe to this. He gave out his belief that in Madras special attention for some time to come should be given to demonstration farms the interests of which would suffer if the men who passed out from the Agricultural College should be drafted away to serve as teachers in agricultural schools.

"The last conference held at Pusa was of opinion that it was not possible to teach agriculture directly in primary schools though it reaffirmed the desirability of adapting rural education to rural needs. Sir John Atkinson in his reply already referred to stated: 'The fact is that it is impracticable—it is impossible—to teach agriculture as a course in primary schools.' The same Honourable Member quoted Mr. Mackenna on the subject as saying: 'There is now a large consensus of opinion that agriculture as such is not a fit subject for teaching in schools. It is not, in fact, a subject at all and rural education should be as general as agricultural education should be technical.' The Honourable Member further stated: 'I am told by everybody who knows that the subject of agricultural education in primary schools is an anathema.'

"With these words, I wish to commend the resolution to your acceptance."

The Hon'ble Mr. K. R. V. KRISHNA RAO:—"My Lord, I beg to second this resolution. A similar resolution was brought up before this Council in 1914 and then it was said on behalf of Government by Sir John Atkinson that, as soon as the requisite staff was available, Government would only be too glad to open such schools. Your Excellency was also kind enough to express all sympathy with this matter and I believe that conditions now are more favourable and the object of my Honourable Friend Mr. Siva Rao in bringing this resolution at present is to remind the Government about the necessity of opening agricultural schools in suitable centres in the Presidency. With these words, I second this resolution."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I am by no means certain that conditions have greatly improved. I do not know whether the Honourable Member means that we have more funds at our disposal or more staff than we had two or three years ago. But that is not the point that I wish just now to bring to the notice of this Council. The Honourable Mover referred to the recommendation made by the conference held at Simla in June 1917 on the subject and the fact that the Madras delegate Mr. Wood qualified the acceptance of that recommendation, so far as Madras was concerned, by expressing the view that concentration and demonstration were more desirable than the establishment of schools. The proceedings of that conference have come to us from the Government of India for consideration and the question has been referred to the Director of Agriculture. Till the Director has gone into the matter and till he submits a report, it is not possible for me to commit the Government to any expression of opinion in regard to the subject and all that I can say now is that the whole question will be carefully considered. I promise that what has been said by the Hon'ble Mr. Siva Rao and the Hon'ble Mr. Krishna Rao will be considered. In view of that, I hope the resolution will not be pressed."

The Hon'ble Mr. P. SIVA RAO:—"I beg to withdraw the resolution."

With the permission of His Excellency the President, the resolution was then withdrawn.

(Mr. Ranga Achariyar; Sir Alexander Cardew; Mr. Barber;
21st November 1917.] Mr. M. Ramachandra Rao; Mr. Subbarayalu Reddiyar.)

RESOLUTION RE PRINCIPLES TO BE ADOPTED BY OFFICERS ENGAGED IN RE-SETTLEMENT WORK IN RYOTWARI TRACTS.

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Your Excellency, the resolution that I have the honour to move runs:—

'XXIII. This Council recommends to His Excellency the Governor in Council that G.O. No. 1831, Revenue, dated 22nd June 1917, on the subject of the resettlement of the villages in the Nilgiri Upper Plateau be communicated to all officers engaged in resettlement work in the ryotwari tracts of the Presidency with instructions that as far as may be they should guide themselves by the methods and principles adopted by the Settlement Officer, by the District Collector, by the Board of Revenue and by the Government for that area, in dealing with questions affecting resettlement.'

The Hon'ble Sir ALEXANDER CARDEW:—"I may save the Honourable Member trouble, if I say that the Government accept the resolution."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I am very grateful to the Government for accepting the resolution. I may say that as a humble ryot myself in the Katty valley I gratefully appreciate the very liberal and generous spirit shown by Government in the treatment of the resettlement problem in the Nilgiris; and also as a ryot in other parts of the Presidency—Tanjore, Trichinopoly and Chingleput,—I request the same spirit which has characterised the resettlement in the Nilgiri plateau will be continued to be kept up in the resettlement of other parts also. The main principle is to see how far the resettlement operations will affect the poorer classes. Once we ascertain that the resettlement operations will be such as to throw an extra burden upon the poorer classes, regard need not be had to the wealthier people like myself. Therefore, the actual condition of the ryot, in this case of the Badagas, whose indebtedness is overwhelming, of which I am personally aware—their condition has saved me and my Honourable Friend Mr. Barber from the imposition of the enhanced assessment. The only lesson which I wish to place before this Council is that if Europeans and Indians stand together when they have interest in common, they will all stand to gain by that. Both on my behalf and on behalf of my Honourable Friend Mr. Barber I thank the Government for the liberal spirit which they have taken up in the resettlement."

The Hon'ble Mr. E. F. BARBER:—"I think I ought to say a word in this matter. I do not know to what extent the planters have been affected. But I understand in a great many cases the land is so held that any settlement will not affect the planters at all."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, the resolution, as it is framed, asks the extension of certain principles laid down in this order to areas which have to be resettled. I understand that the Hon'ble Sir Alexander Cardew is willing to accept the principles enunciated in the Government Order, in Mr. Gray's report and in the report of the Board of Revenue. I must say that when my Honourable Friend has proposed a resolution and when the Hon'ble Sir Alexander Cardew is quite willing to accept it, it is quite possible that the Hon'ble Members of this Council will be at a loss to know why I should intervene and why I should at all oppose this resolution as I am inclined to do at present unless I hear much more from the Hon'ble Sir Alexander Cardew as regards the principles which have been laid down here. It is open to any Honourable Member of this Council—but I need hardly say that—when any Honourable Member of this Council proposes a resolution and it is accepted by the Government,—it is still open to any Honourable Member to rise and object to its acceptance. That being so, My Lord, it seems to me that this Government order as well as the principle which has been enunciated by Mr. Gray requires a little further elucidation by an explanatory statement either by the Honourable Mover of the resolution or by the Honourable Member who agrees with the terms of this resolution. One of these courses might be adopted and if after hearing the Hon'ble Mr. Ranga Achariyar much more clearly, or after hearing the Hon'ble Sir Alexander Cardew, I see my way to change my opinion, I shall certainly vote for this resolution. But at present I am not inclined to vote for this proposition. My Lord, I would invite the attention—"

The Hon'ble Mr. T. RANGA ACHARIYAR (interrupting):—"As nobody has formally seconded the resolution, it is perhaps better that it is seconded."

The Hon'ble Diwan Bahadur A. Subbarayalu Reddiyar seconded the resolution.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"As I said, My Lord, I am under this peculiar disadvantage that I did not hear the Honourable Mover or the Hon'ble Sir Alexander Cardew criticise what has seemed to me some doubtful propositions of settlement procedure which have been laid down in this order. At the outset, I may assure my Honourable Friends who represent commerce and industry in this Council that whatever I say is not actuated by any hostility to the tea and coffee planting communities. It seems to me that there are certain principles of settlement procedure that do not seem to have been observed

(Mr. M. Ramachandra Rao; Mr. Ranga Achariyar.) [21st November 1917.]

hitherto and that requires explanation. I have taken this course of rising under somewhat unusual circumstances and asking for an explanation of the point of view of the Government with regard to this matter.

"With regard to Mr. Gray, at page 71 of his report Mr. Gray informs the Government:—'As regards the estates owned by European planters, the expediency of taking half the net produce, as the Government demand on the land, seems to be doubtful, because the planters have invested considerable sums of money in the way of capital to work their estates.' As I have already stated, my Lord, the planters have done a great deal of work in this country, they have brought land under cultivation which was never under cultivation and any concessions which might be given to one of the thriving communities here would be a matter which I would welcome. But I should specifically like to know whether this principle of half net is not to be applied to planters who had invested considerable sums of money by way of capital to work their estates. I can inform the Council that, as regards the plains there are many areas in which capital has been invested, for instance in Divi plenty of money has been spent in putting manure on the land and in improving it. It is so in the Periyar area which was sought to be exempted by a fifteen years' extension of the term, and I should think that, because the agriculturists have invested considerable sums of money in the way of capital, the half-net principle should not be applied. I should like to have some light on this matter. Then, my Lord, it is again stated here that the Government are not in a position to apply the half-net principle for the reason that there are no statistics. Mr. Gray says:—the value of the gross produce can thus be determined if the outturn or yield per acre is ascertained."

The Hon'ble Mr. T. RANGA ACHARIYAR.—"It is not Mr. Gray but it is Mr. Young that says it."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"Yes at page 71, yes, thanks. Mr. Young says:—'In the absence of statistics on these points the net income cannot be accurately determined and no revision can be made on uncertain data. So far as the estates in the hands of the Badagas are concerned, an enhancement in the rates is inadvisable. The Badaga has to purchase more grain now than before, because the population has increased and cultivation has decreased.' Therefore it seems to me that from a perusal of both Mr. Gray's report and Mr. Young's report, it is quite clear they seem to be of opinion that there is no way of ascertaining the gross produce with reference to the tea and coffee estates. No experiments have been made in the way of ascertaining the gross yield of these lands and therefore it is put forward as a ground for not applying the half-net principle. May I ask the Hon'ble Sir Alexander Cardew whether that is so, whether it is not possible at all to ascertain the gross yield in any manner whatever? I should also like to know whether during the thirty years period during which estates have been settled no records have been kept showing the gross yield of these lands."

"Then, my Lord, there is another contention or argument put forward here, namely, that food crops have been replaced to some extent by the non-food crops like potato, and that so far as the Badagas are concerned, the area under food crops has decreased and that the money realised by the sale of potatoes goes to the money-lender. Probably, it is a fact but the point that arises is whether the question of the contraction of the area under food-crops and the replacement by the produce of non-food crops is a circumstance which should be taken into consideration in regard to resettlement. We have been contending in this Council times out of number that so far as the poorer agriculturist is concerned, his produce is barely sufficient to meet his own needs throughout the year and there is no exemption even under these circumstances for an enhancement of these rates. In regard to South Arcot, my Honourable Friend Mr. Subbarayalu Reddiyar has done his level best in the matter and I know the question of resettlement operations has been so frequently coming up and the principle of it so many times stated in this Council, that I need not trouble this Council with any re-statement of them. In that part of the country groundnut has taken the place of food crops to a large extent. But nevertheless its commutation price has been taken in coming to a proper rate at the resettlement operations. The question is whether the replacement of food crops by non-food crops is a circumstance which is of any value in fixing rates at resettlement."

"Then as regards the general way in which the whole question of the resettlement of this area has been disposed of, I may say, your Excellency, that the Nilgiri plateau is very near the place where the headquarters of Government is situated for six months in the year and it is quite possible that your Excellency's Government and individual members of it are much more alive to the numerous pests and diseases to which the products are subject and they have a certain amount of sympathy with communities which carry on agricultural operations there. I wish that the other parts of the Presidency had the same advantage because if they had it I am perfectly certain that the leniency, I do not say it is misplaced leniency, with which the settlement of the Nilgiri plateau has been conducted would certainly have found expression in the settlement of the other parts of the Presidency as well."

"Another curious argument that has been put forward is that we cannot increase the rate in regard to the Badagas and therefore we cannot increase the rates on the estates. Another reason is that we have not increased it in Wynad and therefore that it should not be increased in the Nilgiri plateau. That is an argument which has been used here. I find it somewhat difficult not to give expression to my general feeling with regard to settlement operations. It seems to me so entirely without any principle, it is so dependent upon the personal predilections of the settlement officers who happen to sit and report to the

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Government. I appeal to the Government that if a certain definite principle of settlement is to be accepted it should be on the basis of a percentage enhancement on the rates in some way throughout the Presidency, and where there has been enhancement in the rates and where conditions are favourable to apply that principle. I wish to impress that fact much more in connexion with this settlement because it seems to me since I have been in this Council for seven years, I have been a careful student of settlement reports and I have been trying my level best to ascertain the general principle which has been applied, in the case of settlement and it is my firm conviction that the conclusions which are reached by any settlement officer are really a matter of personal idiosyncrasy, it may be in favour of the ryot or against the ryot. It is equally so in regard to the careful attention that is given to it by the officers in the Board of Revenue as also by the Government. I have known during the last seven years only one part of the Presidency to which resettlement has not been introduced and that was in Cuddapah two or three years ago, and I believe this is the first instance in which the settlement was extended and there was no resettlement for a period of 20 years. It was only yesterday that my Honourable friend Mr. Rama Ayyangar brought forward a proposition that with regard to the Periyar area in which a great deal of capital has been sunk it should be exempted from settlement for fifteen or twenty years; and unfortunately such a request could not be met with. I am not going into the merits of that case. In rising on the present occasion, my object is only to affirm this principle again. Let us have some intelligible principle in resettlement. Let it not be said anywhere that the ryot has been badly treated. Let us have some intelligible principle. I am not one of those who advocate a permanent settlement of the ryotwari holdings. I have not yet reached that state in the discussion of this matter though I might perhaps in the future. I wish to say that this report is an ample indication of the fact that there is absolutely no principle whatever in the application of the principles laid down in the Settlement Manual to revenue settlement in this Presidency. I wish again to assure my Honourable friend Mr. Barber that any remarks that I have made are not in any spirit of hostility to the planting community, but I merely try for the establishment of one principle in the present day settlement."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, the Hon'ble Mr. Ramachandra Rao has asked to be referred to the principles underlying the settlement proceedings. He will find them in the Settlement Manual. The second principle in the Settlement Manual is that the estimated productive power of the land should be stated in quantities of ordinary grain crops as closely as possible. Again, in the first of the Board's Standing Orders, it is expressly laid down that the assessment shall be on the land and not on the crop or the description of the produce. In the case which the Honourable Member has in mind, he is anxious to draw attention to profits which he suggests are obtained from special products such as tea and coffee; but it would be contrary to all principle to go and fix the tax upon these special products. We do not do it in any district on the plains. Throughout large areas on the plains, special industrial crops are grown, groundnut for instance, and we do not fix the assessment with regard to the profits on groundnuts any more than we fix it in the Nilgiris with reference to the profits on tea and coffee. It will be quite contrary to revenue settlement principles to do so. I think, therefore, the Honourable Member in asking whether or not there is any principle in this matter has himself been carried away by the idea that these tea and coffee estates have been specially treated. Whereas according to settlement principles we could not specially deal with estates either in the way of lightening the assessment or raising it."

"The Honourable Member suggested that the Nilgiri district has been altogether exceptionally treated by its existing settlement being extended without enhancement for twenty years. But in the case of the Cuddapah district to which he alluded not only was the assessment not raised but it was very considerably reduced. It was reduced by some Rs. 79,000 per annum. On the wet lands in Cuddapah we actually reduced the assessment by 18.5 per cent. If it is the suggestion in the speech of the Hon'ble Mr. Ramachandra Rao, that in the Nilgiris we have done something exceptional, it will be clear to the Council that in the case of Cuddapah also where we were of opinion that the condition of the ryot did not warrant an enhancement of the assessment, the Government went much further than they went in the case of the Nilgiris and reduced the charge on wet lands by 18.5 per cent, that is by nearly one-fifth. The Honourable Member has said that in no other part of the Presidency has any such treatment been accorded. The Honourable Member is mistaken in the statement. In several portions in Kurnool large reductions were made in the assessment. When there is reduction in the assessment Honourable Members of this Council do not hear much about it. It is only when there is an increase that people come forward and very naturally object to increased taxation. In the Kurnool district, in Koilkuntla and Patti-konda, the assessment on wet lands has been reduced by 15½ per cent and dry lands by 2 per cent. Again in Cumbum and Markapur, the assessment on wet lands was reduced by 11.79 per cent, so that the Honourable Member is not really doing us justice in saying that we have not applied this principle of not putting on an enhancement when we think that the people cannot bear it, because, as I say, in the poorer parts of the Presidency, in Kurnool and Cuddapah, we have actually gone much further and reduced the assessment to a very considerable extent. The reason why in the case of the Nilgiris the gross yield and the expenses are not gone into is because those gross yields and expenses—I think the Hon'ble Mr. Ramachandra Rao referred to that—relate to a special crop and it is not in accordance with the customary proceedings of settlement to go into the cost of the special crops. The Honourable Member has asked whether the fact that food-crop has been replaced by non-food-crop is a reason for not enhancing the

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assessment. It must of course depend very largely whether in this matter the state of the population and the economic condition of the tract—that is a phrase with which Honourable Members are familiar—is such as to justify an enhancement or any reduction of the assessment in consequence of the replacement of food-crops by non-food-crops. In some cases, such replacement by non-food-crops of food-crops may be an economic improvement, and in other cases it may be contrary. In the case of the Nilgiris the report that was submitted to the Government showed that the contrary was the case. The condition of the cultivator showed a distinct deterioration and there was considerable difficulty in realizing the revenue. It would have been a great material hardship to impose an increase, and on that account the Government consider that it would be unfair to the people to impose any increase. If that is the condition in any other part of the Presidency, the same course would be followed as we followed it in Ouddapah and Kurnool. Therefore, I am unable to see that the Honourable Member has brought forward any particular reason against this resolution. I quite accept this resolution because there is no intention to make any departure, and we do not admit any departure, from settlement principles. That being so, I accept the resolution, and ask the Council to agree with me in accepting it."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—“Your Excellency, with reference to this resolution I am placed in a peculiar position. I must state my conclusion that I distinctly support the resolution. But while I agree with almost every fact mentioned by the Hon'ble Mr. Ramachandra Rao, there is a great deal in what the Hon'ble Sir Alexander Cardew said. There are certain principles which are set out as principles governing resettlement. But the Hon'ble Mr. Ramachandra Rao was entirely right in saying that the principles are so delightfully vague, that they are capable of being applied in all sorts of ways and that we can come to any conclusion with these principles. Most of us who have been observing settlement proceedings have come to the conclusion that settlement is a mere fiction and that the real thing is that some increase of taxation is determined upon by the Government in some peculiar way. Most of us who have thought of the matter and have urged reforms for the people, we have come to the conclusion that the only proper and straightforward way to increase taxation would be by means of legislation, and that this attempt to get an increased taxation by some process of calculations is not intelligible and must be given up. But as the Government have not seen eye to eye with us on this point, to enable the Government to come to some conclusions, I am willing to support the proposition. We find that certain principles are given prominence in this matter. So long as the fiction of settlement principles being gone into is kept up we have to draw prominent attention to some facts which are emphasised in this G.O. No. 1831, dated 22nd June 1917. For instance, the fact that the poorer ryots cannot really bear any excess is a thing on which stress is laid. Stress is also laid on the fact that though there is rise in food-stuffs, the higher prices have not contributed to the improvement of the condition of the ryot because non-food-crops have been raised. The Hon'ble Mr. Ramachandra Rao is right in saying that prominent attention should be paid to these matters in many other districts. In the case of one of the districts which constitute my particular group, the Nilgiris, it has had a just application of these principles. I hope that other districts of the Presidency will have equal benefit of the special emphasis that has been laid on these principles. Therefore, for these reasons I think that so long as we maintain this fiction of going through resettlement calculations for the raising of taxation, the emphasis laid on these principles may be followed. I support the resolution.”

The Hon'ble Mr. T. RANGA ACHARIYAR :—“ I wish to say a few words so that there may be no misapprehension as to what the Honourable Member for Government for Government is accepting. “ My resolution as the Honourable Member will see, is that the Government should”

“ My resolution as the Honourable Member will see, is that the principles and methods laid down in these proceedings should be communicated to all officers engaged in resettlement operations. With regard to the special product theory which has now been elicited from the Honourable Member by my Honourable friend Mr. Ramachandra Rao, it is one which does not find a place either in Mr. Gray's recommendations, or in Mr. Young's report or in the remarks of the Board of Revenue or in the Government order thereon. While I am sorry for one that he has given me an opportunity to clear the ground so that the Government should not accept this resolution under any misapprehension. As I stated in my opening remarks, the point on which I laid great emphasis is that the settlement officer before proceeding to propose an enhancement must consider how far it will bear upon the poorer classes of pattadars and after he considers that, he must proceed to lay his recommendations to the Government ; if he finds that the poorer classes cannot bear any enhancement, he need not pay any consideration to the various circumstances which usually guide settlement officers ; for instance, that there has been no famine or scarcity in the district, that the rainfall and the seasons have been generally favourable to cultivation, that the population has greatly increased, that means of communication have greatly improved and that there has been a general rise in the price of land and in the price of food-grains. These are the usual circumstances taken into account by the settlement officers when they propose an enhancement in the areas which they take up for resettlement. But they become absolutely irrelevant when you consider the question from the point of view of the poorer classes of persons who cannot bear any enhancement. But in other areas importance has not been given to this aspect of it, namely, how it will bear upon the poorer classes who are very careless in spending on their marriages and on drink and who are heavily indebted and thriftless. All these have not to be taken into account, if really they cannot bear the enhancement. In

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dealing with other classes—namely estates—this is what is stated: ‘What has been said as to the enhancement of the rates of assessment in respect of Badaga patta lands is to some extent true of estate lands also. Moreover patches of Badaga patta lands are here and there planted with coffee. It is not feasible to make a distinction between the two and both will have to be treated alike.’

“What has been said of the Badagas is that there has been a decrease in cultivation. That is not so in the case of the plantations, in the tea and coffee estates. Whereas it was only one-third of the cultivated area which was planted with tea and coffee at the time of the settlement in 1884, it is now 50 per cent of the cultivated area. There has been no decrease in the cultivated area so far as tea and coffee are concerned. There have been more coercive processes with reference to the Badagas but with reference to these estates the revenue is realized most easily. Then again there has been no material improvement in the methods of cultivation by Badagas. But in the case of the estates it cannot be said that there has been no improvement in the methods of cultivation. It was this consideration which greatly outweighed the advantages which were referred to and he therefore recommended that there should be no enhancement of the rate. But none of these three or four considerations which he has mentioned in page 17 would at all apply to estates, and that is what Mr. Young develops.

"One more point is that you must have regard to the capital sunk by the people on the land. That is another matter. The half-net theory is not always sound and is not always just. We must have regard to the circumstances of each case and see whether really the half-net theory should be strictly enforced and that is what Mr. Young points out at page 71. He says that you cannot be sure of the cost of cultivation. If you cannot be sure of the cost of cultivation in the case of these people who are bound to keep accounts, who do keep accounts and whose accounts are reliable, how do you say that the cost of cultivation is exactly made out in the case of the poor illiterate ryots in the plains? Whatever conclusion we come to must always be indefinite, vague and uncertain. It is not on certain data. To say that we will allow one anna here or one anna six pies there is not just or sound. What is the principle which Mr. Young lays down at page 71? He does not say that it is a special product in the Nilgiris and therefore that a special principle should apply. The Nilgiris is subject to resettlement just as any other ryotwari area. I am sorry that the Hon'ble Mr. Ramachandra Rao has intervened in this debate and introduced a principle which does not find a place in this report. The true principle which, I gather, should be deduced from this report is that we must have regard to the condition of the poorer people, to the capital invested and to the uncertainty of cultivation expenses and then proceed to make proposals as regards enhancement. It is in that sense that I ask the principles to be accepted. I hope there will be no mistake in accepting this resolution and I do not want the Government to accept this resolution under any mistaken apprehensions."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"I do not know whether the Hon'ble Mr. Ranga Achariyar contends that it is open to the Government to say that this Government can go back on the half-net principle which has been laid down for us by the Government of India."

The Hon'ble Sir ALEXANDER CARDEW :—“ I will only detain this Council for one moment. It must be obvious that as regards this question of estates which the Hon'ble Mr. Ranga Acharyar last dealt with, it would be quite contrary to all our principles to charge on special classes of cultivation. We do not charge for instance sugar-cane on a special rate. The enhancement of the assessment is imposed on a tract. It is not imposed on a particular class of cultivation within the tract. For instance, in the South Arcot district, enhancement will be introduced by a district or a taluk. But I cannot recall a case in which it is imposed on a special crop. It is the local area that is adopted. In all cases it is imposed on a local area, but not on particular classes or estates in any particular area. We cannot in this case specially tax the planters while we leave the Badagas untaxed. We cannot tax the estate lands because they happen to be cultivated with tea while the Badaga land is free from enhancement on economic grounds. As a matter of fact, a very large proportion of the lands which are held by planters, European or Indian, are held on terms which preclude any enhancement. I believe about two-thirds of the area are held upon tenures without the power of enhancing the assessment being reserved. About twenty years ago or so, the Government of India issued orders that no land in future was to be sold without the reservation of the power to enhance, but prior to that these lands were given on 99 years' lease, which does not enable us to enhance the assessment. I have already referred to the other points raised. I do not wish the Council to believe that any special preference was shown to the Nilgiri district. I have already shown that equal or greater allowance was made in dealing with cases of the poorer districts like Kurnool and Cuddapah, and that the Government of the day will give an equal consideration to the economic condition of any district. When you are dealing with a wealthy tract the resettlement will be in the interest of the general tax-payer.”

The Hon'ble Mr. Ramachandra Rao said—that the half-net principle

of the general tax-payer.

"With regard to what the Hon'ble Mr. Ramachandra Rao said—that the half-net principle was the fundamental principle—I would just like to point out to the Council that it is not the case that the Government assessment is equal to the half-net. It is laid down in the books that it shall not exceed the half-net. It is well known to all members of this Council that in the great majority of districts it is far below the half-net."

—The Council agreed and agreed to.

The resolution was then put and agreed to.

(The President; Mr. Gillman; Mr. Siva Rao.) [21st November 1917.]

RESOLUTION RE PROTECTIVE IRRIGATION WORKS IN THE CEDED DISTRICTS.

The resolution which stood in the name of the Hon'ble Mr. P. Siva Rao was as follows:—

“XXIV. This Council recommends to His Excellency the Governor in Council that a special officer may be deputed to investigate and to report about the starting of protective irrigation works in the Ceded districts.”

His Excellency the President:—“I think the Hon'ble Mr. Gillman wishes to make a preliminary statement.”

The Hon'ble Mr. H. F. W. GILLMAN:—“I may intervene with advantage before the Hon'ble Mr. Siva Rao, moves the resolution. The Government have during the past ten years and more made a very thorough and, they think, an exhaustive investigation into protective works in the Ceded districts and they are in possession of information showing the nature of the works proposed and the progress made, and where decision has been taken the nature of that decision. I propose to publish a statement giving the information and I shall forward a copy of it to the Honourable Member. If the Hon'ble Mr. P. Siva Rao thinks that there are any works which should have been undertaken, but which have been omitted, he may either address the Secretary on the subject or move this resolution at a subsequent meeting. I hope that this statement will satisfy the Honourable Member.”

The Hon'ble Mr. P. SIVA RAO:—“In the light of the statement of the Hon'ble Mr. Gillman, I do not propose to move the resolution now.”

With the permission of His Excellency the President, the resolution was not moved.

RESOLUTION RE REVISION OF THE SCALE OF DIET PRESCRIBED FOR INDIAN PRISONERS.

The Hon'ble Mr. P. SIVA RAO:—“Your Excellency, the resolution that stands in my name reads thus:—

“XXV. This Council recommends to His Excellency the Governor in Council that the scale of diet prescribed for the Indian prisoners in jails may be so revised as to assure them of the requisite quantity and the quality of food which they were accustomed to prior to their admission in jail.”

“Your Excellency, I am aware that this resolution may not command universal acceptance because there is an impression, and a very widespread impression too, that nothing should be done in the case of dacoits and murderers. I believe that it is one of those old antiquated notions founded on the law of revenge but I believe that these old notions have changed. Now-a-days attempts are made everywhere to humanize prisons and to reclaim prisoners from the path of vice and give them religious instructions and treat them as men and if possible train them in useful arts and industries, so that they may become useful members of society, after they are released from jail. Your Excellency is aware of the efforts made by ministers like Winston Churchill and others in England towards prison reform. Here also the same tendency is at work and the Government have recently ordered religious instruction to be imparted to prisoners in jails. It is in that spirit that I wish to move this resolution.

“Criminal justice in old days was based on the law of revenge of ‘an eye for an eye, head for a head and a tooth for a tooth’. Now ideas have changed. A casual look at the diet prescribed for European prisoners and the diet prescribed for Indian prisoners is enough to convince anybody that the latter scale is not based upon any humanitarian considerations. The diet for European prisoners appears on page 97 of the Madras Jail Manual. They get bread, fresh meat, and meat. What is prescribed for Indian prisoners is rice to those who have been habituated to taking rice, vegetables, oil, salt, tamarind, and half ounce of curry powder and onions. What I observe in the case of Indians is one uniform scale, one hard and fast scale for all the criminals, whether they are sentenced to simple imprisonment or hard labour or whether they are under-trial prisoners or convicts and whatever their station in life, whatever their habits, whether the man is convicted of a technical offence or an offence which involves moral turpitude or whether he is convicted of sedition or an offence against the State—the same invariable scale of diet is prescribed. What I contend for in this resolution is that the scale of diet should be so elastic as to admit of its being doled out or distributed according to the previous habits of the people. Your Excellency is aware that in 1913 by the exertions of my predecessor Diwan Mahadur P. Kesava Pillai the ragi diet was changed into rice diet, in the case of prisoners who are accustomed to take rice.”

The Hon'ble Mr. H. F. W. GILLMAN:—“Does the Honourable Member mean to suggest that the scale of diet should depend upon the crime?”

The Hon'ble Mr. P. SIVA RAO:—“Not merely upon that, but upon his habits. I do not say that the diet should be doled out on any caste system. But no Brahman can do without ghee. When the Government are giving cheese and bread and meat to European prisoners, in

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(Mr. Siva Rao.)

fairness I ask why should not ghee be given to Brahmans even. In jails in the case of those accustomed to take rice, the principle was accepted in 1913 and ragi was changed into rice. The principle must be whatever they are accustomed to must be given. I do not want any luxuries. In all countries this principle is adopted. In almost every country, prisoners are given such food as they have been accustomed to. In some cases jaggery is given. Some may be accustomed to coffee or tea. While Europeans are given coffee and tea, there is no reason why these should not be given to Indians. There is no reason why high class Muhammadans if they are unfortunate enough to be convicted should be refused meat if they are accustomed to meat-eating. In the same way high class non-Brahmans who are accustomed to eat meat should not be deprived of such meat, simply because they are convicted. As I say my resolution might not find any general favour but I would not be scared away by any such considerations. It is time that this scale of diet to Indian prisoners should be brought into conformity with the scale prescribed for European and Eurasian prisoners. Let me not be misunderstood that I grudge the scale of diet given in the one case. I only ask that the other scale may be liberally revised and made elastic enough. The sole test should be what he is accustomed to. Whatever he has been accustomed to, let him have it. There is the power given in section 359 of the Madras Jail Manual which says: ‘No change in the prescribed dietary of the whole jail shall be made without the sanction of Government, but the diet of individual prisoners may be modified on the recommendation of the medical officer. Unless a prisoner is in hospital, any modification which is continued for more than a month shall be reported to the Inspector-General.’ Power to change the diet is left in the hands of the medical officer in any individual case but that cannot continue for more than a month. I may suggest for the consideration of the Government whether power should not be given to superintendents of jails to allow the diet on a suitable scale in any individual case, if the superintendent finds that any prisoner has been accustomed to any particular diet, say milk or butter milk, why should we not give it to him? Why not we treat him liberally so long as he is in jail? With regard to the varying of the food Government have been pleased to overcome that difficulty in the case of the rice diet. The magistrate before he commits the prisoner to jail inquires into the habits of the man and he notes in the committal warrant itself as to which food he should be given, whether it is ragi or rice. There is no reason why a magistrate should not undertake an inquiry in regard to this matter also. The magistrate might say to what class the Indian prisoner belongs and direct the class of diet he should be given. We may conceive how hard this present scale operates. I do not know if the Jail Code makes any difference with regard to persons convicted of sedition. I do not know whether they come under State prisoners. I am not quite sure that they come under State prisoners. Imagine a highly intellectual man of good social position being given this sort of diet. I have gone into the jail myself and seen that the food they get is in the nature of a cholam pudding and a vegetable curry. I have heard complaints from the prisoners that the vegetable curry is so very insipid and so little of the curry is used. For the evening meal they get 7 ounces of grain and I have heard loud complaints from prisoners especially in the case of those who are sentenced to hard labour; they say that it might be raised to 9 ounces. In the midday they get 9 ounces and they say that in the evening they only get 7 ounces after they return from their labour. My serious objection is that it might be made elastic and some power must be reserved with somebody, whether it is to the magistrate who commits the prisoner to jail or to the superintendent in charge of the jail to the magistrate who commits the prisoner to jail or to the superintendent in charge of the jail to make it elastic so as to suit the varying circumstances of each individual. It must depend not upon the crime, that is not the whole contention I am pleading for. Sometimes offences also upon the crime, that is not the whole contention I am pleading for. Sometimes offences also admitted into the jail is the main point. That was the predominant and governing consideration which the framers of the Jail Manual had in mind when they proposed the European scale. Before I close I wish to draw the attention of the Council to what was said by an American writer some time ago: ‘In olden times the one thought of punishment was revenge; today another element has entered and that is the reformation of the criminals, to make him a useful member of the society doing his part in its progress and development. You cannot inspire a man to do right when he has bad surroundings, wretched food and foul air. Give him good food, good treatment and good ventilation and he will strive to continue those things.’ This is the best accepted opinion. I hope Government will seriously consider the unsuitability of imposing one insipid scale of diet on all persons whatever their habits may be. There are a number of persons who are accustomed to tea just as any European is. Many are accustomed to taking meat also. There is no reason why they should not be continued. Conceive of a man like Bepin Chandra Pal, or B. G. Tilak, or Ghose living on this diet for infringement of certain technical rules. There are so many technical offences such as the infringement of plague regulations and abkari laws. These are instances in which for such infringement people have been sentenced to one month's imprisonment. There is no reason why they should be treated on the same scale as hardened criminals. There is no reason why they should not get the diet to which they have been accustomed. I do not say that they should be given *laddus*, but I only say that whatever they are used to as daily food, let them have it. I was looking into the pages of the last Administration Report. I was wondering what the Government were spending. The average cost per head in all the central and district jails fell from Rs. 38-7-10 to Rs. 38-6-9 per annum. So it comes to roughly Rs. 3 per mensem for every prisoner in jail. It is a ridiculously low sum. A prisoner of the Mala class is treated on the same footing as the man of the highest status who is unfortunate enough to get convicted. I do not wish to see this invidious distinction made between the European and the Indian classes.

122 RESOLUTION RE REVISION OF THE SCALE OF DIET PRESCRIBED
FOR INDIAN PRISONERS.

(Mr. Siva Rao ; Mr. Narasimha Ayyar ; [21st NOVEMBER 1917.
Mr. Stone ; Mr. Gillman.]

of prisoners. This is a matter which Government ought to pay serious attention to and make the scale of diet as elastic as possible, dependent not upon the crimes but upon the circumstances of each individual, upon his personal habits. That is the sole and guiding consideration in every country and there is no reason why it should not prevail in this country also."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"Your Excellency, I rise to second this resolution. In doing so, I wish to make my position clear. There is a certain looseness, if I may be permitted to say so, in the phraseology of the resolution and of some remarks made upon it which might imply that what the resolution aims at is, a particular scale for each particular prisoner. The scale of diet should be divided according to the particular habits of the prisoner and this only means that the necessary changes should be included. The Honourable Mover did not mean to suggest that there should be one scale for each person. That is how I understand the resolution. There is no use prescribing one particular scale for all adults in certain jails. There is no use prescribing one scale for all humanity. What should be aimed at is to find out what class of society the particular prisoner belongs to. In English system of jails we have different classes, first class misdemeanants and second class misdemeanants and in order to maintain this grade they give them what is the minimum of what is required for the average person of that class in the matter of quantity and quality of food. We need not consult the individual idiosyncrasies of individual prisoners but we must not give to any prisoner of a particular class less than what the average man of that class takes in the matter of quantity and quality. In this connexion I am rather sorry that the Honourable Mover should have taken ghee and given the instance of the Brahman. It is rather an unfortunate one. One would suppose that he was specially providing for Brahmans so that they might get into jails. Or it might be supposed that if matters were made easy they would get into jails more largely. Nobody suggests that the jails should be made so comfortable as to take away the rigour of prison life. But, at the same time, it must be admitted that it is not a necessary part of imprisonment that a man should be deprived of the ordinary comforts or necessities which he had before he got into jail life. He cannot have luxuries, he cannot have whisky and soda. I remember on a previous occasion Diwan Bahadur Kesava Pillai with his characteristic humour read out from the list of things for European prisoners a large number of intoxicating things such as brandy."

The Hon'ble Mr. J. H. STONE :—"That was in connexion with hospitals."

The Hon'ble Mr. NARASIMHA AYYAR :—"European in-patients of the General Hospital had lots of these luxuries whereas Indians had not the same benefit and Sir John Atkinson said that if Honourable Members were anxious to have those liquors, whatever temperance reformers might say Government would have no objection. Possibly a similar answer may be made with regard to the articles of diet read out by the Honourable Mover. I am only anxious that we should not ignore this main point that Indians of a particular class should be treated as belonging to that particular class even in prison. A person who has been living a first-class life, should not be confounded with one of the lowest class living only on kanji. I am sorry he has taken the case of a Brahman. A large number of Vellala friends known to me cannot live for a day without ghee. Let us take the well-to-do gentlemen in any one of these rural parts. He will be accustomed to some ghee or fatty matter which is essential to his system of life. Therefore, it is quite necessary to maintain some of these distinctions, not on the basis of race as is now done but on the basis of class or style of living. I think more especially when we are imitating England in so many other matters. This seems to be a characteristic of English prison life which is worthy of imitation, namely, the maintenance of the classes among prisoners. It obtains also in many places in the Continent. What was indicated by the Honourable Mover is a departure in the right direction. We should see that people are not unnecessarily pinched or starved or made to complain of the situation which reminds them of Oliver Twist. They should be given at least the bare necessities of life. I believe the proposition is one which would commend itself to the commonsense of most persons who have studied the subject and I hope Government would find it possible to accept it in some form."

The Hon'ble Mr. H. F. W. GILLMAN :—"Your Excellency, I really do not think that the Government can take this resolution seriously. I would like to say, first of all, that this scale of diet was introduced in 1912 after a trial for four years in two or three of our jails. It was introduced on the recommendation of experts who were best qualified to judge. The Inspector-General of Jails at that time who was a medical officer and a committee of medical officers with the Hon'ble the Surgeon-General at its head sat on the subject. They were unanimously of opinion that the scale provided contained sufficient nitrogenous and other matter for the support of life. Since that scale was introduced, we have made sufficient distinction between classes; that is, prisoners who have been accustomed to rice diet are not forced to eat ragi diet. The proof of the pudding is in the eating. In these cases, I would draw attention to the fact that, during the last four years, that is to say, the years in which this scale of diet has been in force throughout the Presidency, we have, on an average, a death-rate per mille of about 10 and we know that it is far and away lowest death-rate as compared with the death-rate in jails in any other part of India. If Honourable Members will realize what a death-rate of 10 per mille means, they will be satisfied that there is nothing in the matter like pinching and starving, as has been suggested by the Hon'ble Mr. Narasimha Ayyar. I do not really know what the Hon'ble Mr. Siva Rao wants. First of all, he talked of a diet based upon humanitarian considerations. I do not think it is the duty of the Government to

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base it on humanitarian considerations. They have got to base it on considerations of health. They have got to be satisfied that the diet prescribed is sufficient to maintain the prisoner in health and they are satisfied under that head, by reason of the figures I had just given you. Is the prisoner, when he comes into the jail, to bring his own table of diet with him and is that table of diet to be put into force? How is it possible to do so? We have not got a hard-and-fast scale. Our scale is modified by providing rice for rice-eaters in the place of ragi, and there is also section 359 of the Jail Code which provides that any particular prisoner who may be prescribed special treatment on medical grounds shall be given that treatment. Another suggestion was that the scale of diet should depend upon the crime. I do not think we can go into any questions of that description. The only criterion for Government must be the question of health—whether the diet prescribed for prisoners is sufficient to maintain the prisoners in their proper health. After all, I would remind Honourable Members that jail is intended to be a place for correction and not a place where malefactors can enjoy life at the expense of others. I do not think we ought to make these places more attractive than they are. There is no reason to modify the instructions that have been already issued on the subject of the jail diet which have been proved to be so successful in their working. I am therefore unable to accept this resolution."

The Hon'ble Mr. P. SIVA RAO :—"The Hon'ble Mr. Gillman says that this diet was decided on by a body of experts in 1912."

The Hon'ble Mr. H. F. W. GILLMAN :—"Before that."

The Hon'ble Mr. P. SIVA RAO :—"By a body of experts. Medical officers sitting and considering as to what would keep a man alive, as a physiological being."

His Excellency the PRESIDENT :—"No, to keep them in health."

The Hon'ble Mr. P. SIVA RAO :—"To keep them in health is the same as to keep them in life."

His Excellency the PRESIDENT :—"No. The object was to keep them in health."

The Hon'ble Mr. P. SIVA RAO :—"Very well. I have taken particular care to make my position clear. I quite remember that jails are places of correction. At the same time I wish to draw the attention of the Hon'ble Mr. Gillman to the fact that this diet is not intended to be punitive or penal. The prisoner gets his own hard labour which is a punishment. But it was never intended that his food should be cut short or that he should not have the food that he was accustomed to. I do not want luxuries. I only contend that he should be given the bare physical comforts of human existence and what he is accustomed to. The Hon'ble Mr. Narasimha Ayyar referred to classes and said that I made a reference to Brahmans. I referred to the highest classes of caste Hindus and in that connexion I mentioned the Brahmans. I do not for a moment contend that the diet should be fixed on the caste system. I am very sorry that justice has not been done to this simple affair. No doubt the Jail Manual reserves to medical men the power to certify that any individual prisoner should get a better sort of food on medical grounds but that does not cover my contention. Unless the convict is suffering from ill-health the medical man is not going to recommend any change. I am sorry I will have to divide the Council."

His Excellency the PRESIDENT :—"Perhaps I might inform the Honourable Gentleman that the Council is in sympathy with his humanitarian aspirations. We all want to treat the prisoners as humanely as possible. I confess, for my part, these poor people are as much victims of society as they are offenders against society. We can quite understand the Honourable Member's point of view and I think the observations he has made are from that point of view; but I would suggest to him that he leaves out of sight that, after all, these people are maintained at public expense. It is very difficult sometimes to know exactly whether prisoners are treated too generously or generously enough in respect of diet. I think his motion just now is peculiarly inopportune, because the figures show undoubtedly that there has been enormous improvement in the health of the prisoners generally in this Presidency, owing to the introduction of this diet. The figures are indisputable, and taking them as a whole, the health of the prisoner has enormously improved and has improved with greater elasticity and adaptation in the matter of separate diet for separate people. We have really gone further in the direction which his resolution suggests, than I believe they have gone elsewhere, with most gratifying results. There may be individual prisoners who may not thrive in jails, but the weights of prisoners show that a large majority maintained their weight and increased their weight under this diet. So far as the intention of the policy and the carrying out of the policy are concerned, I think the Madras Presidency is to be very much congratulated on the progress of events in the last few years. I think facts are indisputable that the health of the prisoners is carefully watched and there is some improvement in the care given by medical officers. It is not only when people are absolutely positively ill in the care given by medical officers that attention is directed to them, but he has and unable to do the work that the medical officer's attention is directed to them, but he has discretion in the matter of diet which he does not fail to exercise. I am inclined to think that if the Honourable Member is dealing with the great mass of prisoners, his criticisms have not got that wide foundation in fact which he seems to think they have. But, however, if he wishes me to put the resolution, I will put it to the Council."

The resolution was then put and lost.
At this stage the Council adjourned for a short interval.

124 RESOLUTION RE RE-ENACTMENT OF THE MAIN PROVISIONS OF
THE REPEALED RENT RECOVERY ACT FOR SOUTH KANARA.

(Mr. Sadasiva Bhat.)

[21st NOVEMBER 1917.]

The Council re-assembled at 3 p.m.

RESOLUTION RE RE-ENACTMENT OF THE MAIN PROVISIONS OF THE
REPEALED RENT RECOVERY ACT FOR SOUTH KANARA.

The Hon'ble Mr. K. SADASIVA BHAT:—"Your Excellency the resolution which I beg to move is as follows:—

'XXVIII. That this Council recommends to His Excellency the Governor in Council that early steps should be taken to re-enact the main provisions of the repealed Rent Recovery Act for South Kanara.'

"The Rent Recovery Act VIII of 1865 purported to consolidate the then existing rules and regulations and defined the processes to be taken for the recovery of the rent. This Act was in force in South Kanara till 1908 when it was repealed wholesale by the Madras Estates Land Act No. 1 of 1908. The Rent Recovery Act was being largely availed of for nearly half a century for the adjustment of relations between landlords and tenants in that district. The Madras Estates Land Act which took its place was not however extended to South Kanara and the term 'Estate' as defined in that Act expressly excluded ryotwari, the prevailing tenure of that district from its operation except the provision for distraint of movable property for arrears of rent. Thus the various provisions affording reliefs to landlords and tenants under the old Rent Recovery Act were suddenly withdrawn creating a difficult position both for landlords and tenants and bringing about a steady increase in the files of the several Civil Courts of the district.

"Most of the land in the South Kanara district is held by small proprietors through tenants who have a right to possession for one year only. In cases of such precarious tenancy the importance of obtaining ejectment and collection of arrears of rent in the shortest possible time without dislocation of agriculture can be easily understood. The repealed Rent Recovery Act contained provisions for summary ejectment, for distraint for arrears, for arrest, for tender of rent by the tenant and grant of discharge receipts. The Act also provided that claims by third parties to crops and gathered products of the land should not bar the prior claim to rent due from the land and enabled the landholder to claim security for the rent in appropriate cases. These remedies were summary and these provisions enabled the landlord and tenant to obtain a speedy and fairly satisfactory settlement of their disputes through the Revenue Courts.

"The repeal of this Act put the landlords on their guard and in the absence of summary remedies they have devised means to overreach the tenant; in the place of the simple and short rent deeds of former days elaborate formal annual rent deeds on printed forms under which the tenant contracts himself out of all his usual customary rights and containing onerous conditions have come into vogue. To have a further hold on the tenant many landlords do not grant proper receipts for rent. As the rent has to be paid in the landlord's house before a receipt can be claimed and as the tenant who insists on the receipt is taken to task as an impertinent and refractory tenant, many tenants have to go without any vouchers for rents paid, and are thus completely at the mercy of the landlords. Some tenants are compelled to remit their rents through the Post Office but even this does not often fully discharge them, as the rents in South Kanara are principally in rice, paddy or coconuts, or partly in kind and partly in money. The prices of these fluctuate and as the Civil Courts value articles like rice and coconuts according to the Gazette rates which are generally higher than the current rates in villages and bazaars in the interior, the tender by money-order is often incomplete and therefore invalid, and the tenant again becomes liable to the supposed balance with interest and all costs in a civil suit.

"The tenants who are generally very poor and have no interest in the holding, in their turn and in the conditions described above, try to overreach the landlords and secure as much as possible from the land in which they have no interest, without improving the land or paying any rents to the landlords. At the same time as the Rent Recovery Act was repealed in 1908, the provision in the old Civil Procedure Code by which crops or gathered products of the land could be attached before judgment was also abrogated by the new Civil Procedure Code, Act V of 1908, and thus once a tenant enters into possession though only for a year, he is secured against any rents till the landlord files a suit for ejectment, obtains a decree and takes possession in due course of law through the Civil Courts, which often takes three years for the landlord to do. The tenant meanwhile does not pay any rent nor even the assessment on the land, cultivates the land only till he can safely do it to enable him to appropriate the income, that is—till the landlord obtains a decree and then at the last stage keeps the land fallow and uncultivated,—allows the jungle to trespass into the fields,—leaves the tenant's house unthatched to the mercy of the violent monsoon, so that the landlord at the end of his protracted litigation gets possession of an uncultivated waste with the tenant's buildings in ruins. There is thus a high premium for unfair dealing and dishonesty on both sides and the consequences are ruinous both to the landlord and tenant morally and economically and disastrous to agriculture.

"I say therefore that some procedure is desirable to enable the tenant to tender his rent to the landlord and obtain a full discharge receipt, to enable the tenant to surrender the land to the landlord, obtain an acknowledgment from him to discharge him from further liability, to enable the landlord to eject dishonest tenants without being driven to a protracted and expensive suit. Some provision giving the landlords a prior claim for their rents on the crops and gathered products of the land to that of other creditors of the tenants, and enabling them to ask for security-

RESOLUTION RE RE-ENACTMENT OF THE MAIN PROVISION OF
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for rent in particular cases appears to be also necessary. These will go, I believe, far to restore good and harmonious relations between tenants and landlords and prevent tedious suits with the consequences referred to above.

"Such summary remedies are particularly necessary in South Kanara where the prevailing tenure is precarious and the ryots compared with other districts are poorer and where the jungly nature of the district and the heavy monsoon require constant application of labour and attention to the gardens and paddy flats. I should probably have asked for some rent law for all lands both in South Kanara and outside under ryotwari settlement, but probably conditions are different in different districts, and I am not conversant with them outside Kanara and Malabar. I have tentatively asked for some rent law for South Kanara alone where conditions are not complicated and there is no controversy about the need for legislation.

"The effect of the repeal on the litigation in the civil courts will be clear from a reference to the files of the several civil courts in the district. The files in all the courts have been steadily going up since 1908, so that while some years ago the High Court was seriously considering proposals to reduce the number of munsifs' courts in South Kanara, the increase in the number of suits since 1908 has urged the High Court to consider an increase in the number of courts in the district. I have not obtained the exact figures for all the courts in the district, but I know that the total files have more than doubled in most courts and that more than 60 per cent of this increase are on account of suits between landlords and tenants.

"I do not know whether the Government had considered the contingency of having to legislate for lands under ryotwari settlement when it repealed the Rent Recovery Act and legislated under the Madras Estates Land Act for estates other than ryotwari. I understand that aspect of this question as relating to South Kanara had come up for consideration, and that two former Collectors of the district had expressed their opinions in favour of legislation.

"My suggestion is not that the whole of the repealed Rent Recovery Act should be re-enacted; I shall be content if the expediency of any legislation providing similar remedies as I have indicated above, as local conditions and circumstances in Kanara may require, is seriously considered by the Government and early steps are taken in that behalf. I do not ask also that any new administrative machinery should be created to work these provisions or that revenue officers should be burdened with their administration. I wish it were possible to enable the existing civil courts, which have already the necessary administrative machinery, to administer these remedies in a summary manner in appropriate cases leaving only complicated disputes to be settled by regular suits.

"There are provisions under which mortgage amounts could be tendered in civil courts and their discharge recorded. There are provisions also enabling judgment-debtors to tender amounts or possession of immovable property affected by a decree and to have satisfaction of the same entered. Chapter 10 of the Civil Procedure Code invests High Courts with power to make rules regulating the procedure of subordinate civil courts for matters including suits for the recovery of immovable property with or without a claim for rent by a landlord against a tenant in certain cases.

"The point I want to impress on the Government is that the lack of remedies as in the Repealed Rent Recovery Act has considerably increased litigation in the district and is affecting adversely the interests of agriculture and the continuance of good and harmonious relations between landlords and tenants in South Kanara. These conditions should be improved either by special legislation on the lines of the Rent Recovery Act, or by investing the ordinary civil courts with power to administer such remedies in a summary manner. The provision of section 134 of the Estates Land Act does not meet the needs of the agricultural population of the district. This will be clear from the fact that that provision has been availed of in quite a very small number of cases and has not prevented the steady increase in litigation and consequent bitterness and strife between landlords and tenants."

The Hon'ble Mr. K. K. R. KAVALAPPARA MUPPIL NAYAR:—"Your Excellency, I second this resolution as put down on the agenda paper, though I cannot subscribe to some of the hard remarks against landlords which the Honourable Mover made in the course of his speech."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, it is not quite clear from the Honourable Member's speech whether his motion is made in the interests of the landlord or of the tenant. Those interests do not, generally, coincide. It will be a matter of some interest to know which party he represents, and on whose suggestions he has brought forward this proposal. It is a fact that Act VIII of 1865 was passed in the interests of the landlords of this Presidency. Historically that is borne out from the correspondence which led up to that Act; and therefore one would suppose that the Honourable Member wishing to have that again put into force in South Kanara supports the interests of the landlord, and other facts also indicate the same conclusion because the only representation so far as I know, which has been made to the Government during the last seven or eight years, since that Act was repealed in South Kanara, has come from the landlords of that district. In 1910 the Pattur Landholders' Association passed a resolution asking for the restoration of the Act. I, therefore, conclude that it is in the interests of the landlords rather than those of the tenants that a restoration of the Act VIII of 1865 is desired. The Honourable Member told the Council that Act VIII of 1865 was largely

(*Sir Alexander Cardew; Mr. Ranga Achariyar; the President; Mr. Sadasiva Bhat.*)

availed of when it was in force in the district. But the Honourable Member did not tell us what evidence he had in support of that statement. I not only have got figures to contradict that statement, but I am also assured by officers who have had practical experience of the district that the resort to the Act was very limited indeed. The figures which I possess relate only to the years 1907 and 1908. In 1907 the number of suits filed under the Act of 1865 in South Kanara district was eight and in 1908 the number was two. Both these figures conclusively prove that the resort to the Act was extremely limited and officers who have served in the district and have had charge of divisions have assured me that suits under the Act of 1865 were a rare occurrence in the past. If that was so, the idea that the rise in civil litigation, is due to the repeal of the Act is not supported by the real facts of the case. There has been a rise in litigation in South Kanara as there has been in many other parts of the country, but I do not think that the Honourable Member can assume that because there is a rise in litigation, it has anything to do with the repeal of the Act of 1865.

"With regard to summary processes, even there the resort that was had to the Act of 1865 was most limited. In 1907 the number of distraints was 33; in 1908 it was 25. When we remember in South Kanara there are 80 or 90 thousand patts and a couple of hundred thousand tenants, it is quite clear that the Act was hardly used at all, and that its repeal could have had no appreciable effect whatever. Your Excellency, section 134 of the Estates Land Act maintains the landholders' power to recover rent by summary processes. So far the existing Act of 1908 is concerned, it has maintained the provisions of the older Act. If it was desired to go further, as the Honourable Member who moved this resolution rather suggests, and to give the landlords power of eviction and the other more extensive powers which did exist under the Act of 1865, such as power to arrest, etc., if it was proposed seriously to undertake legislation with that object, I think it is clear that the matter could not be dealt with in any such way as is proposed in the resolution by re-enacting the old Act which was a notoriously bad Act, but it would be necessary to undertake tenancy legislation for the protection of the landlord and the tenant in ryotwari tracts in South Kanara. If that were undertaken in South Kanara, I cannot see how we can possibly avoid extending such legislation to the neighbouring district of Malabar, and if the Government were once committed to legislation for regulating the rights of landlords and tenants in South Kanara and Malabar, I do not see how we could hold our hands without taking up the whole knotty question of the position of ryotwari tenants on the East Coast. Tenants on the East Coast have no protection at all. They have not got any Act to protect them. Their position at present is entirely left to the contract between themselves and the landlords. I do not think that Honourable Members of this Council would wish to embark upon such an undertaking as agrarian legislation which would affect all tenants under ryotwari holdings throughout the Presidency. That is a point I would like Honourable Members to consider. How could we legislate for this one part of the Presidency without taking up the neighbouring district of Malabar? And if Malabar, why not all the East Coast districts?"

"There is this further point to be said. We have had no demands from the tenants of South Kanara for this legislation. No representation whatever as far as we have been able to trace has been made to us, asking for such interferences by the legislature. It is true that one landholders' association asked for it, but there has been no representation from the tenants; and until there is a very strong demand for legislation, I think it is a safe proposition to say that it would be unwise to interfere by legislation with the relations between the landlord and the tenant and to undertake the task of agrarian legislation. Under these circumstances, I cannot advise the Government to accept this resolution."

The Hon'ble Mr. T. RANGA ACHARIYAR.—"My Lord, I thought the resolution was peculiarly confined to South Kanara, but my Honourable friend Mr. Sadasiva Bhat has drawn the question of the general tenancy law for the rest of the Presidency."

His Excellency the PRESIDENT.—"I do not think it is right to suggest that you are discussing the general tenancy law for the whole Presidency. That is entirely outside the discussion."

The Hon'ble Mr. T. RANGA ACHARIYAR.—"Yes. I wish only to state to this Council that the gloomy picture he has drawn of the relations between landlords and tenants does not refer to the tracts we are acquainted with. I am happy to say it does not exist in these parts. We are quite happy and I do not think that any legislation is required either to protect the interests of the landlord or the interests of the ryot and any attempt at legislation may create unhappy feelings between the parties who otherwise are quite happy."

The Hon'ble Mr. K. SADASIVA BHAT.—"The Hon'ble Sir Alexander Cardew was pleased to ask whether this resolution was moved in the interests of the landlords or of the tenants. I wish to say that it is moved neither in the interests of the landlords, nor in the interests of the tenants only but in the interests of both from what I have seen and have experienced with regard to the state of relations between landlords and tenants in South Kanara. I do not ask that landlords only should be protected against tenants. I have explained that on either side there are attempts made to over-reach the other, and I have also asked that there should be opportunities for the tenant to tender the rent and free himself from liability. In South Kanara the tenant is only a tenant for one year and executes an agreement. There is no

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patta exchanged from the landlord to the tenant but only one taken from the tenant in favour of the landlord. Also at the end of the year no receipt or discharge acknowledging surrender or relieving the tenant from further liability is given by the landlord. The Hon'ble Sir Alexander Cardew referred to the fact that there were only eight suits in 1907 and only two in 1908. But I believe that eight and two represent only the number of suits filed under the Act as a matter of fact, but not the number of applications, or the cases in which the landlords availed themselves of the provisions of the Act to relieve themselves. It is only where distraint was objected to, or a rent deed was denied by the other side, that it filed a suit in the ordinary course in the revenue courts. It is not altogether the number of suits that are filed under the Act that ought to indicate whether the re-enactment of the Act is necessary. The fact that the law exists in a particular state, or that the law is so, makes the parties careful to conform to the law.

"The Hon'ble Sir Alexander Cardew also objected that if we legislate for South Kanara we will have to legislate for Malabar also and that we will have to legislate for the tenants on the East Coast. I have stated in the course of my moving the resolution that I am not conversant with conditions on the East Coast. I know that the matter as between landlords and tenants is more complicated in Malabar whereas it is not so in regard to South Kanara. Tenures in Malabar and South Kanara are quite different, and they differ also from tenures on the East Coast. My plea is that possibly a single tenancy law may not suit all the several districts; and my plea is for a special tenancy law for South Kanara. The case is not whether I have made out a case for a special law for ryotwari tenure, but I am putting it to the Government that the Rent Recovery Act was in force for a very long time in South Kanara and it was withdrawn for no good reason. You have taken away an existing law which was in force and my prayer is that the relief which existed should be regranted to us.

"It was said also that there was no representation from the tenants. It is true that the tenants are not so articulate or are not so organized as to exactly express their grievances in the matter, but I have stated that the relations between the tenants and the landlords are such—I have observed them in the litigation that has passed through my hands—that these tenants are suffering from the grievances that I have referred to. The Hon'ble Mr. Ranga Achariyar has stated that the relations between landlords and tenants in the East Coast are not such as to justify the passing of any tenancy law for them. I submit that the case is not so in South Kanara; and I hope the Government will seriously consider the question whether some relief cannot be granted to landlords and tenants in South Kanara."

The resolution was then put and lost.

His Excellency the PRESIDENT:—"Resolution No. XXIX * as on the agenda will be postponed for the moment."

RESOLUTION *RE* PENALTIES ON INCOME-TAX ASSESSEES.

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, the resolution that I have the honour to move runs as follows:—"

'XXX. This Council recommends that His Excellency the Governor in Council be pleased to modify the rules contained in the notification appended to G.O. No. 789, Financial (Separate Revenue), dated 10th October 1917, so far as they impose fresh or additional penalties on income-tax assesseees.'

"Your Excellency,—It will be within the recollection of this Council that it was at the meeting held on the 22nd of May 1917 that my Honourable friend Mr. Narasimha Ayyar moved a resolution in these terms:—

'This Council recommends to His Excellency in Council that an inquiry be instituted into the manner in which section 30 of the Income-tax Act is worked in this Presidency.'

"After the resolution was duly proposed and seconded the Hon'ble Mr. Rajagopala Achariyar accepted the resolution on behalf of Government, no doubt sounding a note of warning that he was accepting it, because the Board of Revenue was also complaining as to the manner in which these penalties were being worked, and he also considered it necessary to hold an enquiry. What has been the result of the enquiry? The object with which the resolution was moved in May last was to lessen the rigour of the penalties imposed under the Income-tax Act. But as a result of the enquiry we find that G.O. No. 789, dated 10th October 1917, was published with some rules appended thereto, the effect of which is to place income-tax assesseees in a worse position than they were in before.

"Immediately after the receipt of this Government Order I considered it necessary to bring it to the notice of this Council this circumstance that nothing should be done to place the income-tax assesseees in a worse position than they were before that date. That is why I have so worded the resolution as to object to the rules in so far as they tend to impose additional burden on the income-tax assesseees. I do not want to go further than that. I do not want to

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suggest any modification in the old rules issued by the Government from time to time. I shall now briefly explain to the Council how we stand at present and what the rules were before this Government Order. These rules were published under section 30 of the Income-tax Act. Section 30, sub-section 1 of the Income-tax Act, is in these terms—

‘In any case of default under this Act the Collector, in his discretion, may recover a sum not exceeding double the amount of the tax either as if it were an arrear of land revenue, or by any process enforceable for the recovery of an arrear of any municipal tax or local rate imposed under any enactment for the time being in force in any part of the territories administered by the Local Government to which he is subordinate, or may pass an order that a sum not exceeding double that amount shall be recovered from the defaulter.’

‘Provided that, where a person has presented a petition under section 15, such sum shall not be recoverable from him unless, within thirty days from the passing of the order on the petition, he fails to pay the amount, if any, required by the order.’

As empowered by that Act, the Local Government framed rules from time to time and I shall now draw the attention of the Council to some of the important rules bearing on the subject now under consideration. The first rule laid down as per B.P. No. 891, dated 16th April 1886, paragraph 31, is:—

‘It should be understood that it is not the intention that double the amount is to be recovered in all cases. In the generality of cases, it will be sufficient if the amount of the tax be recovered plus such sum as will suffice to cover the costs of process; the full penalty, therefore, should, as a rule, only be imposed in clear cases of wilful evasion of the tax.’

‘Another rule which is also referred to is this:—‘The system of sending reminders to defaulters, not being required by the Act, should not be followed as a rule, though there may occasionally be cases in which, in consideration of the position and respectability of the parties concerned, a reminder may be desirable.’ This is as per B.P. No. 797, dated 19th November 1887.

‘These are the rules which have been in a way superseded by the recent notification published last month. This is what the notification says: ‘In exercise of the powers delegated to him under section 38, sub-section 1 of the Income-tax Act II of 1886, the Governor in Council prescribes the following rules for the imposition of penalties under section 30, sub-section 1 of the said Act:—

‘(1) The officer who is responsible for the collection of income-tax should keep a list showing the dates on which each instalment of tax, whether imposed by himself or by another officer, falls due.

‘(2) Where the collecting officer is not the same as the assessing officer, the former should, in any case in which an instalment is not paid on the due date, advise the latter on the day succeeding the due date of the fact that it has not been paid.

‘(3) Failure to pay the first instalment renders the whole tax due at once.

‘(4) On receipt of intimation of failure to pay any instalment, the assessing officer should issue to the assessee, through the collecting officer, a notice in the form attached, imposing a penalty of one per cent of the tax due and warning the assessee that, if the whole amount due is not paid within twenty days, a second penalty, ten times the amount of the first, will be imposed. Unless the tax has been paid in the meanwhile, the collecting officer will forward this to the assessee. If it has been paid, he will return it to the assessing officer.

‘(5) In any case in which persistent default is made, the assessing officer will call upon the assessee to show cause why there should not be imposed such penalty not exceeding the amount of the tax due as he may deem fit.

‘(6) Penalties are imposed for the purpose of expediting collections and not as punishments. It is not necessary to impose penalties after payment of the tax even though the payment has been delayed.

‘(7) The Collector of the district may annul or reduce any penalty imposed by himself or by any officer subordinate to him.’

‘The last rule only reproduces the rule already in effect.

‘I only request the Council to consider whether the effect of this notification is not virtually to take away the discretion which was vested in district officers and which was being exercised by them hitherto. No doubt, clause 7 says that the Collector of the district has a right to annul or reduce any penalty imposed by himself or by any officer subordinate to him. But once it is made obligatory under rule 4 that the assessing officer should issue a notice in the prescribed form, giving a warning that if it is not paid ten times the penalty would be levied, it would practically enable local officers to carry out these directions literally and thereby cause unnecessary hardship, even in cases where there has been no wilful evasion of the payment of the tax. It is, therefore, clear that the spirit with which the first rule was passed to the effect that in the generality of cases the mere payment of such additional amount as will suffice to cover the cost of processes should be demanded has been taken away. It is, therefore, possible that these penalties can also be recovered in cases even though they are not cases of wilful evasion of payment of the tax.

‘I know that by coming before the Council to ask for a reconsideration of the Government Order immediately after it was issued, I might be asking for something which the Government might be unwilling to do. When we had no opportunity of knowing before and what was likely to be the sort of rules that were likely to be issued, and what orders

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would be issued, we had no alternative except to come up at the earliest stage after the issue of the notification. I would only ask at this stage that the spirit of the rules which were in force before that date might be worked in a liberal spirit and that nothing will be done which will in any way prejudice the income-tax assesses.

‘With these remarks, I commend the resolution for the acceptance of the Council.’

The Hon'ble Mr. A. SURYANARAYANA RAO:—‘Your Excellency, I beg to second this resolution and my justification for doing so is that I have been an income-tax assessee ever since the Act was passed. I have been paying this income-tax for the last 31 years and during this period once I paid four annas for a process, because I forgot to pay that tax on the day I was bound to pay. On the second occasion I forgot, and though I remitted the amount the very next morning, I was fined Re. 1 for not paying the tax in time. I appealed to the Collector not because of the value of the lost rupee, but because I felt it humiliating that I should have been asked to pay one rupee. That fine was not remitted and that circumstance stands against my name. That is why I find justification for supporting a resolution that has been moved by my Honourable friend Mr. Krishna Rao.

‘I submit that under this Government Order rule 1 says:—‘The officer who is responsible for the collection of income-tax should keep a list showing the dates on which each instalment of tax, whether imposed by himself or by another officer, falls due.’ So, the income-tax officer would always have a list with him as to who is to pay the tax. I suggest for the consideration of Your Excellency's Government that probably there would not be so much complaint if only a notice, a postcard, is sent to the assessee five days before the income-tax falls due, to say that the tax will have to be paid on such and such a date and that otherwise he will be liable to the payment of a fine. It need not be even personal service; a postcard left at his house would be sufficient notice to him, that he has to remember that he has to pay the tax on such and such a date. With regard to those who pay heavy taxes—when I say heavy, I mean persons who pay in hundreds and thousands—I think three days' grace might be allowed for them to pay the tax. Five days' notice may be sent and three days' grace may be allowed. If an assessee still fails to pay the tax any penalties might be imposed. Forgetfulness is quite natural. We may all forget. I make a note of my tax and I will be very regular in paying my tax because I have had experience. But there may be other assessee who might forget, and if they forget even for a day they are called upon to pay at the rate of one per cent. It would come to a very decent sum in the case of those who pay in thousands. It is not the object of the Government to collect such penalties, because rule 6 lays down that ‘penalties are imposed for the purpose of expediting collections and not as punishments.’ It is not by way of punishment that the penalty is collected; it is simply to wake up people to pay in time. It is clear that the object of the Government is not to collect the money by way of penalty. Therefore, I suggest that some leniency might be shown and that the rules might be modified by giving them one chance to pay the tax before the penalty is actually imposed.

‘With these words, I beg to support the resolution moved by my Honourable friend.’

The Hon'ble Mr. C. G. TODHUNTER:—‘Your Excellency, this is a cruel attempt to smother an innocent little Government Order at its birth. As the Honourable Mover has said, it was only at the last meeting of Council that the Hon'ble Mr. Narasimha Ayyar moved for an inquiry into the working of section 30 of the Income-tax Act. In granting the inquiry, the Hon'ble Diwan Bahadur P. Rajagopala Achariyar gave the Honourable Member fair warning that he granted it because the working of the section was as unsatisfactory from the Government point of view as it was from that of the parties affected. Our percentage of collections was the worst in India. In the year 1916-17 it was below 75 per cent while other provinces were collecting as much as 98 and 99 per cent.

‘The inquiry was made. It was found that the practice of different officers in applying the section was variable and generally ineffective; and the district practice which appeared to be the most suitable was adopted as the basis of a set of rules which were issued by Government last month.

‘The Honourable Mover objects to the rules on the ground that they impose fresh and additional penalties. What they appear to do is the exact opposite. Section 30 of the Act authorizes the recovery of a sum equal to 200 per cent of the amount of the tax. There were no rules before. The only rules having the force of law framed by this Government were those printed on page 132 and the following pages of the Income-tax Manual. The notes to section 30 which the Honourable Member has referred to are reproductions of Board's orders, some of which are long since out of date. He has laid great stress on an order of 1886 that the penalty which are long since out of date. He has laid great stress on an order of 1886 that the penalty in the generality of cases should be such small sum as would suffice to cover the cost of process, nor do I understand how it can ever I can assure him that that order is no longer enforced, it would be issued under Act II have been enforced for the reason that, if process were issued, it would be issued under Act II of 1864 and the process fees would be recovered under the same Act. Therefore there would be no necessity to levy a penalty to cover the fees. At the present time process fees are actually levied in only one district, viz., Vizagapatam, which explains the levy of four annas complained of by the Hon'ble Mr. A. Suryanarayana Rao. As for the rules restricting the discretion of the Collector I agree with the Honourable Mover, but would point out that the restriction is by way of limiting the very large discretion which the Act gives him, to one per cent in the first instance

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and ten per cent in the second, reserving heavier penalties for cases of persistent default and in these giving the defaulter an opportunity to show cause. I would further point out that the notice of levy of one per cent provides the reminder which the Hon'ble Mr. Suryanarayana Rao asks for, while rule 6 would safeguard him from levy of a penalty after payment of the tax such as he has complained of. In conclusion I would add that the rates enforced by the rules are half the rates applied in the districts from which the rising scale of penalties was adopted. There is thus nothing fresh or original about the rules except that they substitute an organized system for a haphazard one.

"The real objection seems to be not so much to the rules as to the system of collection for which the Act provides. I am quite prepared to agree that this system is different to that provided for under the Land Revenue law. The Act does not provide for a bill collector to be sent to collect the tax. It imposes upon the assessee the duty of paying this like any other bill. This is made even more definite in Clause 34 of the Bill for the amendment of the Act which has been recently published which provides that the amount of income-tax specified as payable in a notice of assessment or an order under section 23 or section 24 of the Act shall be paid within the time, at the place and to the person mentioned in the notice or order. These provisions may be thought objectionable by some people, others may merely think them to be business-like. However that may be, it is not for this Government or its officers to consider the policy of collection as a whole. That is dealt with by an Act which is common to all India, and if Honourable Members disapprove of it, the proper course is to arrange to have amendments made in the Bill now under consideration by the Imperial Legislative Council. What it falls for this Government to do is to carry out the policy prescribed by the Act, and this I submit is provided for by the rules under consideration as mildly as is consistent with efficiency."

The Hon'ble Mr. T. RANGA ACHARIYAR :—" Your Excellency, there is one aspect of this matter on which I wish to appeal strongly to Government. There is a loud complaint, and I do not think altogether unjustified, that we, the elected members of this Council, are not capable of doing much good to the people of the land ; but it should not be thrown at us that we are capable of doing evil. The Hon'ble Mr. Narasimha Ayyar, I am afraid, will not be thanked by the public—I am sorry he is not here—for having rushed where he ought not to have put his foot in. He moved a resolution calling for an inquiry ; but he has apparently made matters worse than they were before. I think we should all be thankful, if the old state of things is restored, without these rigorous penalties being imposed. It is quite true that under the law, penalties can be imposed, but it is left to the discretion of the Collector to impose the penalties, having regard to the circumstances in each case. I am sorry that this resolution was at all moved on the last occasion and that the discretion that was left in each individual collecting officer has now been taken away. I do not blame the Government for having done it, but I am sorry that we have induced the Government to do it. I appeal to the Government that that reproach which will certainly be thrown at us by the people may, at any rate, be removed.

"I quite realize the force of the arguments of the Hon'ble Mr. Todhunter that the Act does permit these things. It is one thing for the law to permit it and it is another thing for executive officers to enforce such things which are left to their discretion. It is not right to say that it is legal. Every sower says that it is legal to collect 100 per cent interest. Having regard to the powers you have for enforcing these collections under the Revenue Recovery Act, it is not necessary that the Government should clothe themselves with further powers in this matter. Fancy for a delay in payment an addition of one per cent, then it becomes ten times and then twenty and then it means cent per cent afterwards. If there is delay, it may be due to various causes. Now as it is, the assessing officer is bound to impose this penalty whatever the causes of the delay might have been, even if they were beyond this penalty whatever the I think the rules are not conceived in a liberal spirit, I am sorry to have to say that; but I do hope that the Government will look at it from a sympathetic point of view and I do submit that it is a very hard case indeed. I hope the Government will view it favourably."

The Hon'ble Mr. A. S. KRISHNA RAO:—"My Lord, I am afraid that the Hon'ble Mr. Todhunter has not correctly understood the scope of section 30 of the Income-tax Act. He seems to suggest in the course of his remarks, that the penalties suggested by the Government were a maximum and that what the Government have done is a concession which they have shown when the maximum is 200 per cent and it cannot be charged that the Government are framing rules inconsistent with the Act. Section 30 of the Act says that in cases of default of payment, double the amount of the tax is to be recovered. It is not double the amount of the tax to be recovered in addition to the tax. The former rules in force as also the rules just now published enable the Government to recover the full amount of the tax. Again, he pointed out that penalties are provided under the Act and that the Government are simply enforcing these rules and if there is any grievance attempts should be made in the Imperial Legislative Council, because section 30 of the Act expressly gives the discretion to the officers to impose the penalties and the Local Governments have seen fit to issue such instructions as are necessary and that therefore it is perfectly open to the Local Government to do so. If the Government see eye to eye with us, and give the same latitude to the officers that there was before, they can abrogate these rules. I don't think there is any difficulty. All that is necessary is that the Government must

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see the reasonableness of the proposal made and they must themselves be induced to move in the matter of altering the rule. If there is that will on the part of the Government there is nothing to prevent them from giving effect to it."

The Hon'ble Mr. C. G. TODDUNTER:—"Your Excellency, I am glad to be able to set the Hon'ble Mr. Ranga Achariyar's conscience at rest by informing him that the improvement of the percentage of collections and with it the administration of section 30 of the Act was under the consideration of the Board of Revenue before the Hon'ble Mr. Narasimha Ayyar moved his resolution."

"As regards the other objections that have been taken, I would repeat what I have said that it is the whole system that is in question. The Income-tax Act provides for enforcing payment by a system of levy of penalties. If penalties are not to be levied, the alternative is to employ bill collectors at the expense of the general tax-payer."

The resolution was put and lost.

RESOLUTION *RE* ASSESSMENT OF BACKYARD CULTIVATION.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR :—“The resolution which I wish to move runs thus :—

'XXXI. This Council recommends to His Excellency the Governor in Council that the uniform rate of one rupee fixed for all assessable backyard cultivation, on all extents below 25 cents, under the revised Board's Standing Order No. 21 be modified, and such cultivation be assessed on the actual extent cultivated.'

“ Your Excellency, it might be within the memory of my Honourable friends in this Council that I moved a resolution in April last asking that all backyard cultivation should be free of assessment. The Hon'ble Sir Alexander Cardew, on behalf of the Government, then opposed the resolution and said that, in certain districts, there was the practice of assessing backyard cultivation, and that the Government wanted all districts to be brought to the same level and that therefore he would stick to the assessment on cultivation of backyards. Now I claim this small relief at the hands of the Government; that is, to see that all extents are assessed, according to the extent cultivated. That Standing Order lays down that extents over 25 cents be assessed on the actual extent cultivated, while all extents below 25 cents should be assessed at a uniform rate of Re. 1, without regard to the extent actually cultivated. This, I venture to lay before the Council, is a source of hardship to the large class of cultivators, who actually make this backyard cultivation. I may just remind the Council that vegetables, fruits and flowers are allowed free of assessment, while all other crops are liable to this assessment.

“ My particular object in bringing this resolution before this Council is to see that certain kinds of dry cultivation, which are cultivated without absolutely interfering in any way with the usefulness of backyards or the sanitation of these backyards, are not brought under this class of assessment. For instance, ragi is a plant which is planted in most backyards in most houses, particularly houses in villages and the houses of tenants. Curiously, for the first time in the history of land revenue, this assessment has been, I understand, directed to be collected from the occupiers of land. For the first time in the history of land revenue, this revenue is to be collected from the occupiers of the land and not from the owners of the land. Leaving that for a moment, I may just inform the Council that there are 6,973,296 occupied houses in this Presidency in villages. Most of these houses, I cannot give figures, have backyards that very often below 25 cents. I will just ask the Council to imagine what a great charge it will be — the Government may exult on the revenue that it might bring, while all the people, millions of them, suffer. Some millions of rupees are to be raised by a stroke of the pen just to avoid the difficulty of measuring a few cents of cultivation in the backyards. I wonder what other service can well be done by the people who are there for the purpose, if they cannot be expected to do this to the public and especially to the landholding public. I may also inform the Council that more than 66 per cent of the land-

"Your Excellency, I may also inform the Council that more than 66 per cent of the landholders of this Presidency are owners of land paying less than Rs. 10 as land revenue to the Government. One rupee on every occupied house upon the 66 per cent of landholders, I need hardly explain to the Council what a source of real hardship it would be, without perhaps any additional return to them in any shape, I mean to these landholders, except the real hardship that they are put to. This ragi cultivation, I can assure the Council, is considered a necessity particularly with the large number of tenants, in almost all districts, because it supplies them with a number of conveniences which otherwise they cannot afford to buy in the markets. If, in a backyard, there is an anna worth of ragi cultivation, and he is expected to pay Re. 1 by way of assessment, the Council may imagine how it would be felt by the tenants. I, therefore, earnestly hope that this resolution will receive the consideration that it really deserves at the hands of the Government and my first request will be to free all these backyards below 25 cents, of all assessment whatever dry crop is cultivated on them. If the Government are not

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willing to make that large sacrifice of revenue—revenue that has not yet come into their hands, because the rule has not yet come into force, but as I said at the last meeting it is just the thin end of the wedge and it is a rule that is likely to bring in some millions of rupees but which has not yet begun to do so if the Government are unwilling to sacrifice that revenue, I would at least ask for bare justice to the landholder of having these lands assessed on the actual extent cultivated, overlooking at least, for the good of the suffering millions of landholders, the difficulty or the inconvenience of measuring the extent. Even if the extent assessed is a little more than it will be by actual measurement, it will not much matter. I request that it should be made free from the cruel cess of Re. 1 on every occupied backyard. With these few remarks I commend the resolution for the acceptance of the Council.”

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR :—“ Your Excellency, I second this resolution. In doing so, I do not know why the mover has not dropped the last portion of the resolution. To drop that portion would be both logical and practical.”

The Hon'ble Sir ALEXANDER CARDEW :—“ Your Excellency, I cannot help feeling that the Honourable Member who moved the resolution has rather overstated the fact that the tax is a cruel exaction. One rupee per annum I really do not think is so heavy a charge as to justify such an epithet. The fact of the matter is that this rule has not yet come into operation, it has not yet been tried; and the Collector of Tanjore to whom reference was made, as soon as the resolution was put in, is unable to tell the Government how it will work, because he says that at present it has not had any practical effect and that he has had no complaint at all, except from the Honourable Mover of the resolution. We have not yet given this thing any trial and if after trial, it is found that there is a hardship in this charge, I am prepared to consider the hardship and see whether it ought to be removed. I really submit that a complete year's trial should be given before we unhesitatingly condemn it as a cruel exaction.

“ It may be possible to adopt the suggestion of the Honourable Member to exempt dry crops in the backyard. I am quite certain that he is exaggerating the facts; and I am quite sure that the remedy which he asks the Council to recommend that every backyard should be measured would be an intolerable nuisance both to the tenants and to the Revenue establishment. I do not think that could be the right remedy; something might be said as to the amount of the charge or as to the exemption of certain classes of crops such as ragi. I have an entirely open mind and I should like to hear how the thing works. I would suggest to the Honourable Member that he is rather premature in bringing it forward now. If he will wait for another year, we shall hear from the Collector of the district as to whether there is any case for revision of the order. In the meantime, I do not see my way to accept it.”

The Hon'ble Mr. T. RANGA ACHARIYAR :—“ Your Excellency, I must confess that I was ignorant that any such order has been issued to levy the assessment and I am afraid most people are not yet aware of it. I think this discussion has brought to light that such an order has been issued. Hitherto, at any rate, in the Tanjore district, as I pointed out on the last occasion, backyards were never assessed unless they were used for purposes for which they were never intended. Now, if it is cultivated like other lands, Government may be right in assessing them, but at the same time to impose a uniform rate of Re. 1 on all backyards, whatever their extent may be, 4, 5 or 6 cents—I think the Hon'ble Sir Alexander Cardew will bear me out that it is very seldom that the backyards of these houses in most villages in the deltaic tracts exceed 5 or 6 cents, generally except perhaps the big pattadars who have big backyards. If you take the cultivating ryots or if you take the ordinary pattadars the backyards of their houses will not cover more than 5 or 6 cents and therefore to impose a uniform rate of Re. 1 is a real hardship. I regret I cannot join the Honourable Member for Government in saying that we think it will be very difficult to give it up. It will be very difficult for us to induce the Government to give up a portion of the revenue which they have tapped. It is something like the tasting of blood and it will be impossible to make them give it up. I would ask the Government not to put it in force, because it would create a great deal of heart burning. Rupee 1 per annum is a great deal and will be a great burden on the poorer people who have to live on Rs. 30 or Rs. 40 per annum. Rupee 1 perhaps means all the salt that they can purchase for the whole year for their family. There is no use trying the experiment. It may be too late to remedy it afterwards. This is a matter which deserves the serious and anxious consideration of the Government.”

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—“ My Lord, I should appeal to the Hon'ble Sir Alexander Cardew to do away as much as possible with these small petty exactions of Re. 1 from each householder could be done away with. Anything over 25 cents might be done away with these small petty exactions. My Honourable friend Mr. Chidambaranatha Mudaliyar fears that it would be practically a kind of house-tax. I do not say it is a house-tax paid to the municipality or to the union; but anybody who has a backyard of 5 or 6 cents and who has some kind of cultivation may be charged Re. 1. That seems to be his fear.”

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The Hon'ble Sir ALEXANDER CARDEW :—“ The Honourable Member knows that it does not apply to the cultivation of vegetables, fruits and flowers.”

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—“ Then it becomes a question of azmoish. It may be ragi or cumbu. It may be a nice way for the revenue inspector to go about. He has to inspect a great deal of the work from year's end to year's end and go about every hamlet, and see 'there is 5 cents of cumbu here or 5 cents of ragi there' and say 'let us charge Re. 1 here and Re. 1 there.' It seems to me there are elements of friction which, for a small petty sum of Re. 1, would entail a lot of inspection work on revenue subordinates, to discover where this supposed cultivation is going on. If a man can grow vegetables on 25 cents he can as well grow ragi or some other food crops. I suggest that it should be the policy of the Government to get rid of these small petty exactions and free the people from worry as much as possible. In that view of the case, I would suggest to the Hon'ble Sir Alexander Cardew to consider whether it is possible to get rid of the assessment to the extent to which my Honourable Friend has brought it to the notice of the Council. I know it has not been tried; but to wait for results for one year would not do, and may not be enough. It might be necessary to wait for two years. We may have numerous representations from local officers and the Board of Revenue and we will have a huge pile of Government orders on the subject. It is far better to nip it in the bud than wait for an experiment being made and find out what extent of cultivation there has been.”

The Hon'ble Mr. K. RAMA AYYANGAR :—“ Your Excellency, I really did not understand my Honourable Friend Mr. Chidambaranatha Mudaliyar referring to figures, showing the number of houses in the province. If he meant to say that all these are going to be taxed or assessed, I should certainly on behalf of the districts that I represent, bring it to the notice of this Council that there is nothing like an assessment there and I do not think the Government can claim to assess the people for cultivation in backyards. I do not know if any new right should be created. There may be peculiar mirasi rights in Tanjore and similar rights in other districts which might enable the Government to levy some sort of assessment on backyard cultivation, where backyards were previously porambokes, vested in Government or subsequently taken up. But I do not think that it can be levied all over the Presidency, in other than the districts represented by the Hon'ble Mr. Chidambaranatha Mudaliyar. I know that in the southern districts there is nothing like that levied. I do not want that this discussion should be used as indicating any consent or any kind of right accepted by the people, representing other districts. I do not think the figure quoted by my Honourable Friend will apply at all. I want to dissociate myself completely from the discussion, so that I want to press upon the Government that this ought not to be taken as an indication that such rights exist in the Government, or that they might be utilized.”

The Hon'ble Mr. A. SURYANARAYANA RAO :—“ My Lord, the Government Order referred to in this resolution is intended to apply to the whole Presidency. If so, I think there is considerable hardship because, even in our parts also there are backyards which are put to several uses, say for jute plants, leaves of which are used for household consumption. Are we to say that it is liable to taxation? Sometimes it is green gram or red gram, or chillies or sweet potato but just for consumption purposes. Are we to say that they come under this Board's Standing Order and that they ought to be taxed? No doubt sometimes vegetables are also grown and backyards are put to different uses and I think it will be hard if all these backyard owners are told that their backyards would become liable to taxation because they make some use of them. If they do not make any use of them wild plants grow and they will become infested with snakes and scorpions. That will be the only other result if these backyards are not utilized. I think it is very hard. There are backyards above 25 cents; and it appears they are liable to be taxed under the revised Board's Standing Orders. But I think it is very hard, I would not say cruel; the fact remains that it is very hard that these backyards should be made liable to any taxation. I may add that this will place a dangerous weapon in the hands of village officers, the karnams and the village munsifs, and other influential village people may make capital out of it to make money. It will not help the villagers; but it will only be a source of burden on the villagers. This catastrophe might be saved to the villagers.”

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR :—“ Your Excellency, I am sorry that the Hon'ble Sir Alexander Cardew has said that the whole thing has to be tried before a decision is arrived at as to the way in which this rule has worked and how it could be modified. I have in what I have already stated clearly explained that the actual hardship that it will create to the people is so apparent, so clear that no further experience is needed. As I have said, nearly 66 per cent of the entire landholders are people paying below Rs. 10 per annum by way of assessment and a charge of one rupee for each of these seven millions of houses in the whole Presidency, I need hardly say, is extremely hard, and it is a miserable fine upon all the house-owners. The Hon'ble Sir Alexander Cardew told us that after a year's experience they might be able to find out if any modification could be made; but I cannot, for a moment, understand that such a clearly and obviously apparent hardship on land-owners really needs any actual experience from the figures I have quoted already. Under these circumstances, may I at least once again request the Government to stop the order at least for the present and to consult all district

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Collectors and come to a decision on this matter before actually putting it into force. I hope and trust that the Hon'ble Sir Alexander Cardew would at least give us to that extent the assurance that he would refer to Collectors, if he is not willing to give effect to what I myself think about it, and my friends also think about it, and ask the Collectors to report on the matter before actually bringing this standing order into force. With these remarks, I once again appeal to the Government to stop bringing it into force and meanwhile to ask the Collectors to report upon it and see if real hardship, real misery will not be felt by the people at large. With these few words, I once again ask for a re-consideration of this very important matter by the Government."

The Hon'ble Sir ALEXANDER CARDEW :—"Of course, as regards this matter, it must be said that the Government must feel sure of their ground. I am quite prepared to consult Collectors, but I do not propose to issue orders to suspend the Government Order. I am quite prepared to consult the district officers as to what their feeling is and whether there is going to be any hardship. I felt there was a good deal of force in the remarks addressed to the Council by the Hon'ble Mr. Ramachandra Rao, but as to how far we should be justified in sacrificing Government revenue we must consider. I am prepared to refer the matter back to the Collectors and see if it will work hardship. On that understanding, the Honourable Member will be content to withdraw the resolution for the present."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR :—"I hope this will not be put into force, until that consideration is obtained."

His Excellency the PRESIDENT :—"The Hon'ble Sir Alexander Cardew says that it will be put into force but he has no objection to taking the views of Collectors on the subject. I do not know what view the Honourable Gentleman will take of the position."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR :—"If once the Collectors are consulted, the Government can wait till then."

His Excellency the PRESIDENT :—"The Honourable Gentleman is at liberty to hold that view, but that is what the Hon'ble Sir Alexander Cardew has said. If the Honourable Member is not going to withdraw, I am prepared to put the resolution to the vote."

The resolution was then put and lost.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR :—"I ask for a poll."

His Excellency the PRESIDENT :—"We must wait a bit as we must get all the members in. I see some seats are vacant."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"When they were not here at the time of the vote, how can they join in the vote for the poll?"

His Excellency the PRESIDENT :—"That is the practice of the Council. At the time of division, a bell has to ring."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Only those alone will be allowed to divide, who were here at the time the poll was demanded."

His Excellency the PRESIDENT :—"The ordinary practice in the Council—I do not know if it is approved by the Council—the ordinary practice is that a bell rings the moment a poll is called. Honourable Gentlemen who are outside are given two or three minutes to get back to their seats. That has been done as long as I have been in the chair. It might operate one way or the other."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"May I refer your Excellency to rule 21 of the business rules at page 99. It is: 'The votes of the members may be taken by voices or by division or by name, but they shall be taken by division or by name, if any member so desires.' In this case the votes were taken in the first instance by a show of hands and then the Honourable Member desired a poll. I can understand giving notice before the division is made, but is it permissible to send for people after votes have been taken already?"

His Excellency the PRESIDENT :—"If the Honourable Gentleman reads on, he will find this: 'The method of taking votes by division or by name shall be in accordance with the instructions of the President.' The President acts, as the interpreter of the wishes of the Council. As I told the Council, the procedure adopted in regard to this resolution is precisely what has been adopted in regard to every other resolution. When a division is asked for the bell is rung and gentlemen outside are allowed an opportunity to come in and take their seats and vote. I am sure it will be unfair to alter that practice without notice. If the Council prefers that division should be taken at the very moment, it will cause members very great inconvenience as they will never be able to leave the chamber."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"I only wish to say that we do not gain by a snatch-vote in this house. I am perfectly certain that the point that has been raised is of some importance. Some Honourable Gentlemen who were not here when the first vote took place by show of hands subsequently come in at the second method of voting. I would ask whether it is your Excellency's experience in Parliament whether any member, not having been present when a particular kind of vote is resorted to whether he can be permitted to come in later on. It is a matter on which your Excellency may rule once for all, for the benefit of all

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of us. It works both ways. We should like to have a ruling once for all whether any Honourable Gentleman who was not here when a resolution was lost or put to vote whether he can subsequently come in and take part in the voting when a division is demanded."

His Excellency the PRESIDENT :—"That is precisely the point that I have indicated. The practice which has been invariably followed is, that they have been allowed to come in and there is no reason to alter that practice. Those who are in favour of the resolution will please stand up."

The poll was then taken with the following result :—

For	Against
The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar.	The Hon'ble Sir Alexander Cardew.
" Rao Bahadur M. Ramachandra Rao.	" Diwan Bahadur P. Rajagopala Achariyar.
" Mr. P. Siva Rao.	" Mr. L. Davidson.
" Mr. K. Rama Ayyangar.	" Mr. A. R. Knapp.
" Mr. K. Sadasiva Bhat.	" Diwan Bahadur R. Ramachandra Rao.
" Mr. K. Suryanarayanamurti Nayudu.	" Mr. A. Butterworth.
" Rao Bahadur Annamalai Chettiyar.	" Mr. L. E. Buckley.
" Mr. K. R. V. Krishna Rao.	" Mr. M. E. Couchman.
" Diwan Bahadur A. Subbarayalu Reddiyar.	" Mr. C. G. Todhunter.
" Mr. T. Ranga Achariyar.	" Muhammad Aziz-ud-din Husain Sahib.
" Mr. K. Chidambaranatha Mudaliyar.	" Sir Robert Clegg.
" Mr. A. Suryanarayana Rao.	" Mr. T. Richmond.
" Mr. A. S. Krishna Rao.	" Sir Francis Spring.
	" Mr. J. H. Stone.
	" Mr. Gordon Fraser.
	" Mr. C. H. Higginbotham.
	" the Prince of Arcot.
	" Mr. S. B. Murray.
	" Mr. W. J. J. Howley.
	" the Advocate-General.
	" Mr. H. F. W. Gillman.

The resolution was declared lost, 13 voting for and 21 against.

RESOLUTION RE APPOINTMENT OF A LOCAL GOVERNMENT BOARD.

The Hon'ble Mr. A. S. KRISHNA RAO :—"It is nearly 5 o'clock and my resolution will take some time."

His Excellency the PRESIDENT :—"The Honourable Gentleman might begin."

The Hon'ble Mr. A. S. KRISHNA RAO :—"There are only ten minutes and I cannot finish."

His Excellency the PRESIDENT :—"I do not know if the Honourable Gentlemen would like to finish the debate."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"If we can finish it I shall prefer it."

His Excellency the PRESIDENT :—"I should suggest to the Council that there are some busy men here—I am not thinking of officials—and it is a convenience to utilize what time we have."

The Hon'ble Mr. K. RAMA AYYANGAR :—"After 5 p.m. it will be difficult for us to stay."

His Excellency the PRESIDENT :—"Honourable Gentlemen have gone on after 5 p.m. The Honourable Gentleman will be able to state his case. I do not want to press it."

The Hon'ble Mr. A. S. KRISHNA RAO :—"As there are other resolutions, we will have to sit to-morrow. However, I will proceed."

"Your Excellency, the resolution I have the honour to move runs as follows :—

'XXXII. This Council recommends that His Excellency the Governor in Council be pleased to appoint a Local Government Board consisting of a member of the Executive Council as president thereof and eight representatives of local bodies to advise, guide and control the various local bodies in the Presidency in matters affecting Local Self-Government.'

"This is a very important resolution affecting the development of local self-government and I trust that it will receive that attention at the hands of the Government which it deserves. So far as this resolution is concerned, it is better that you keep in mind that it consists of two

(Mr. A. S. Krishna Rao; Mr. Suryanarayana Rao; [21st NOVEMBER 1917.
the President.]

but to examine the proposal on its own intrinsic merits and then give effect to the recommendation. Therefore the fact that the Decentralization Commission did not think it desirable that a Local Government Board should be appointed should not be made to stand as an impediment in the way of my proposal being accepted, if otherwise, your Excellency's Government are satisfied that the experiment ought to be undertaken without further delay.

"It should be remembered that a resolution to the same effect was considered at the Local and Municipal Conference held at Bombay which passed a resolution in these terms: 'In the opinion of this conference, the time has come for the establishment of a Central Local Self-Government Board which shall consist of the Member of the Executive Council in charge of the local self-government portfolio as an ex-officio President thereof, and of the representatives of the public and of divisional boards on similar lines, which should as far as possible be constituted on linguistic basis. It is further of opinion that all powers of control and supervision over local bodies should henceforth be exercised by such central and divisional boards.'

"I have now placed before this Council the views of various responsible persons throughout the country who have given sufficient attention to this important problem and who have expressed themselves in favour of a Local Government Board. I have also pointed out that the opinions so far gathered have emphasized the necessity for the creation of a separate Central Board to co-ordinate and guide the work of these local bodies, containing adequate representation of non-officials. I would ask whether it is not proper for your Excellency's Government to give that system a trial to see if an attempt cannot be made to make a move in that direction. It is for the purpose of preserving the continuity of the administration that it is suggested that a Member of the Executive Council, generally one in charge of the Local and Municipal Department, may be the President of this new Board. What is suggested is that, in view of the various circumstances of the country covering vast extents of land, it is better to have on the body as President the Member in charge of that department, and as members, persons who have personal knowledge of the working of these local bodies in the Presidency, persons who have intimate acquaintance with the various problems coming up for consideration. Is it not far more desirable than a system by which reports are sent by the local bodies through Collectors and Divisional Officers to Under Secretaries and they are then scrutinized by the Member in charge of the department? Is not the system of representation that is suggested calculated to popularize this institution and to bring the Government more into touch with popular needs and requirements? It is this aspect of the question that I would specially impress upon the attention of the Government. If once the principle is accepted, so far as the details are concerned, they may be easily solved. Whether the number of members should be eight, or ten or twelve is a matter of perfect indifference. Whether the members are to be elected by the local boards and municipalities or by any other system of election, it does not matter. I only wish that the principle, whereby representatives of local bodies in the Presidency ought to have a voice in matters affecting local bodies, should be accepted. There is no other system by which we can effect that object except by the appointment of a Local Government Board on the lines that I have suggested. If I suggested the number eight, it is because I thought the Board ought not to be unwieldy. I find from the evidence given that some suggested three, some suggested two and one gentleman suggested a more unwieldy body. He wanted representatives of all local bodies, bringing the figure up to 25. I thought that a number like three would be very inadequate and I thought nine members forming the Local Government Board might be enough to make a proper beginning in local self-government.

"With these remarks, I commend the resolution for the acceptance of the Government and I hope the principle of this resolution will be accepted by the Government and worked in the spirit in which I have moved it myself."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"Your Excellency, I heartily second the resolution."

His Excellency the PRESIDENT:—"I do not know whether the Council would prefer to adjourn."

At this stage, the Council rose for the day.

R. A. GRAHAM,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Thursday, the 22nd day of November 1917.

P R E S E N T :

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.I.E., Governor of Madras—*Presiding.*

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O.

The Hon'ble Mr. L. E. BUCKLEY.

The Hon'ble Mr. A. BUTTERWORTH, C.S.I.

The Hon'ble Sir ROBERT OLEGG, K.C.I.E.

The Hon'ble Mr. M. E. COUCHMAN.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. A. R. KNAPP.

The Hon'ble Mr. S. B. MURRAY.

The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.

The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).

The Hon'ble Mr. J. H. STONE, C.I.E.

The Hon'ble Mr. C. G. TODHUNTER.

The Hon'ble Mr. T. RANGA ACHARIYAR.

The Hon'ble the Rev. G. PITTENDRIGH.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU Garu.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

The Hon'ble Mr. P. SIVA RAO.

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.

The Hon'ble Mr. K. SADASIYA BHAT.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.

The Hon'ble Mr. K. RAMA AYYANGAR.

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU.

The Hon'ble B. RAJA RAJESWARA SETUPATI *alias* MUTTURAMALINGA SETUPATI Avargal, Raja of Ramnad.

The Hon'ble Mr. B. VENKATAPATI RAJU.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.

The Hon'ble Mr. K. KUMARAN RAMAN KAVALAPPARA MUPPIL NAYAR.

The Hon'ble Yaqub HASAN SAHIB Bahadur.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBHI MARAKKAYAR SAHIB Bahadur.

The Hon'ble Mr. GORDON FRASER.

The Hon'ble Mr. C. H. HIGGINBOTHAM.

The Hon'ble Mr. E. F. BARBER.

The Hon'ble Sir GHULAM MUHAMMAD ALI SAHIB Bahadur, Khan Bahadur, G.C.I.E., Amir-i-Arcot or Prince of Arcot.

The Hon'ble the Most Rev. JOHN AELEN, D.D.

The Hon'ble Rao Bahadur S. B. M. ANNAMALAI CHETTIYAR Avargal.

The Hon'ble Mr. T. RICHMOND.

The Hon'ble Sir FRANCIS SPRING, K.C.I.E.

The Hon'ble Rao Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.

The Hon'ble Sri SOBHA CHANDRA SINGH DEO, Zamindar of Serugada.

The Council re-assembled at 11 a.m. when the discussion of the resolution about the appointment of a Local Government Board was resumed.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the subject of this resolution is one to which, I know, very great importance is attached by Honourable Non-official Members. It is a somewhat fascinating subject, and one would ordinarily think that it offers a solution to very many difficulties in regard to the freeing of local self-government from undue official control. I am anxious, under these circumstances, if

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the Council would permit me, that the question should be analysed somewhat closely, so that its practicability may be well understood, and our objections to it may also be correctly understood. I am anxious that it should not be taken that, because we object to this particular proposal, there is any difference of opinion as between the Government and Honourable Non-official Members in regard to the main question of developing local self-government and freeing local bodies from the restrictions, now in operation, of official control, as far as that could be done, except in very essential matters, and permitting them to develop in their own way.

"The resolution is to the effect that a recommendation be made to the Government 'to appoint a Local Government Board consisting of a member of the Executive Council, as president thereof, and eight representatives of local bodies to advise, guide and control the various local bodies in the Presidency in matters affecting local self-government.' The Honourable Mover began by saying that he only wanted the principle of the resolution to be accepted and that he did not attach importance to the details of the resolution. At the same time, I take it that the following are principles to which he attaches importance. First, the creation of that body. I suppose that that is not a matter of detail. Secondly, its constitution, with a very substantial non-official majority. I take it that what he aims at is not exactly the creation of another Government department, whether you call it a secretariat or a board like the Sanitary Board, but the creation of a body in which the non-officials will wholly preponderate. That I suppose, is an essential matter. A third thing, I take it, is also essential, namely, that the functions of this body will be to advise, guide and control. I take it that the idea is that this body will not only be an advisory body but also an executive and administrative body, that it should have powers given to it, either under the law or under the rules framed under the law, so as to enable it to enforce its wishes. I take it that I have the concurrence of the Honourable Mover in this analysis of the proposition, namely, that these three things are essential. What he probably means by details is: if you do not want eight non-officials, you can have six or seven; if you are not satisfied with one official, take two. Barring these points, all other things I take it are essential.

"Having said that, I shall proceed to examine the resolution. The Honourable Mover quoted a statement from Lord Morley's despatch which apparently he seemed to think favoured his view. This is what Lord Morley said:—

"The encouragement of local self-government being an object of this high importance in the better organization of our Indian system, it remains to be considered how far in each province it would be desirable to create a department for dealing exclusively with these local bodies, guiding and instructing them, and correcting abuses, in a form analogous to the operations of the Local Government Board in this country' (that is, England). 'That, however, is a detail, though a weighty one, in a question on which, as a whole, I confidently expect that your Excellency will find much light in the forthcoming report of the Royal Commission on Decentralization.'

"The Council will see that Lord Morley contemplated the creation of a Government department; he said nothing about the bringing in a large non-official element. He contemplated or suggested the creation of a department such as the Local Government Board in England, which, as the Honourable Mover has pointed out, is really a department of the Government, managed by a single officer. Lord Morley also wound up by saying 'Before you make up your mind, do wait for the report of the Royal Commission on Decentralization.' Now, what did the Royal Commission on Decentralization say on this subject? The Royal Commission on Decentralization has dealt with the specific proposal which is put forward in this resolution. I shall quote from its report.

"It has been suggested that Government control over rural boards and municipalities should be exercised in each province by a Local Government Board, which should contain a proportion of non-official members—that is the Honourable Member's suggestion. 'Some witnesses who made this suggestion were, however, under the impression that they were following British precedent, and did not realize that the duties of the Local Government Board in England are discharged by a single Minister.' The Local Government Board in England as a matter of fact consists of a number of officials who never meet and the whole work is done by a department of Government. The report of the Commission continues: 'The affairs of local boards are at present dealt with in special branches of the Provincial Government Secretariats, although the Secretaries in charge of these are also concerned with other subjects. Our proposals will very much reduce the outside control now exercised over the proceedings of these boards, and will provide for such control as is necessary being exercised, in large measure, by Commissioners and other local officers. The functions of the Local Governments will thus, in the main, be confined to the creation, abolition or suspension of local boards, the application of the elective principle, the sanction of loans, the giving of grants-in-aid, and the prescription of model by-laws and establishment schedules; and we see no necessity to create a special controlling board to deal with such matters. Nor should these occupy the attention of the Government to such an extent as to warrant the appointment of a separate Secretary for local and municipal affairs.'

"That is what the Decentralization Commission said. It is true that there is a note of dissent by Mr. Dutt printed as a footnote: 'Mr. Dutt dissents from this opinion, and thinks that the supervision and guidance of a Local Government Board in each Province would greatly help and foster rural boards and municipalities, and would also secure harmonious work and some degree of uniformity. Certain matters in which the control of a Local Government Board is, in his opinion, desirable, have been indicated in footnotes in this and the preceding chapters.'

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"I have referred to the footnotes and Mr. Dutt has given no reasons anywhere for his views. While his authority is undoubtedly great, I am obviously unable, in the absence of reasons, to say exactly what weight should be attached to his recommendations; whereas the recommendation of the Royal Commission on Decentralization is specific, that only a minimum of control should be reserved by the Executive Government and that in all other matters the local bodies should be allowed to develop in their own way.

"The Honourable Member is evidently not aware that, after the Decentralization Commission's report had issued, the question was referred to all local Governments in India. This Government have reported on the subject to the Government of India and that Government have dealt with the question. This is what the Government of India have said—I am reading from the Government of India resolution on the report of the Royal Commission—'The suggestion that the Government control over rural boards and municipalities should be exercised in each Province, by a Local Government Board which should contain a proportion of non-official members, was not accepted by the Commission. They considered that, since their proposals would greatly reduce outside control exercised over the proceedings of the municipalities and rural boards and would provide for the delegation in a large measure of such powers of guidance as are necessary to Commissioners, no benefit would be derived from the creation of a special controlling board of this nature. The Government of India also are not prepared to support the proposal, which is not only unnecessary in the opinion of the local Governments concerned but is undesirable as tending to perpetuate the very centralization of local affairs which it is the object of the Government to diminish.' Honourable Members would thus see that we have a definite pronouncement by the Government of India on this subject, namely, that a Local Government Board, such as is recommended in the resolution, which is exactly what the Royal Commission on Decentralization has also referred to, is not necessary, not only not necessary, but it is likely to do harm by fostering, developing, and strengthening that centralization in matters local, which it is the aim of all of us, officials and non-officials, to get rid of. Now, it is a well-understood principle that in what may be called an all-India matter, where we have got a pronouncement by the Government of India laying down a definite instruction, no useful purpose will be served by debating a question like that in this Council. Assuming that your recommendation is accepted, we cannot do anything; we cannot carry it out. It is essentially an all-India matter and, if there is non-official opinion to the effect that that instruction of the Government of India is wrong and that the creation of Local Government Boards all over India is desirable, notwithstanding the opinion of the Royal Commission and notwithstanding the instruction of the Government of India, the proper place to bring forward a resolution to that effect would be the Imperial Legislative Council.

"But I do not want to stop there; though so far as the resolution is concerned, that would close the matter; but I would say why I consider the creation of such a Board, even if we had the power to create it, is a thing which we would hesitate, greatly hesitate, to do.

"For that, we have only to amplify the last sentence of the Government of India's resolution. Honourable Members are aware that it has been the policy of the Government all through, of which you have had increasing evidence in recent years, to divest themselves of control as much as they can, and to restrict it to essentials and to allow local bodies to develop in their own way. We need not go far. We have had three instances of this policy at this very meeting. Yesterday the Hon'ble the Raja of Kānnād proposed in this Council a resolution about the railway cess. I objected to it on the ground that it would be an unwarranted interference with the discretion vested in district boards. The Hon'ble Mr. Narasimha Ayyar wanted certain changes to be made in the matter of interpellations in local bodies. I said in reply 'that is not a matter which you and I can decide here; it is a matter for the local bodies to consider and say what their wishes are.' When again he proposed certain changes regarding elections in taluk boards, I gave the same reply. I take it, from the way in which non-officials have received my views, that they are at one with me in all these matters and that they agree that the correct policy would be to allow the local bodies to develop in their own way.

"The Council is no doubt aware that all the laws relating to local bodies are now under consideration. A Bill to amend the constitution of the Madras Corporation is ready, and there is a Bill in regard to district municipalities which has been already considered by a Committee, and there is also a Bill to amend the Local Boards Act which will soon go before a Committee. On these Committees there are non-officials, and if they find that these Bills do not go far enough towards enlarging the powers of the local bodies, and freeing them from the restrictions now imposed upon them, they have an opportunity of suggesting changes such as would give them a larger measure of management over their own affairs, and when the Bills come before the Council, the Council as a body will have an opportunity to consider them. We have also rules under all these Acts which are changeable by us. If any Honourable Member would indicate how the rules could, with advantage, be changed by way of releasing local bodies from restrictions, we would most gladly consider the suggestions. I may here say that, in view of the representations made from time to time in this Council, that the Municipal Account Code and the Local Fund Code contain a number of provisions which greatly interfere with the discretion which should appertain to local bodies, these two codes have undergone a very careful examination at Mr. Graham's hands and my hands, and we have proposed a very large number of changes which we hope soon to issue, and which would substantially reduce the number of references coming up to Government.

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"That being so, the point for the consideration of the Council is: shall we continue to proceed in this direction of freeing local bodies from the control now in the hands of the Government, making them more and more independent of the central authority and making them feel themselves important and responsible to their own electors, or shall we now create another body called the Local Government Board which will again centralize authority? It should be our wish to decentralize. I know from a somewhat long experience that every department has got a way of justifying its own existence. The moment we create a Local Government Board, it may be with the best of intentions—the Board will discover a thousand and one reasons why this power should not be given to the local body, why in that matter there should be restriction and why such and such a concession should not be given why such and such a matter should come before the board. The members of the Government have got a lot of other matters, besides local self-government, to attend to, and at least in self-protection, we would be trying to throw off as much work as possible; but the Local Government Board, having nothing else to do, will be perpetually inclined to concentrate powers in its own hands, and will in a few years undo the work that has taken a very long time for us to do and would defeat the object which is dear to all of us. I do not think that the Local Government Board would appeal to the ordinary people in the sense that either the local body itself would or the Government, which has been controlling these things for a long time, and to which all people have been accustomed to look as a sort of final authority, would. I say that is also a matter for you to consider.

"But Honourable Members might urge: 'it does not matter, there is bound to be after any amount of decentralization, a modicum of control which must be in the hands of the Government; give the proposed Board that.' The reply to that is 'how can we do it?' As long as we remain responsible for the administration of local bodies, a responsibility which we owe to the Government of India, we cannot divest ourselves wholly of all control. If that modicum of control is transferred to a Board, what is to become of our responsibility? Can the latter wholly cease? Take, for instance, all the functions of essential control mentioned by the Decentralization Commission in its report. The Commission says: 'The essential functions of the local Government will thus, in the main, be confined to the creation, abolition, or suspension of local boards. Is it proposed that the creation, suspension, or abolition of the local boards should be given to the Local Government Board? Is it imagined that the Government could divest themselves of that responsibility?

"Then again the Commission refers to the application of the elective principle, the sanction of loans, the giving of grants-in-aid.' Grants-in-aid are Government money. Is it proposed that we should go on giving grants-in-aid, we should go on finding money, for an indefinite length of time, when we have lost all control over the expenditure? My impression is that after any amount of devolution to local bodies, there is bound to be a residuum of control which as long as the Government remain responsible for local self-government, they are bound to keep, let it be however small. For example, were a municipality to go on as it likes for an indefinite period, if it goes to a stage when it becomes an intolerable nuisance, we must suspend the municipality. It is not proposed to cancel this provision. The very circumstance that we are largely divesting ourselves of control would make it necessary that the little of it that does remain is effective for all purposes; because the instances in which we can interfere would be so few and will be in such important matters, therefore our interference will have to be effective. Is it proposed that the Board of which the member of the Executive Council is President, assisted and helped undoubtedly by eight non-official gentlemen—is it proposed that that body should take up this whole power, and if it takes up that whole power, what exactly is our responsibility as a Government? Is it imagined that your Excellency's Government can by one stroke of the pen divest themselves of all responsibility to carry out or discharge the duties of control in regard to this particular branch of the administration? I submit they cannot.

"My point is, that the creation of this body would not only stifle the development of local self-government in the sense that it would prevent the devolution of power in favour of local bodies which is now making such rapid progress, but it will be a source of friction between this new body and the existing local bodies, and there is every chance that there will be another source of friction in the relations between the Government and the new body.

"Honourable Members may urge there is to be on the new body a member of the Executive Council. A member of the Executive Council is all right when he has power, but from the mere circumstance that you call him a member of the Executive Council and yoke him with seven others who can vote him down on any matter, you cannot hold him responsible for the conduct of a body in which he practically counts as one-eighth or one-ninth. The circumstance that you put the member of the Executive Council, in charge of local bodies, on that Board, cannot commit the Government to everything that the Board does. It is not practical politics. It is probably better to create a Local Government Board constituted wholly of non-officials, and give them all the necessary power and then make them responsible, than that you should create what I may call this hybrid institution in which you have one member of the Executive Government and eight others, the latter having the satisfaction of doing all that they want, while the one man has to bear all the responsibility. It is not a workable proposition.

"What we should aim at in this as in other matters is the simplification of the machinery and not its complication. It is a mistake to imagine that the more you complicate things, the more efficient things will become. In regard to local matters, there is already a chain of bodies, the union, the taluk board and the district board; and that reminds me of the controversy whether the district board should have less or more power. The taluk boards are crying out that the district boards would not divest themselves of their power. That is a thing of which Honourable

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Members are aware. Then there is the Government and you now say, add one more body with a number of powers and privileges. It would be a miracle if the new body does not greatly aggravate the situation. I am very anxious that Honourable Members should see that, if I oppose this resolution, it is because I feel that this proposal, if carried out, would seriously retard the progress of local self-government. What we want is that in every locality the electorate should have an opportunity of knowing the people whom they return to power, and the people whom they so return must be responsible for the conduct of local affairs. Point out to me in what direction the law or the rules are defective and we shall change them; or point out to me that in any particular matter the Government proceed wrongly in exercising the discretion vested in them by the law or the rules and we will set it right as far as we can and promise not to repeat the mistake. But do not make the mistake of imagining that, by creating another body, you are going to simplify the machinery and make things run smoothly. It would be a serious mistake.

"I object to the resolution, first, on the ground that this discussion is altogether objectless. The Government of India have issued a definite instruction which is binding upon this Council as well as upon ourselves; and if it is intended to reopen the question and to appeal to the Government of India, to go back on their decision and to accept the opinion of Mr. Dutt and go against the recommendations of the Decentralisation Commission, the proper place to do so is the Imperial Legislative Council. That may be a technical matter, but even otherwise I say that the creation of this new board would commit us to a policy substantially different from that which with practically unanimous consent we have all been following. I would advise the Council not to accept this resolution."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I have heard with considerable interest the speech of the Hon'ble Mr. Rajagopala Achariyar on this subject. I expected at the outset that this proposal would be viewed in this Council with a great amount of indignation, that it is a most impracticable measure, that it is revolutionary and would subvert the present constitution and so on. I must say that the tone of the reply has somewhat agreeably surprised me. I believe that is the first attempt to solve this question, and I must consider that the reply is somewhat satisfactory. We know that in this Council when a new proposal such as this, which wishes to lay down certain principles of administration is moved it is always met with, sometimes met with, a certain amount of ridicule, and, as I have already pointed out, at the end of two or three years, the Government seem to come into line more or less with our view. It has been so in the past; it has been so in the case of presidents of taluk boards; it has been so in the case of presidents of district boards which was so hotly contested by my Honourable Friend on the last occasion when it was proposed. It was only last month that he sanctioned four presidents of district boards. I can quote instances, numerous instances, of proposals emanating from non-official members which at first have been viewed with an amount of official disbelief in the success of the proposals; and I am quite certain that probably in the course of two or three years the Hon'ble Mr. Rajagopala Achariyar would, before the end of his term, be probably the head of the Local Government Board for which we are now asking. Therefore, I do not at all regard this attempt as either infructuous or useless. The whole idea at present, so far as my Honourable Friend and myself are concerned, is really to familiarise the Government, to saturate the minds of the official members, with this perhaps novel proposal. I am quite certain that when we are now putting forward this proposal, we are making a true line of advance in the matter of local self-government.

"The Honourable Member has covered a very wide ground. At the outset he was perfectly right in saying that the object of this proposal is the creation of another body. He is equally right in saying that we desire the association of non-officials a large part of non-official element, with the Government in the duties which are proposed to be assigned to this body. He is also right in stating that this is neither an administrative nor an executive body. As regards the details and the criticisms which he has directed to the exact proposal, I would ask Honourable Members not to devote much time to that aspect of the case. The Decentralisation Commission is now ten years old. I think also at the outset it would be far better to view the question not from the standpoint of the Decentralisation Commission, but from the standpoint of the latest declaration of His Majesty's Government in regard to the establishment of self-governing institutions in this country. We are now discussing constitutional problems throughout the length and breadth of the land. Every association and every political and non-political body is now airing its views as regards the future constitution of the Government of India. I submit for the consideration of your Excellency's Government whether the time has not come when in the reorganisation of local self-government in this country there should not be a non-official element at the top. The issue that is raised by this resolution is this; whether in the laying down of principles of policy, it would be advantageous to have associated with the Government a certain amount of non-official opinion in the expansion of local self-government. Whatever may be the differences as regards the exact scheme of constitutional reform, I believe there is a consensus of opinion that a certain amount of association is absolutely necessary, and to the extent to which it is desirable to refer to this aspect of the case at the present time, I would only say that there is no other sphere of activity so suitable for this experiment as this sphere of local self-government. My Lord, therefore on the broad point raised in this resolution I have absolutely no doubt that we are in the true line of advance in making this proposal.

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"The Hon'ble Mr. Rajagopala Achariyar expressed certain fears as regards centralization in local affairs. I admit there is some force in his arguments, but it is certainly not our object to perpetuate excessive centralization. I take it that when this Local Self-Government Board is constituted, probably it will be one of its first functions to divest itself and also the Government of all the petty detailed control which is now done in the Secretariat. Perhaps it will confine itself to large questions of sanitary administration, large questions of educational organization of local bodies, very large questions of financial administration and the relations between the local self-governing bodies and the Local Government and very large questions of policy relating to the public health administration. I am aware that in England there have been considerable complaints as regards the existing constitution of the Local Government Board, which have arisen mainly from the fact that there is only a single officer who administers the department, and the evil of that system is that there is another bureaucracy at the headquarters in regard to the local self-governing institution. That is exactly the very point which my Honourable Friend wishes to avoid by saying that on this Local Government Board there should be a substantial element of non-officials. I might perhaps invite the attention of the Honourable Member to Volume 2 of Lawrence Lowell's standard work on the Government of England. He says at page 293 'In regard to the direct control of the board over the local bodies by the power of giving or withholding consent to their plans, it is even more difficult to speak with confidence. The board has faith in itself and believes its work of great value, but from the local bodies one hears no little complaint of dilatoriness and red-tape. The inspectors who are not, like the Engineers, of a strictly professional character, are said to be largely formerly military officers and others with an imperfect knowledge of the subjects they investigate, while the permanent officials in the central office tend, not unnaturally, to follow precedent. They collate all the instances where a similar question has arisen before and are loath to make a new departure. In short they are said to suffer from some of the characteristic evils of bureaucracy.' It is exactly to avoid this aspect of the Local Government Board that my Honourable Friend has proposed the constitution of this board which is indicated in this resolution. Therefore, my Lord, in asking for the constitution of this board our object is really to liberalize local self-government and to give it a large initiative which it has lacked for the last thirty years. We have had local self-government in this country under Lord Ripon's scheme, and we want a large initiating policy in finance and general administration. At the present time there is absolutely no sanitary organization at all except in the unions. In regard to municipalities also public health administration is very unsatisfactory. In regard to the financial questions there are many complicated matters which might be solved by the organization and meeting together of officials and non-officials.

"The Hon'ble Mr. Rajagopala Achariyar said that he would be in a minority of one in a board such as that constituted as above. It is quite easy to get over this difficulty. I am perfectly certain if he wishes to have a new board under a new constitution under a new law, we would certainly welcome it. Much of his argument proceeded on the assumption that this board is to fit in with the existing machinery and organization of local self-government. Therefore, my Lord, on the broad question which has been raised in this resolution I am entirely at one with my Honourable Friend. Several fears which he expressed as to friction between the Local Government Board and the Government on the one hand and between the Local Government Board and the municipalities and rural boards on the other are to my mind somewhat overdrawn. So I would ask your Excellency's Government, though not exactly in the form in which this resolution is framed, to consider the question from a broad standpoint which I have indicated. There is no going back on His Majesty's declaration as regards the establishment of self-governing institutions, and if it is possible to institute a new departure, I do not think there can be any other department in which the establishment of self-government can be initiated than the department to which this resolution relates. I do not wish to refer to the other points that have been raised in the Honourable Member's speech. Perhaps some of my whole, my Lord, I am not disappointed at the speech which has been raised by him. On the charge, but at the same time I must say that the discussion should not be considered as academic, but as one not only for practical solution but also for immediate solution in view of the scheme of constitutional reform which is now so imminent not only for the consideration of the Local Government but also of the Government of India.

"The last objection made by the Honourable Member that this is a question for the Imperial Legislative Council, can be answered in this way. We are sometimes met in the Imperial Legislative Council with the remark that there is no request from the Local Government and the local public. That is an old question, each authority trying to get rid of the proposal for the time being. When the Hon'ble Mr. Rajagopala Achariyar said that we were tied by the orders of the Government of India, I think he really means to evade answering us for the occasion. I do not think he thinks that in matters in which there are already existing orders of the Government of India, the Local Government merely keep quiet without trying to upset the orders of the Government of India in other respects. I would commend this resolution to the earnest consideration of the Honourable Members."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, in the matter of this resolution I feel that in regard to some of the points I have to agree with the views expressed by the Hon'ble Mr. Rajagopala Achariyar. In regard to other points I think this is an opportunity which should be used to see that some start is given in the direction of establishing a

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local government board. As has been pointed out, to have the words as they stand will imply a control: 'to advise, guide and control the various local bodies.' That is in fact a little too wide and will create difficulties which might be urged to go against the very spirit of local self-governing bodies and their constitution. It is true that non-official members of this Council have been urging off and on that considerable interference has been made by the Government through the Secretariat and that they have been sending orders out to local bodies which practically bring them to a position almost of helplessness. It is not necessary for me to quote instances; but as the orders at present stand and as the Acts at present stand, it might not be possible to work the resolution in the form in which it has been placed before the Council. But however, the points that have been urged by my Hon'ble Friend Mr. Ramachandra Rao deserve great consideration. We are on the eve of some change in any event, and so far as the local self-governing bodies go, there is bound to be a considerable acceleration given to the work, that has been recognized by the Government to have been successfully done by these bodies for a long time. The District Municipalities Act and the Local Boards Act are under revision and in all these the question of co-ordinating the work of the several bodies in this Presidency must form an essential point for consideration. It cannot be denied that in the matter either of staff, or on the revenue side of these bodies or on the engineering side or the sanitary or health side, in all these matters it would be quite essential that there is a body which advises and co-ordinates their work so that there may be a regular plan or arrangement by which very efficient work might soon be done by all the local bodies; and if a start were given now, it will only help the Government and the local bodies to realize the importance of advice given like that. I therefore propose the following amendment to the resolution: 'remove the words from "consisting of" and substitute the words "the Executive Council Member in charge of the Local and Municipal portfolio as President and ten representatives of the groups including Madras, the Surgeon-General, the Chief Engineer and the Chief Sanitary Commissioner as members, to meet twice a year or oftener if necessary, to advise and co-ordinate the work of the various local bodies in the Presidency in matters affecting their common interests."'

"My Lord, the amendment that I propose would not interfere with the powers of the Government in the matter of control over the local bodies. It is not proposed to hand over to the board concerned any position except the position of an advisory board which has been brought out by the Hon'ble Mr. Ramachandra Rao. It will be conceded on behalf of the Government also that there are grave questions touching the general policy to be adopted by these local boards in the matter of health, education, sanitation and revenue collection, etc., which might be co-ordinated by a board where common advice will be given and what is found successful in one case will be adopted in others where the circumstances are suitable, and where the staff and their rank will be regulated in the way that there may be a graded scale by which officers may be transferred to places which are carrying greater remuneration. A local body will be inclined to take such staff as has been found to be fit and successful in other places. I do not mean that in any of these matters the opinion of this board should be capable of being enforced on local bodies, but I have no doubt that there are various questions of these local bodies which they would like to refer to a board of that kind for advice and guidance. The three official members that I pray may be on this board are the Chief Medical officer for the Province, the Chief Engineer of the Province and the Chief Sanitary Commissioner."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (*interrupting*):—"What about the Director of Public Instruction? I thought local bodies had a lot of schools. I am sure that the Hon'ble Mr. Stone is feeling indignant at being left out (*laughter*)."

The Hon'ble Mr. K. RAMA AYYANGAR (*continuing*):—"If your Excellency will permit me I would add the Director of Public Instruction also. That will be the last name to be put in there. With these members the body that will be constituted ought not to be asked to meet there. It would not do very good work if it is asked to meet once a month or twice a month or often. Each of the local bodies must be able to send to some member who will be in charge of this, or some official in the Secretariat, any reference which they would like to make on points they want to have decided. All those points will be considered and decided at a sitting which will be held once or twice a year only. For extraordinary circumstances it may be called by the President, if he deems a meeting of the Board necessary. These are the ideas that I had in mind in placing the amendment before the Council. I submit that it will serve a useful purpose and will largely prepare the Province for any future powers that might be transferred or entrusted to the local bodies under any reformed scheme. This suggestion does not militate against any existing orders or any existing Act. I trust that the Government may be pleased to accept the amendment."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Your Excellency, I beg to second this amendment. In doing so, I wish to observe—and I differ entirely from the Honourable Mr. Ramachandra Rao—that the statement made by the Hon'ble Mr. Rajagopala Achariyar is extremely satisfactory; it is not merely somewhat satisfactory as the Hon'ble Mr. Ramachandra Rao says, but it is fully satisfactory. What we have been asking for is more freedom and less control. I should be glad to see the day when we shall be left to develop in our own way. What the original resolution proposed was to substitute the control of nine persons for the control now exercised by one, and that would be greater control in my opinion and not less."

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The fact that eight of them are non-officials does not alter the matter, because non-officials invested with power are as unpleasant and obnoxious as officials, and I do not want the control by nine in the place of control by one. The Hon'ble Mr. Ramachandra Rao spoke of associating non-officials with the member in charge of the portfolio. Here we are in the Legislative Council associated with him and every moment we are criticising his conduct and putting forward proposals. I do not want any further association, but if any association is wanted, the amendment proposed gives that association. This conference will meet once or twice in a year and will put the non-official view before him, and we shall all be able to understand him and he will be able to understand us and our work in this Council will be greatly simplified. All the resolutions which we put forward and which are so mercilessly destroyed will be avoided. I therefore give my full support to the amendment. If the amendment is lost and the original proposition is put, I shall depart from my usual custom and vote against it."

The Hon'ble Mr. YAQUB HASAN:—"Your Excellency, I would prefer that the resolution remained as it was rather than be amended as now suggested. If it is not however acceptable to Government I would rather vote for it in the amended form than not vote at all. The reason which has prompted the mover of the amendment is to remove the principal ground of objection that the Member of the Executive Council in charge of municipal portfolio will be in a minority of one in a board consisting of nine members. We do not anticipate he will be in a minority of one, for the eight members who will be associated with him would not necessarily be non-officials. Considering that the local bodies, as now constituted, are too highly officialised, the representatives appointed to sit on the proposed board will mostly be officials than non-officials. Some of the non-official members will be of the usual nominated type who are as good or as bad as the officials themselves. So it is not likely that the Executive Council Member will find himself in a minority of one as anticipated. Now that the amendment provides that besides him three or four officials may be placed there in their official capacity the fear, therefore, must disappear, and I hope this resolution will commend itself to the Government."

"The Hon'ble Mr. Rajagopala Achariyar has said that we are too precipitate in demanding this kind of decentralization in the matter of local self-government. He said that the Corporation Bill, the District Municipalities Bill and the Local Boards Bill are to come before us, and many more privileges are to be given to non-officials, and we may later on find that local self-government is not so bound hand and foot as it is now, and that in anticipation of that we may put off this proposal. I do not anticipate any grave or revolutionary changes in the forthcoming Bills. That is rather a good reason, I should think, for supporting this resolution than for putting it off. For if such a board as this is constituted, the Corporation Bill and the District Municipalities Bill and the Local Boards Bill may be so amended as to suit this new creation. This demand is made with a view to associate non-officials with the government. The power of the non-officials in this board will after all be nominal and if, even in this restricted form, it is not granted, it will mean that the Government do not wish that there should be any co-operation between Government and non-officials in the matter of local self-government. With these words I support the resolution and the amendment."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I am afraid the discussion has taken rather a long time. I shall be very brief. The importance of this subject cannot possibly be exaggerated. As your Excellency in the winding-up speech delivered on the 24th May this year observed: 'This is of real importance, its bearing upon that development of self-government in the wider sphere of Legislative Councils, which is so desirable and indeed unavoidable as time goes on, however gradually it may come. For after all Government is an art in which as in other arts proficiency can only be obtained by hard work and experience and for self-government these local authorities are not the only schools available to us, but they are the best schools you can have in which to demonstrate fitness for wider responsibilities.' These were the words of your Excellency spoken in May 1917. Therefore the expansion of local self-government is a very important matter. Some of us feel, and very strongly too that the development of local self-government has not been as rapid or as fast as it ought to be. For example, without multiplying many instances I may say that the definite and liberal policy laid down by Lord Ripon as early as 1882 we are still trying to carry out in 1917. Your Excellency, the Council will be pleased to remember that even as early as 1882 there was a provision made for the appointment of non-official presidents of taluk boards and district boards. The appointment of non-official presidents of taluk boards and district boards. The and the appointment of non-official presidents of district boards was made only a few months ago. We have been going on at a very slow pace. What was contemplated in 1882, that these local bodies should be free from official control has not yet been translated into practice. I may state an instance in which there has been minute official interference. Even in the case of the constitution of local bodies the three-fourths element of non-officials has not been reached. In the matter of finance we are not independent; in the matter of services which we pay for we have not got control. There is a large room for expansion and improvement. The Hon'ble Mr. Rajagopala Achariyar was quoting extracts from the report of the Royal Commission on Decentralization. The Royal Commission do not recommend the appointment of a separate

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self-government board for the reason that the proposals they had made in other respects would go far to remove official control or outside control. Have the Government removed that sort of official or outside control, under which at every step local bodies are dictated to by officials, Collectors, Divisional Officers, and so forth. Even in the matter of communications we cannot address the Government direct, we have to address through the Divisional Officers. Now that great changes are in the air, I need not dilate upon the present unsatisfactory state of things. We may not get local self-government or Home Rule; we are likely to have a considerable expansion in the field of local self-government. This resolution comes very opportune and on the success of this experiment the further broad and wide question of the local government will depend. I strongly hold that the trial of this experiment must be placed in the hands of some sympathetic officers and not in the hands of Collectors who have got a tendency to look upon these institutions with jealous eyes and who are apt to exaggerate small faults and foibles and ignore the merits. We have had instances where demand, collection and balance accounts are called for from municipalities, and the municipalities are called upon to account why this or that road was not repaired. I hope that this state of things will be put an end to. I only wish that this matter of local self-government upon which the welfare of the whole country depends, and upon the successful carrying out of which further gigantic experiments depend must be placed in some sympathetic hands. It must no longer be entrusted to the sweet care of Divisional Officers and Collectors."

"Coming to the resolution itself, I am strongly in agreement with the general idea that the Member of the Executive Council in charge of the Local and Municipal Department should be associated with non-officials in shaping the policy of local self-government. I do not quite understand what the Honourable Mover meant by 'advise, guide and control.' If he meant by that that the every-day details of the local self government should be supervised by this board I am not for this resolution. If its function is to be purely advisory in broad matters relating to policy I am entirely for it. As the Hon'ble Mr. Rama Ayyangar said, we may take in some more officials if the Government are so disposed. We may have the Surgeon-General, the Sanitary Commissioner and the Director of Public Instruction. That does not alter the root of the matter. The root of the matter is that the Government must have some non-officials associated in a matter like this to give the necessary advice. It will be a purely consultative body, otherwise they cannot sit at Madras and go on reviewing the administration reports of all the local bodies in the Presidency. I do not think it is the intention of the Honourable Mover that this body which is to be created should supersede or be entirely substituted for the Government and the Secretariat in all these matters. The Government will have a residuum of control and the Honourable Member in charge has assured us that there would be more autonomy in the matter of finance and in framing the budgets, in the imposition of taxation and controlling our own services; in all these matters there will be greater autonomy. But this general idea I am strongly for, that we must have some non-officials associated with the Local and Municipal Member in shaping the broad policy on which local self-government ought to run in this Presidency."

The Hon'ble Mr. E. F. BARBER:—"Your Excellency, apparently the amendment has added to the attractiveness of the original resolution, and the whole case has been so well amplified by the Hon'ble Mr. Ramachandra Rao that the Government would be more inclined to accept it. I know, as matters now stand, that the local bodies very often have difficulties in getting matters pushed through owing to the powers of control which have to be satisfied. I think the Hon'ble Mr. Ramanuja Achariyar has pointed out that it is much easier to deal with one than with many. I am pretty sure that the presidents of district boards have been finding out ways to try and get on the blind side of the Honourable Member. I think the great danger of the amendment is that it would bring local bodies into the same mould and it would remove the spirit of emulation and bring these things to a dead level. Now, as things are, each municipal council or district board works out its own salvation. If a board such as this is appointed, things will be all ordered in the same way and there will be no difference between one district board and another. We will have no district board coming forward with a proposal to impose one tax, for example the railway cess. If one does not do it all others will not do it. I hope the Government will not accept this amendment or the resolution."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"With your Excellency's permission I may say that I am rather sceptical of the utility, at the present stage, of either the original proposition or the amendment. I think our ardent desire at the present stage should be to take steps to get what I might call municipal home rule in the first place. I am afraid the creation of a body like this, whatever its composition may be, will have a tendency to perpetuate the present system of guiding strings under which municipal corporations are lamentably suffering. Our first attempt ought to be to remove these guiding strings. Unless in matters which are purely local, independent management and opportunity for these local corporations to develop their own administrative system in their own way are first granted, unless that is secured, I am afraid it will be dangerous to introduce this body. At present we have got a very good argument against the present executive control over these municipalities; now the civilian or the member in charge is the point of attack, whereas if you substitute a body composed of non-officials and officials, it would give them very good protection and shield them for their interference. Instead of having one to attack you will have many to attack and with this many whose advice they will rely on in all matters of control it will be difficult to get rid of the shackles

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which have been imposed upon them. While I welcome the discussion, I am not at all with my Honourable Friend in pressing the resolution to a division. I am thankful to them for having brought the matter to a discussion; and the public may thank them for it; I am certainly not for advocating the constitution of any body at present till the law has settled what measure of municipal autonomy in purely local matters is going to be given, till we have ascertained what modicum of power the Government will have as regards matters of central concern, matters which concern not only the local body but matters such as public health, education and matters, for instance, of taxation—although it may be of local taxation it may be a matter of public or general concern. In these matters there must be a central authority having both legislative and administrative control. When that modicum of central power has been ascertained, it will be time enough to consider what that body should be, whether it should be a purely executive or departmental body, or whether it should be both an advising and controlling body. I would rather wait therefore for these Bills which are now in contemplation to come up for discussion. When once we have secured in this Council or elsewhere the absolute powers of independence in purely local matters which the corporations should have, I think it will be time enough to consider this question. Therefore, on the main ground that the institution of any such body at present would be a real source of danger, in that it will perpetuate the present system of control, I must oppose both the original resolution and the amendment."

The Hon'ble Mr. GORDON FRASER:—"Your Excellency, I should like to state that I am opposed both to the amendment and the resolution. I am in full accord with the remarks just now made by the Hon'ble Mr. Ranga Achariyar. I would like to congratulate the Hon'ble Mr. Rajagopala Achariyar on the eloquent speech that he has just made on the subject, and the lucid and clear manner in which he has put forward a declaration of the policy of the Government in connexion with local self-government. In connexion with this, certainly we ought to start at the bottom; we cannot take the structure and turn it upside down. We ought to broaden the base and not the top. It is advisable to give more power to municipal and other local bodies than to appoint a Local Government Board exercising more control. There is ample control at present. What we want is to educate the local bodies, teach them and allow them to learn self-government in a small way. In one's own business one tries to interfere as little as possible with the work of one's subordinates; subordinates who will not take responsibility are practically useless. It is very much the same with Government, I think. It is wise very often to allow subordinate bodies to make mistakes. Let them make mistakes and learn by their experience. There is far less harm done if a mistake is made by the lower bodies than by the higher ones. Let education start from the bottom, and do not adopt a resolution such as this recommending the appointment of a Local Government Board consisting of a Member of the Executive Council and eight representatives. There is no doubt, as stated by the Hon'ble Mr. Rajagopala Achariyar, that it would tend to stifle the development of local self-government."

"The Hon'ble Mr. Ramachandra Rao referred to the number of times in which proposals put forward by this Council were received at first with disbelief by the Government. Surely he approves of this; if the Government started a system of accepting on the spot the numerous resolutions which come before this Council, I think we would have a state of chaos very quickly. It is only natural that after bringing up subjects two or three years, and after arguing them out on both sides, you really get down to the truth of the matter. I may again refer to my own office. I do not believe in an assistant who immediately expresses agreement with every suggestion I make; I like him to contradict me and argue the matter with me. By doing so we come down to the truth of the matter. I think this is very much the same with the resolutions that come before us. If Honourable Members find their resolutions turned down, in many cases it is because Government want to argue the matter. I am not holding a brief for Government, I am only answering the remarks of my Honourable Friend Mr. Ramachandra Rao."

"There is also another point I would like to refer to, the question of the eight representatives of local bodies. How are they to be appointed or elected? There is no mention made of this. Are they to be nominated or elected? If elected I am strongly opposed to it, because we have a very good instance at the present moment of the difficulties of the various communities in receiving what I may call satisfactory treatment in connexion with the election of committees. At the present moment our non-official element on the Finance Committee consists entirely of one community. The gentlemen on that committee are no doubt worthy of their places but at the same time it leaves us with the Muhammadan, European, Anglo-Indian and non-Brahman communities not included at all. Therefore that would be a point that would have to receive very careful consideration if Government do accept this resolution. I hope the Government will oppose both the resolution and the amendment."

The Hon'ble the Rev. G. PITTENDRIGH:—"Your Excellency, I came here with considerable sympathy, not exactly towards this resolution, but towards some advance in this direction. I wish to assure those who have brought forward this resolution that, so far from there being any reluctance on the part of the European non-officials towards a movement of this kind, there is a very large amount of sympathy. It seemed to me, however, after listening to the debate, that the Hon'ble Mr. Rajagopala Achariyar's arguments were absolutely conclusive. I join therefore with the Hon'ble Mr. Ranga Achariyar in suggesting to the Hon'ble Mr. Krishna Rao that his object having been accomplished by ventilating the subject, he might now very legitimately

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withdraw the resolution. I feel great hesitation like the Hon'ble Mr. Gordon Fraser. I do not think any one can really answer the question which was put by the Hon'ble Mr. Rajagopala Achariyar, how it is that in England, where local self-government has so remarkably developed, non-officials are not associated with the officials of the department. Why therefore does it seem to be necessary in this country that there should be non-officials in this Board, while it is not found necessary in a country like England?

"The second difficulty which I have is—I put it simply as a question, for the Hon'ble Mr. Ranga Achariyar has reminded us that fools should not rush in where angels fear to tread—I put it simply as a question, what exact benefit could be served by the proposal of the Hon'ble Mr. Rama Ayyangar that that body might meet once or twice a year, a very large heterogeneous body without an executive office of any kind? I fail to see what good could be accomplished. It seems to me that, though we are trying to advance, on the face of it, towards responsible self-government, we are really taking a step which might put a fetter upon the people and the local bodies."

His Excellency the PRESIDENT:—"I do not know what the wish of the Council is. We have got the resolution before us and an amendment. I do not know, if I am in order, if it would be in consonance with the wishes of the Council to put the amendment first. If the Honourable Gentleman wants to press the amendment for a division, I will put it."

The amendment was put and lost.

His Excellency the PRESIDENT:—"Does the Honourable Gentleman wish to press the resolution?"

The Hon'ble Mr. A. S. KRISHNA RAO:—"I wish to make a few remarks. My Lord, I am not at all surprised at the attitude taken by the Government in regard to this resolution. I am aware that when any new proposal is put forward suggesting substantial changes in the existing machinery of Government, it must take some long time, sometimes years, to induce the Government to take one step forward. As has been pointed out, even in the case of simpler problems, like presidents of taluk boards, it required considerable effort and considerable discussion and required long years to see the fruition of our labours in that direction. In bringing forward this resolution I was not actuated by the hope that the Government would immediately and at once disturb the existing machinery and appoint a Local Government Board and divest themselves of the powers which they possess. If I had still ventured to put it forward, it was because I believed that with the growing feeling in the country for responsible self-governing institutions the time has come when we should seriously consider the desirability of making every self-governing body contain an adequate representation of public opinion."

"It is quite true that so far as this resolution is concerned, it suggests the transfer of powers of control now possessed or which have been possessed by the Government to the Local Government Board. I may say at once that even the amendment which has been proposed, if it is to be confined merely to creating a mere advisory body consisting of various official representatives, cannot take us far. It might be argued that the advice of officers like the Director of Public Instruction, the Surgeon-General and the Sanitary Commissioner and their opinions are always valuable to the local bodies and they can very well take advantage of the advice of these officers to guide them in their action. I do not think we are suffering from lack of advice. If only we wish to seek their advice and co-operation, we will get it. Therefore I do not myself feel enthusiastic about a mere advisory board consisting of various officers of the Government and containing some representatives of the people. As was rightly pointed out by the Hon'ble Mr. Rajagopala Achariyar, the main essential point of the proposal put forward by me is the transfer of the powers of control hitherto exercised by one individual or one by me is the transfer of the powers of control hitherto exercised by one individual or one corporate Government to a body consisting of the representatives of the people. If it sounds as something revolutionary, I cannot help it. But still when once the ideal of responsible self-government is conceded, I am confident I am not asking for anything unreasonable or extravagant or ambitious."

"Some of my Honourable Colleagues, non-official brethren, have expressed a doubt as to the desirability of substituting for Government control the control of a body consisting of eight non-officials. I am very sorry that I cannot agree with them. I am confident that their view cannot be accepted. What does it mean? Is it unreasonable to ask for the substitution of Government by one by a Government by the Council? Is it not the case that in the matter of administration the prevailing opinion accepted by the highest ministers has been to secure responsible government which is to be the government not of one individual but of the Council wherein there ought to be representatives of the people? If that is the suggestion made regarding Government itself, am I unreasonable in asking for that in this department of Local Self-Government, where every one is enthusiastic and every one is agreed that in regard to local bodies a more free and independent machinery should be substituted containing an adequate number of representatives of the people? If, for carrying on the machinery of the whole Government, we are justified in asking for representatives of the people being associated, I think this is a very modest and reasonable demand. It is from this standpoint that I have placed this resolution, and I do not mean to swerve from it. If it is an advisory board, it does not take us far."

"One of the main objections urged against the proposal is whether this system will not tend to increase the control hitherto exercised by the Government over local bodies, and whether

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it is wise or desirable that instead of making the local bodies more free and independent to place them under greater control. I am at one with the Hon'ble Mr. Rajagopala Achariyar and every one who has supported him as regards making these local bodies free. Let it not be understood that I would like these local bodies to be placed under the control of Government and that control being perpetuated. The policy which we are glad has been pursued and which I am sure with the help of the Government will be carried out in amending the Local Boards Act and the District Municipalities Act will, I hope, carry out these principles much further, and will, I hope, place the local bodies in a much better position than at present. But it has been pointed out, and I believe rightly, that there must be some residuum of power reserved to the Local Government over the local bodies. I request Honourable Members to bear that in mind. It has been suggested, and very properly so, that however much we may develop these local bodies and however much we may free them from the present restrictions, whether under a code or Act or rules, still there must be some power of control reserved to the Government in some essential particulars. That has been suggested, and I would ask the Members of this Council whether in matters which are proposed to be reserved for the discretion of the Local Government it is not moving a step forward when we ask that non-official representatives of the local bodies should also be associated with the Member of the Executive Council as President thereof to carry out that policy.

"Another objection urged by the Hon'ble Mr. Rajagopala Achariyar has been that it is a hybrid institution. We can have a body of non-officials if you please, but why do you bring in a Member of the Executive Council with the eight representatives who might out-vote him on all important questions? I do not think that such fears need be taken into consideration, because we are not now concerned with the constitution of that body. How the procedure is to be regulated, what powers ought to be given and so forth there will be time enough to consider; when the rules are to be framed, we can provide the necessary safeguards. Under ordinary circumstances when there is to be a body which consists of a Member of the Executive Council as President and eight representatives of the people, they will work in harmony and concert and no such fears need be entertained.

"My Honourable Friend Mr. Ranga Achariyar suggested that there may be very grave danger. He apprehends serious consequences even if the amendment is accepted, and he would like to wait till it is ascertained what further powers are to be given to the local bodies in view of the contemplated amendment of Local Boards Act and the District Municipalities Act. I quite agree with him in thinking that these bodies should be made more autonomous than at present. But are we to suppose that the substitution of a machinery for exercising the powers of the Government which have necessarily to be reserved can in any way impede the progress of local self-government on other lines so long as the Government have declared more than once in favour of devolution of powers to the local bodies? So I have no hesitation in saying that the fears suggested are more imaginary than real.

"Before I proceed, I think the remarks of the Hon'ble Mr. Pittendrieh should be taken into consideration. It is a matter which ought to be further considered by the Government. It is a matter on which even non-official members have expressed different views. Some of my Honourable Friends suggested that they would like to wait for the District Municipalities Act and the Local Boards Act to be amended and see whether the Government are going to give the bodies larger powers; and if in addition to those things a new idea like the one suggested is started, it must take some time. I have not the slightest doubt that if not to-day but to-morrow the Government must see eye to eye with us. As the Honourable Member of the Government, the Hon'ble Mr. Rajagopala Achariyar said, he would like to throw away the work on on the bodies. I have raised this debate on this subject which I trust will be useful. I hope in course of time this idea will develop further. I know the result of pressing the matter to a division. I do not want to take a defeat; therefore I withdraw the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE EXEMPTION OF GOSHA WOMEN FROM THE PROVISIONS
OF THE DEFENCE OF INDIA PASSPORT RULES.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR SAHİB Bahadur:—
"Your Excellency, the resolution that I beg to move for the acceptance of the Council reads thus:—

'XXIX. This Council recommends to His Excellency the Governor in Council to exempt from the provisions of the Defence of India Passport Rules, 1917, women, especially gosha women, proceeding to the Straits Settlements and the Federated Malay States accompanied by their husbands or male relatives.'

"The grievance that is sought to be removed by this resolution is not an imaginary one. Being connected with one of the shipping firms that issue tickets to the Straits

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Settlements and the Federated Malay States, I know, by actual experience, how many male passengers desire to take their wives and female relatives along with them, and how, on hearing about the passport regulations and the mode of obtaining passports, they are forced to leave their females back and go alone and, in some cases, lead very undesirable lives.

"The major class—I may say, three-fourths—of the passengers who go to these parts are of my own community. They, more or less, settle in those parts permanently, having established strong business connexions there. They make those parts their homes and spend in India only one or two months at intervals of three or four years. These merchants, naturally, desire to live with their families and thus make their lives sweet and happy.

"Now, let me explain why they shun to obtain passports for their wives and female relatives. The procedure to be followed in obtaining a passport is roughly as follows: first, a declaration form has to be obtained and filled up, wherein a full description of the applicant, such as his or her height, forehead, eyes, nose, mouth, chin, colour of hair, complexion, face and any special peculiarities, etc., should be given. This declaration form should be accompanied by two small unmounted photographs of the applicant. With this form and photographs the applicant has to appear before the local authority (who should be a Political officer, Magistrate, Justice of the Peace, Police officer not below the rank of Superintendent, or notary public, resident in India) who should have to verify the declaration and recommend the applicant to the district authority or the Local Government, as the case may be, for the grant of passports. He should also have to certify that the photographs are accurate. Then only the applicant gets the passports.

"I have stated before that almost all the men who go to the Straits Settlements and the Federated Malay States, and do business there, are Muhammadans, and their wives and female relatives, in 99 out of 100, are strict gosha ladies. Indian woman, as a whole, are very modest and it is only very rarely that they sit for photos or appear before strangers. Gosha women, it is needless to say, never appear before any person except their husbands and close relatives; and it is therefore absolutely impracticable to ask them to sit for photos before professional men. In addition to this our religion strictly prohibits the making a picture, even of males, and in the case of women, the prohibition is all the greater. Even granting that their photos are somehow or other taken, it would be very difficult to persuade them to appear before the local or district authorities for verification. It is strictly enjoined in the form of declaration that the recommending officer should, on pain of prosecution, certify that the declaration of the applicant of also her photo are true to the best of his personal knowledge and belief. I have a declaration form, which reads as follows:—

'The recommending officer had to sign the form stating, I the undersigned, so and so, hereby declare that to the best of my personal knowledge and belief the abovesaid declaration of the said Mrs. so and so is true and that I can from my personal knowledge of her vouch her as a fit and proper person to receive a passport.'

"The important warnings that are given in the declaration form printed in red ink reads—

'Persons recommending them are warned that should any of the statements contained in their respective declarations prove to be untrue they will render themselves liable to prosecution.'

"When the applicant is averse to appear before the recommender, how will he be able to certify 'to his personal knowledge' of the applicant? Therefore it is that women particularly gosha women are not able to follow the process of obtaining passports and accompany their husbands or male relatives to the Straits and the Federated Malay States, but suffer in utter seclusion here in India.

"It may, perhaps, be argued that some women do actually obtain passports and go abroad; but this is due certainly to the fact that they cannot but submit to the inconvenience because of the strong connexions that they have already formed there and as 'necessity knows no law.'

"My constituents have often and often pressed me to bring this matter before the Government and put an end to the system of passports for women and it is in obedience to their wishes as also out of my own conviction that I have ventured to place this resolution before the Council out of regard to the religious susceptibilities of my community.

"Clause 4 of the Defence of India Passport Rules, 1917, states—

'The Governor-General in Council or the Local Government may, by order in writing, exempt, either absolutely or on such conditions as may be specified in the order any person or class of persons from any of the provisions of these rules, and a competent authority may, by like order and under like conditions, exempt any person from any of the said provisions; and it is relying on this clause that I appeal to the Government to exempt women, especially gosha women, from the operation of the passport rules. I may mention for the information recently on the application of the Colonial Secretary of Singapore our Government have instructed the Collector of Tanjore to grant a certificate of exemption for 300 Steevadore coolies to be shipped to Singapore from Negapatam for working at Singapore harbour, and I have seen the certificate myself for forty coolies, without coolies appearing before the Collector. On the face of this, I do not think there will be any difficulty in exempting the women from the operation of passport rules'

RESOLUTION *RE* EXEMPTION OF GOSHIA WOMEN FROM THE PROVISIONS OF THE DEFENCE OF INDIA PASSPORT RULES.

(Mr. Ahmad Tambi Marakkayar ; Mr. Yaqub Hasan ; [22ND NOVEMBER 1917.
Mr. Davidson.)

"I admit that the grievance is a sentimental one, but all would agree sentiment is a flower that requires very delicate handling.

"My request is very modest and will not *jeopardise* or impair the safety of India inasmuch as I have stipulated that only women accompanied by their husbands or other male relatives (who, of course, hold passports) should be exempted from these rules. The system of passports between India and Ceylon which was the source of similar hardships to passengers, male and female, has happily been put an end to; and by accepting this resolution, Government will be removing a great hardship which prevents a large number of women mostly gosha women from accompanying their husbands and male relatives.

"I hope, therefore, the Council will accord their fullest support to my resolution."

The Hon'ble Mr. Yaqub Hasan:—"Your Excellency, I beg to second this resolution. It does not require many words from me to commend it to your acceptance. The request contained in it, as pointed out by the Honourable Mover, is a very modest one. What he has asked the Government to do is that under clause 4 of the Defence of India Passport Rules the Government be pleased to exempt a class of persons, that is, women in general and Mussalman women in particular, from the operation of these rules. There can be no doubt that these rules are a great hardship to woman folk, a number of whom are prevented from going abroad with their husbands or relatives. In my capacity as an honorary magistrate I have endorsed several passports to Muhammadans and in every instance I was told that they did not take their ladies with them simply on account of this provision in the rules. There is no doubt a necessity for the identification of male passengers, for an untoward contingency may arise if male passengers are allowed to go about freely without any check, and this identification is provided in the form of a certificate from some person who knows the passengers and can testify that they are respectable and that they are going on their legitimate business. In the case of females who accompany their husbands or relatives, no such contingency is ever likely to arise and so stringent precautions need not be taken, because they do not go independently but only accompany their husbands and relatives whose respectability is sufficiently ascertained. The only safeguard that the Government might have to provide is that it should not be possible for any males to get away from Indian shores by disguising themselves as gosha females. This can be very easily prevented by having some system of identification of female passengers by a lady who might be deputed to examine them at the place of embarkation. In fact, even after getting these certificates, female passengers are examined by a female inspectress of tickets. In accepting this resolution, the Government will not be doing anything that will in any way defeat the object of these rules."

The Hon'ble Mr. L. Davidson:—"Your Excellency, at first sight the request made by the Honourable Mover and supported by his seconder seems to be a simple one. He reads, from rule 4 of the Defence of India Passport Rules, a passage which authorizes the Local Government by an order issued in writing to exempt either absolutely or on condition any class of persons from any of the provisions of those rules. Therefore, it would seem at first sight that the discretion in this matter vests entirely in the Local Government. But that is not the case. When these rules were first promulgated, affecting the whole of India as they do, being passed in relation to other countries, they were accompanied by a letter from the Government of India which expressly asked the Local Government to report all cases in which they proposed to exempt a class of persons as distinct from individuals. One of the classes which were exempted under rule 9 was that of *bona fide* labourers.

"The Honourable Mover has asked whether the Local Government should not now make a recommendation in favour of the class of women or gosha women. One answer to that request is that we are up against hard facts. These are not normal times and we are not living under normal conditions. A world-wide war is in progress, and the passport system was introduced for the purpose of effectively controlling the entrance and the exit of undesirable persons from countries engaged in this great war. Passport rules throughout the world, as now enforced, insist upon the production of photographs, and it would be altogether exceptional to dispense with that means of identification in regard to any particular class of people. Not many months ago almost identically this question was raised in another province and was referred to the highest authority; and the answer to the recommendation made in that case which, if I be taken in order to obviate the photograph system was that it must be rejected. It was held that the passport system was necessitated by the conditions of war; and that the Government movements of undesirable persons; and with reluctance the high authorities referred to came to the conclusion that there was nothing else to be done but to conform to passport rules, if people found it necessary to travel. In this respect the inconvenience from which the Muhammadan community suffer is shared by other communities also. It has been my painful duty to deal with many applications from women of my own race who desired to have passports to travel to their own country. Case after case has come up in which refusal undoubtedly meant to personal hardship, but I was obliged under the rules laid down, *necessary* rules—I do not wish to shelter myself under red tape—I was obliged to refuse the issue of passports to dozens of English ladies. Much the same inconvenience is felt by Muhammadan ladies who wish to go

RESOLUTIONS *RE* EXEMPTION OF GOSHIA WOMEN FROM THE PROVISIONS OF THE DEFENCE OF INDIA PASSPORT RULES AND SEPARATE ACCOMMODATION FOR NON-HABITUAL PRISONERS IN JAILS.

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to the Strait Settlements and Malaya. But there is this distinction in their favour, that if they can make arrangements to comply with the details of the procedure prescribed for the grant of passports, they can travel to those countries. I quite see that, in the matter of procedure the difficulties are great; but the Honourable Mover has told us that some members of his community do obtain passports and do find it possible to submit to the inconvenience rendered necessary by the procedure. The difficulties are therefore on his own showing not insuperable. So much for the view that the Government of India would be bound to take, if we made a recommendation to them in the sense of this resolution.

"Then there is another aspect of the case. The Governments of the Strait Settlements and Malaya would inevitably take great exception to the proposal even if it found favour in the eyes of the Government of India. It was not very long ago—I think it was in May last—that we had a communication from the Colonial Secretary, Singapore, demurring to the grant of individual exemption certificates under the Defence of India Passport rules. He said that under the instructions of his Government, as a purely temporary measure and at the express request of the Government here, police passes, by which he meant individual exemptions, were accepted in lieu of formal passports from persons who came from India. He emphasized that this was purely temporary. When this communication came from the Government of the Strait Settlements, I thought it right and proper that the applicants for passports or applicants for individual certificates should be warned of it, and arranged for the issue of a warning notice which doubtless the Hon'ble Mr. Ahmad Tambi Marakkayar has seen; it was sent out on the 26th July to all District Magistrates—I think it must be fairly well known now—with instructions to warn applicants for exemption certificates that they ran some risk, though it might be a slight risk, of being refused leave to land in the Strait Settlements if they were not provided with regular passports.

"To sum up, therefore, we cannot issue such a general exemption as is recommended without reference to the Government of India, the Government of India would not be able to accept the recommendation and even if they were able to do so and did accept it, the Governments of Malaya and the Strait Settlements would almost inevitably demur. I am afraid, therefore, that the Honourable Member's community must, like my own community, continue to put up with the hardships and inconveniences which the necessities of the great war have thrown upon so many classes of the population."

The Hon'ble Mr. T. Ranga Achariyar:—"I wish to move an amendment with your Excellency's permission. The amendment is that the Government may be pleased to modify the rules so far as they require the production of photographs or portraits. I do not know if the Government may be pleased to accept it. It is not right to compel women to appear before males for the purpose of taking photographs and portraits."

The Hon'ble Mr. L. Davidson:—"That very question of the production of photographs was raised in the reference from the other province."

At this stage there was an informal consultation between His Excellency, the Hon'ble Mr. Gillman and the Chief Secretary.

The Hon'ble Mr. L. Davidson:—"I am directed to say—which may be a matter of satisfaction to the Honourable Member and his supporters—that the Government are prepared to make a recommendation to the Government of India to dispense with the production of photographs, though they are not sanguine that any such recommendation will be accepted."

The Hon'ble Mr. T. Ranga Achariyar:—"We may insist upon their appearing before lady inspectors and the exemption is only from the production of portraits."

The Hon'ble Mr. L. Davidson:—"The question of procedure in regard to the grant of passports is a matter which I left alone as subsidiary to the main issue."

His Excellency the President:—"I hope that will satisfy the Honourable Member. There are intricate difficulties in the matter. As the Hon'ble Mr. Davidson has said we cannot honestly say that we are hopeful of success. We shall make a representation to the Government of India on both these points in the sense of the Honourable Member's resolution."

The Hon'ble Mr. Ahmad Tambi Marakkayar:—"Upon that assurance I do not press the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION *RE* SEPARATE ACCOMMODATION FOR NON-HABITUAL PRISONERS IN JAILS.

The Hon'ble Mr. A. S. Krishna Rao:—"Your Excellency, the resolution that I have the honour to move runs as follows:—

'XXXIII. This Council recommends that His Excellency the Governor in Council be pleased to consider the Desirability of providing in the central and district jails in the Presidency separate accommodation for non-habitual prisoners whose offences do not imply any moral turpitude.'

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(Mr. A. S. Krishna Rao ; Mr. Gillman ; Mr. Siva Rao.) [22ND NOVEMBER 1917.]

"I am confident that it does not require many words from me to convince this Council of the desirability of accepting this resolution. This is not a new principle suggested for the first time. This is a principle which was considered several years ago and which, to a limited extent, has been in operation according to the rules now in force. I would call the attention of the Council to the rules contained in Chapter 16 of the Jail Manual and read rules particularly 212, 215 and 219 :—

Rule 212 provides :—'All convicts shall, as far as the requirements of labour and the cell accommodation of the jail will allow, be kept separate from each other both by day and by night.'

Rule 215 says :—'In addition to the foregoing provisions all convicted prisoners shall be divided into two main divisions, viz., habitual convicts and others.'

Rule 219 says :—'Habitual convicts shall, as far as possible, be separated from others. A separate barrack or ward shall be set apart for habitual convicts, and by these means separation at meals, parades, etc., shall be generally effected. If it is impossible to separate the classes entirely during work, superintendents should do as much as can be done in this direction by locating habitual convicts in a definite part of the several workshops or otherwise.'

"This resolution suggests another sub-classification to the effect that in the case of those non-habitual prisoners and others whose offences do not imply any moral turpitude should be kept away from others. The reason for this resolution is obvious. It is certainly obvious that those casual prisoners, in whose case the offence does not imply any moral turpitude, should not be kept in association with the prisoners whose offence involves moral turpitude, so that when they come out of the jail they might preserve their usual good character and might not be spoiled by association with them.

"There are only two possible objections which could be urged against this resolution. One will probably be that the accommodation in jails is not sufficient to allow of a further classification of prisoners they made, however desirable this further classification may be. I anticipate that this might be one of the objections. But so far as this objection is concerned, when once we agree to the principle, we would only expect that this provision would be given effect to only wherever it is possible. It is not possible in every jail to give effect to it. There may not be accommodation in every jail for this class of prisoners. As has been done in the case of juvenile offenders, some jails might be set apart for locating casual prisoners whose offence does not involve moral turpitude. That is why the resolution suggests that the question may be taken up at the earliest possible opportunity and worked out. Probably turpitude from other offences. I anticipate this objection and I find a discussion on this point in the United Provinces Legislative Council where the subject was raised. There can be no difficulty whatever and it will be clear to this Council that there are various regulations where such offences are distinguished."

The Hon'ble Mr. H. F. W. GILLMAN :—"We can distinguish them. I do not think that the Honourable Member need argue that point."

The Hon'ble Mr. A. S. KRISHNA RAO :—"Then it is only the question of providing separate accommodation that has to be dealt with. I do not think that there can be any possible difference of opinion so far as the principle is concerned. I do not think I need say anything more at this stage ; but if there is any serious objection raised on behalf of the Government I shall deal with it later."

The Hon'ble Mr. P. SIVA RAO :—"I have great pleasure in seconding this resolution. It asks for a classification of criminals. It is a desirable classification based upon the principle of the prevention of the spread of moral contagion. It is desirable to ask that a person suffering from smallpox should be isolated from others. In the same way it is desirable that a person convicted of a serious offence should be isolated from a person who has been only guilty of a technical offence, such as a breach of fiscal laws, salt laws and abkari laws. There was a discussion about this matter in 1913 when the Hon'ble Mr. Kesava Pillai moved a resolution. Then the Hon'ble Sir Harold Stuart speaking in behalf of the Government stated :

'Another matter to which I wish to refer is very important, and that is the classification of prisoners. We have already separated the habituals and the casuals, and we separate the juveniles and the adults. There is room for further classification, and this matter is now engaging our attention. One line of division under the English law is that people who commit crimes not involving dishonesty, cruelty or indecency or serious violence should be separated from persons of a more criminal character. That we are about to consider and we shall see whether we can make any further distinctions than we have already made.'

"This statement was made in the year 1913 and I think that the Government of 1917 will come to some decision about the matter and work out the classification. I think this is a very necessary reform which is intended to prevent the spread of moral contagion."

The Hon'ble Mr. H. F. W. GILLMAN :—"Your Excellency, I would like to say that the Government are in considerable sympathy with the principle of this resolution and have already considered the separation of non-habitual prisoners in the manner suggested. They have, however, decided not to proceed further with the idea at present for several reasons. In the first place, we examined the figures of one of our principal jails, that is, the Trichinopoly jail, and we found that out of a total of over 900 prisoners there were only 30 whose offences did not involve moral turpitude, that is, in my definition, which probably the Hon'ble Mr. Krishna

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Rao accepts, involve cruelty, dishonesty, indecency or serious violence. Further, we have been assured by the Inspector-General of Prisons that we are so well off in the matter of cellular accommodation that there is no difficulty about providing separate quarters for any particular person or classes. So it seems to us that there is no particular urgency about this matter. Neither the Honourable Mover nor his seconder has given us any reasons for holding the contrary view.

"The other reason is that the separation of prisoners is not in the hands of the Local Government, because they are bound by the provisions of the Prisons Act which require distinctions to be made only in certain cases, so that any question of further distinction is one that should be properly inaugurated by the Government of India. I would like to assure the Honourable Member that this does not mean the postponement of the whole thing till the Greek Kalends—there need be no such apprehension—because they will have seen from the answer given at the Imperial Legislative Council last month that the Government of India have decided to appoint a committee to inquire into the administration of jails in India immediately after the war. I may say that we have already been asked for our recommendation in the matter in regard to the general jail administration and we have furnished them with it. We are now awaiting the appointment of the committee which will be constituted. As there is no particular urgency about the matter and as this question is likely to be considered by the committee to be appointed by the Government of India, the Honourable Member will probably see no reason to press this resolution."

The Hon'ble Mr. A. S. KRISHNA RAO :—"I do not press it."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE NON-OFFICIAL MAJORITY ON EXCISE ADVISORY COMMITTEES.

The Hon'ble Mr. A. S. KRISHNA RAO :—"I have the honour to move that—

'XXXIV. This Council recommends that His Excellency the Governor in Council be pleased to take steps to alter the constitution of Excise Advisory Committees so as to give them a non-official majority and to give them larger powers in disposing of licences and in determining the number and location of shops.'

"This resolution affecting the constitution and powers of the Excise Advisory Committees may be considered under two separate heads. I wish first to address the Council as regards the constitution of these advisory committees and then I wish to take up the question as to the powers with which they are to be entrusted. So far as the constitution of the advisory committees is concerned, it is very unfortunate that it has become necessary for us to remind your Excellency's Government about the necessity for changing the constitution of it in the manner in which it has been done in various other provinces. It will be remembered that this question was examined at considerable length by the Secretary of State for India and by the Government of India and in the Despatch issued on the 29th May 1914 they expressly suggested the desirability of improving the usefulness of these advisory committees and of referring to them various questions not merely those relating to the number and location of shops. As was pointed out on that occasion there was practically no objection to giving a non-official majority so far as these advisory committees were concerned, though for what reason it is not known, this Government alone among others were unwilling to introduce a non-official majority. This is what is stated in the Despatch :—"I can see no reason why, while their powers are of a consultative nature, these bodies need necessarily have an official majority—a point which is not objected in Bengal and elsewhere, though it is not conceded in Madras."

"I have been at some pains to find out the reasons why, while we find the United Provinces and Bengal and even Bihar and Orissa, have all been for giving a non-official majority, this Government alone should have hesitated to give a non-official majority so far as these bodies are concerned. When the recent *Press Communiqué* was issued suggesting alterations in the constitution of those committees, I thought something would have been done to remove this anomaly and to bring it into line with the excise advisory committees in other provinces or to adopt the suggestions—I am calling them suggestions as the Government of India left it to the Local Government—of the Secretary of State. This *Press Communiqué* issued so recently as the 29th June 1917 does not substantially alter the constitution of these bodies. Before this was issued, the committees in the mufassal municipalities consisted of three members with the Collector or the Revenue Divisional officer as president, and the chairman of the municipality or the District or Assistant Superintendent of Police or other police officer. So far as the committees in the union panchayats are concerned they also consisted of three members with the tahsildar as president and the union chairman and the police inspector as the other members of this committee. The Government were anxious to enlarge these bodies. But what are the modifications that they introduced? They are to this effect :

'The Government have now decided to increase the number of the members on these committees from three to six by the inclusion of an abkari officer and two elected non-official members of the municipal council or union panchayat. The committee, as now constituted, will thus consist of an equal number of officials and non-officials.'

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"In giving further instructions, they give a casting-vote to the president, so that even after the enlargement of this body there is no non-official majority. No doubt a clause is added that the president of the committee, who it will be noted is an official, is authorized at his option to co-opt one additional non-official member from the class who do not *per se* think that drinking is a vice. I would only request the Government to consider whether there are any satisfactory reasons for creating an exception in the case of this province, and saying that in the Madras Presidency and in no others there shall be a committee with an official majority. The problem is important for another reason also. So far as these committees are concerned, from the latest order issued about this question it will be found it has been suggested that the recommendations of this committee have been accepted by Collectors, so that these committees have been serving a useful purpose. But when we realize that after all these committees are being worked by officials themselves no special significance can be attached to that circumstance. The Collector or the Revenue Divisional officer is the president, and is the officer who generally advises the district officer in the matter of granting these licences and there is nothing strange in the decision of the committee being accepted by the Collector. The same is the case with the union panchayats. The tahsildar who is to advise the Collector makes the recommendation and are we to be struck with surprise that the recommendations of these committees are accepted by these Collectors concerned? If real popular opinion is to be expressed, if it is to be ascertained that as a matter of fact the wishes of the people regarding the location and number of shops have been agreed to by the Collector, the constitution of these bodies should be so changed as to make it non-official. That is the first point which I wish to place before this Council, because we are in a very unfortunate position so far as that aspect of the question is concerned.

"So far as the second portion of the resolution is concerned it suggests that larger powers should be given to these bodies in disposing of questions relating to the location and number of shops. I am not suggesting that the powers of the Collector should be taken away, and that these committees should have sole authority in the matter of granting licences or in disposing of these questions. I wish they should be given larger power, because the procedure now adopted restricts their powers and prevents them from being as useful as they might be. Even in the recent *Press Communiqué* and the instructions given thereunder it is suggested as follows:—

(a) The committees should meet once in the year to consider the proposed licensing arrangements for the arrack, ganja and opium shops and foreign liquor taverns and once again to consider the licensing arrangements for toddy shops.

(b) They should also meet on other occasions to consider points that may be referred to them from time to time.

(c) The meetings will be convened by the president who will maintain the records of the meetings in his office.

(d) The functions of the committees are purely advisory and their recommendations should be confined to local questions.

"Therefore, it is clear that these committees cannot take any initiative and cannot make suggestions on their own responsibility. They have only to give their opinion on the questions referred to them for their consideration, and their functions are limited and restricted. I would, therefore, suggest that the functions of these bodies should be enlarged and they should also be made more useful than they are at present.

"Members of this Council are aware that questions touching some of these points were under the consideration of the Imperial Legislative Council on the 8th February last, a resolution on these advisory committees and the enlargement of their powers and functions. In reply to that resolution, I find that the Member for Commerce remarked without committing himself to any particular view that this question was referred to the Local Governments. In reply to his remarks: 'I do not, however, propose to deal with each part of the Honourable Mover's resolution in detail, and I will tell you why. A few months ago Mr. Chamberlain sent out to us a memorandum with conclusions arrived at by Sir Herbert Roberts, M.P. Those conclusions are word for word the same as the Honourable Member's resolution. We have circulated those conclusions at Mr. Chamberlain's request among the local Governments, and have invited them to immediately embark upon a very careful inquiry into the proposals made. That inquiry is going on at the present time, and when we get the replies from the Local Governments, we shall naturally review the subject as a whole. I need hardly assure the Honourable Member that the views of the various gentlemen who have spoken, and in particular what has fallen from the Honourable Mover of the resolution himself, will receive the careful consideration of the Government of India.' This discussion took place on the 8th February 1917. One of the questions then considered was about giving a non-official majority on these excise advisory committees, and making them really representative of the people and increasing their powers. It was then stated that those questions were circulated among the Local Governments and the Local Government were considering those questions. If I am to be informed by your Excellency's Government that the matter is still under consideration, and that the Government have not committed themselves to any view and that this *Press Communiqué* is merely tentative and does not lay down the final conclusions of the Government, it is a different thing. But when I found that this *Press Communiqué* was issued about four months after the debate in the Imperial Legislative Council, it

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naturally caused me some alarm as to whether, even after Mr. Chamberlain communicated his opinions, the Government deliberately committed themselves to the view that, so far as this Province was concerned, we should have an excise advisory committee, with an equal number of officials and non-officials, the power of giving a casting-vote being given to the official president. I would ask your Excellency's Government to consider whether the constitution and functions of these committees cannot be altered and whether the liberal lines suggested by the Secretary of State cannot be adopted. With these words, I commend the resolution to your acceptance."

The Hon'ble Mr. A. Suryanarayana Rao seconded the resolution.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I would first tell the Honourable Member that this press communiqué was issued after the receipt of the Right Hon'ble the Secretary of State's despatch and after careful consideration of the whole question. Communications were received from the Government of India, who commended these matters for our consideration. There was no mandate as the Honourable Member probably imagines. Therefore, it was our duty to go into the representations carefully, which we did, and the press communiqué was issued so that the public might see exactly what the changes were that were made in this Province in regard to these committees.

"I need hardly tell the Council that this question is an old question which has been with us in this Council for several years, and many attempts have been made from time to time to convert these advisory committees into licensing boards—that is what it comes to—and the Government have always taken up the position, and so far have had the support of the Council in doing so, that for the present at any rate the power vested in the head of the district in regard to excise matters must not be disturbed and he must continue to have the last word. The Honourable Member says something to the effect that he does not mean that he should not have the last word; but as a matter of fact his resolution is that these committees should have larger powers in disposing of licences and determining the location and number of shops. I really do not see how on the one hand the Collector could maintain the powers he now has and in the last resort determine the number and location of shops and at the same time these advisory committees are to be anything more than advisory committees. We cannot have a body which in one breath is a licensing board and which in another is not. Either the last word is with the committee or with the Collector. It passes my comprehension how to devise any scheme by which these advisory committees are to tell the Collector what to do or what not to do, and yet at the same time the Collector should have a discretion in the matter, and on the other hand the advisory committees should feel that they have the power too. I do not think there is any half-way house in the matter of converting the excise advisory committee into a licensing board. The point of view of the Government is that, as matters now stand, the time has not come when local bodies could be entrusted with licensing powers. When that time comes, I submit that the most appropriate way in which it might be done is to give these powers in the local laws constituting the local bodies, the District Municipalities Act being so amended that licensing powers could be entrusted to municipalities and the Local Boards Act being amended in such a way that these powers could be entrusted to the local boards. But the excise committees were started for quite a different purpose. The whole object was that they should be advisory and with that idea they have been working till now, and if you now attempt to convert these purely advisory committees into licensing boards, I fear you will let yourselves in for trouble. They are not exactly constituted for licensing purposes. If the Council should at any time take the view that the local body in every locality should have the right to determine these things authoritatively, the proper thing would be to give that power to local bodies which are fairly wide bodies elected by the rate-payers in the particular locality. That is my first point. Are you prepared, or do you want, to convert these advisory committees into licensing boards? So far as the Government are concerned, they have consistently taken the view that they are not prepared to give the committees that power and this despatch from the Secretary of State has not changed that view.

"But at the same time I would point out to the Council that in developing these advisory committees we have pursued a policy of enlarging their usefulness and of increasing the range over which they can advise and the reports before us show that they are doing a certain amount of good work. Till 1915 the functions of the committees were to report annually to the Collectors on the changes to be made in the number and location of arrack and toddy shops, and once in five years on the revision of the maximum number of such shops for the municipalities or the unions concerned. In that year their functions were enlarged on the following lines under instructions from the Secretary of State. They are to serve as a channel through which local opinion is to be consulted as to matters of excise, for instance, methods of trading, hours of sale, and generally as to abuses and irregularities. It might also be within their recognized sphere to call attention to special cases or localities in the town or country in which it might seem desirable and likely to be in consonance with the wishes of the inhabitants that the ward or special area should be kept altogether immune from the sale of intoxicants. Recently the committees have been authorized to consider the licensing arrangements for the auction of shops of all kinds, for ganja, for opium shops and for foreign liquor taverns in addition to arrack and toddy shops. In the result these committees have practically no restriction in regard to the offering of advice so far as the whole range of excise administration in their areas is concerned.

(Mr. Rajagopala Achariyar ; Mr. A. S. Krishna Rao.) [22ND NOVEMBER 1917.

"That brings us to the question of their constitution. When you have an advisory committee, a committee whose recommendations are simply to be considered and there is no question of their being binding, I rather find it difficult to see what exactly is the significance of the point whether officials or non-officials should preponderate on it. The Honourable Member may retort and say—why should you not have non-officials preponderating? There is particularly no reason why it should be one way or the other. That is the reason why in amending the constitution we did not trouble ourselves about it. What we did was to put in people whom we thought to be most useful. For instance, previous to this reorganization of these committees according to the Government order of June 1917, to which the Honourable Member has referred, in the mufassal municipalities the committee consisted of the Collector or the Revenue Divisional Officer, the Chairman of the municipality and the District or Assistant Superintendent of Police. Therefore two of them were Government officials and the third might be a Government officer, that is, the Chairman. So under the most favourable conditions, before this order of June 1917 came into operation, there were two officials and one non-official. What we felt when this thing came before us was that we wanted, if possible, to give the Collector a wider range of non-official opinion to consult, and so we said, in addition to the Chairman have two non-officials elected by the municipal council. So that in lieu of one non-official you have now three non-officials. Then in regard to the officials, it was represented to us that the Collector had only the head of the police to help him, and that he should have the local abkari officer to help him, and it was wise to have the local abkari officer. The result was that we changed the constitution of the committee by adding two non-officials and one official. So that there is a substantial increase in the non-official element. The Honourable Member would say—you have not got a non-official majority, there are three officials and three non-officials and the president has got a casting-vote, and therefore it is an official body. That kind of argument wholly misunderstands the object of this committee. It is not a question of voting; it is a question of getting a certain number of officials and non-officials to meet and consult, so that you can come to some arrangement as to the number of shops and as to their best location, and as to other matters. That is to say, as we have not got a licensing board, and as the Collector is the final authority in regard to the number and location of shops, he must have concerned, namely, the police and the abkari officers as well as of non-officials. So we say the Chairman of the municipality is the first man; then the municipality is to elect two non-official members. There have been no instances, so far as the information before us goes, of any conflict of opinion worth mentioning between the officials and the non-officials. The Collectors say that they have derived some amount of assistance from these committees. The Collectors say that is a matter for consideration whether we may not leave them alone, at any rate for the time being. We made the changes only last June.

"As regards the question of a licensing board, it is a different thing; it is very much more complicated. I hardly think that during the short time at our disposal we can discuss the question of licensing boards. The Council is no doubt aware that the question of a licensing board for the City of Madras is under consideration. What the decision is going to be I am not in a position to say. If a licensing board is considered necessary, it is natural that it should be first introduced in a place like Madras rather than all over the Presidency at once.

"For these reasons I consider that the present constitution of the excise advisory committees meets the purpose for which they were intended, and the recent changes made in them, though they probably fall short of what the Honourable Member wishes, are substantially for the purpose of strengthening the non-official element and giving wider opportunity to the Collector for ascertaining non-official opinion. I would suggest to the Council that those changes having been made last June, it would be wise to allow them to be worked for a little time longer before we consider whether further changes should not be made."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I am sorry, your Excellency, the argument of the Hon'ble Mr. Rajagopala Achariyar has not convinced me, especially when he dealt with the constitution of these committees. The Council would have seen from the way in which he has put it, he could not justify the retention of the official majority. He himself suggested: 'it does not matter whether there is an official majority or a non-official majority; but the Honourable Member might retort one is as good as the other.' He evidently forgot that, so far as the rules published on the 29th of June are concerned, they did provide for a division of views between the members and that is why there is sub-clause (e) giving the president of the committee a casting-vote. I can understand a case where the proceedings are informal and the views of individual members are obtained; they are required to submit written notes which are submitted to the Collector, and he takes those views into consideration before he decides—I can understand a position of that sort. But the rules here contemplate the appointment of a committee with a president and give the president a casting-vote. I fail to see how in these circumstances this committee would not discuss these questions as any other body would before they offer their opinion. Even from the materials furnished in this Government order, it is clear that it seriously affects the constitution and there is no reason given for not giving a non-official majority. I have been curious to know as to what the objection is to a non-official majority. I thought the Hon'ble Mr. Rajagopala Achariyar would enlighten me on that point and would give us useful information as to why there has been any sort of hesitation. I find in the discussion in the Imperial Legislative Council one reason was suggested. I did not like to

RESOLUTIONS *RE* NON-OFFICIAL MAJORITY ON EXCISE ADVISORY 159
COMMITTEES AND PERMITTING COUNSEL TO APPEAR BEFORE THE
BOARD OF REVENUE IN INCOME-TAX REVISION PETITIONS.22ND NOVEMBER 1917.] (Mr. A. S. Krishna Rao ; Mr. Annamalai Chettiyar ;
the President.)

put it forward because I was anxious to know if the Hon'ble Mr. Rajagopala Achariyar himself would put it forward. It was suggested that Madras is the Province which has developed excise more than any other Province and that is probably the reason why your Excellency's Government did not want to bring in advisory committees with a non-official majority. That was the reason suggested; whether it is correct or not I do not know. That is a matter which requires explanation from the Government as to why, while every other Province was moving in the direction of a non-official majority, this Province alone should have been for an official majority. As matters stand at present, I do not see any reason for changing my views.

"As to the powers, the Hon'ble Mr. Rajagopala Achariyar suggested we cannot have a body which is advisory and at the same time is a licensing board, and that the local bodies are more competent to exercise functions of this character. If the Hon'ble Mr. Rajagopala Achariyar can give me an assurance that steps would be taken to give such powers to local bodies—I am not fascinated with these boards—and that will be considered, it is all right. But he has not given any such assurance. In the absence of such an assurance, I feel it necessary to request your Excellency to put this resolution to the Council."

The resolution was put and lost.

RESOLUTION *RE* PERMITTING COUNSEL TO APPEAR BEFORE THE
BOARD OF REVENUE IN INCOME-TAX REVISION PETITIONS.

The next resolution which stood in the name of Rao Bahadur S. R. M. Annamalai Chettiyar ran as follows:—

"XXXV. That this Council recommends to His Excellency the Governor in Council that in exercise of the powers delegated to him by His Excellency the Governor-General in Council under section 38, sub-section 1, of Act II of 1886 (The Income-tax Act) an additional rule be sanctioned to the effect that when revision petitions are presented to the Commissioner of the Board of Revenue under section 27 of the above Act the petitioners shall be allowed to be represented by vakil or counsel before the disposal of their revision petitions."

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR:—"In view of the fact that a Bill which will practically recast the whole of the Indian Income-tax Act has recently been introduced into the Imperial Legislative Council, and that the provision I ask for in my resolution is likely to be introduced in the new Act itself, I am advised there is no necessity for me to press this resolution at present, and if necessary I will bring it up again in case the new Act does not provide for it. I therefore beg to withdraw my resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

His Excellency the PRESIDENT:—"That concludes our business. The Council will now adjourn."

The Council then adjourned sine die.

R. A. GRAHAM,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

**Proceedings of a Meeting of the Council of the Governor of Fort St. George
assembled for the purpose of making Laws and Regulations under the
provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.**

The Council assembled at the Council Chamber, Fort St. George, at 11 a.m. on Tuesday,
the 12th day of February 1918.

P R E S E N T :

His Excellency the Right Hon'ble JOHN, *Baron* PENTLAND of Lyth, P.C., G.C.I.E.,
Governor of Madras—*Presiding*.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E.,
I.S.O.

The Hon'ble Mr. L. E. BUCKLEY.

The Hon'ble Mr. A. BUTTERWORTH, C.S.I.

The Hon'ble Mr. M. E. COUCHMAN.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble Lieut.-Col. G. G. GIFFARD, C.S.I., I.M.S.

The Hon'ble Mr. R. A. GRAHAM.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. A. R. KNAPP.

The Hon'ble Mr. S. B. MURRAY.

The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.

The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).

The Hon'ble Mr. J. H. STONE, C.I.E.

The Hon'ble Mr. O. G. TODHUNTER.

The Hon'ble Mr. T. RANGA ACHARIYAR.

The Hon'ble the Rev. G. PITTENDRIGH.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU Garu.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

(Mr. Ramanuja Achariyar.)

[12TH FEBRUARY 1918.]

The Hon'ble Mr. P. SIVA RAO.
 The Hon'ble Diwan Bahadur A. SUBBAYALU REDDIYAR Avargal.
 The Hon'ble Mr. B. V. NARASIMHA AYYAR.
 The Hon'ble Mr. K. SADASIVA BHAT.
 The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.
 The Hon'ble Mr. K. RAMA AYYANGAR.
 The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU.
 The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTURAMALINGA SETUPATI Avargal, Raja of Ramnad.
 The Hon'ble Mr. B. VENKATAPATI RAJU.
 The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
 The Hon'ble Mr. K. KUMARAN RAMAN KAVALLAPPARA MUPPIL NAYAR.
 The Hon'ble Yaqub Hasan Sahib Bahadur.
 The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR SAHIB Bahadur.
 The Hon'ble Mr. GORDON FRASER.
 The Hon'ble Mr. C. H. HIGGINBOTHAM.
 The Hon'ble Sir FAIRLESS BARBER, Kt.
 The Hon'ble the Most Rev. JOHN AELEN, D.D.
 The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.
 The Hon'ble Mr. T. RICHMOND.
 The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
 The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.
 The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Bobbili.

NEW MEMBERS.

The following gentlemen took the prescribed oath or affirmation of allegiance to the Crown and then took their seats:—

The Honourable Lieutenant-Colonel GERALD GODFREY GIFFARD, C.S.I., I.M.S.
 The Honourable Mr. ROBERT ARTHUR GRAHAM.

QUESTIONS AND ANSWERS.

[Order made by His Excellency the President under rule 11 of the statutory rules for the asking of questions in the Council—

(1) Printed copies of all the questions and answers to be put and given at the meeting shall be placed on the Council table half an hour before the President takes his seat. The questions shall be numbered consecutively as printed.

(2) The questions shall be put and answered in the following manner:—

The Secretary shall call the name of each interpollator in turn, specify the serial numbers of his questions and make a sufficient pause to allow the Honourable Member a reasonable opportunity of rising in his place, if he is desirous of asking any supplementary questions. Supplementary questions must be put immediately after the principal questions to which they relate.]

The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar Avargal.

1 Q.—With reference to question No. 18 put by me at the meeting of the Legislative Council held on the 20th November 1917, on the subject of Government servants being members of the Anglo-Indian Association of South India, will the Government be pleased to state the result of the consideration they were giving to the points referred to in that question?

1 A.—The Government have made inquiries and ascertained that the association has no intention of taking part in any political movement.

2 Q.—With reference to question No. 19 put by me at the meeting of the Legislative Council held on the 20th November 1917, will the Government be pleased to obtain the information asked for in that question regarding the appointment of an official chairman for the Nidamangalam union panchayat?

Government,
servants
and the
Anglo-Indian
Association,
South India

Chairman
of the Nidamangalam
union,
Tanjore.

[12TH FEBRUARY 1918.] (Mr. Ramanuja Achariyar; the President.)

2 A.—From a report received from the President, District Board, it appears that the chairmanship of the union panchayat was held by non-official gentlemen from 1st March 1908 to 24th July 1917 with a break of about two years in the middle when there was an official chairman; and that the administration of the union by non-official chairmen was not found very unsatisfactory. When the chairmanship fell vacant on the 25th July 1917, it was considered necessary on public grounds that there should be a change and as the only other non-official gentleman who was regarded as suitable was unwilling to take up the appointment, an official was appointed.

3 Q.—Will the Government be pleased to call for and furnish to this Council a statement of work relating to the Madras High Court on the 1st January 1917 in the form set out in the annexures to G.O. No. 2809, Judicial, dated 15th November 1915?

Statement of
work relating
to Madras
High Court.

3 A.—The Honourable Member is referred to the answer given to question No. 127 (1) asked by the Hon'ble Mr. T. Ranga Achariyar at the meeting of the Legislative Council held on the 6th February 1917.

4 Q.—Will the Government be pleased to lay before this Council a special table showing how many first appeals instituted before the 1st July 1916 and how many second appeals instituted before 1st January 1917 are pending in the High Court and for what reasons?

Pendency of
first and second
appeals in the
High Court.

4 A.—A statement * is laid on the table.

5 Q.—Are the Government aware that objection was raised before the Madras High Court as to the legality of the appointment of temporary Judges to a High Court for a period of more than two years and that the same was overruled, one of the learned Judges observing "The original intention of the appointment of Judges by His Majesty has been departed from" by the later amendment?

Temporary
appointments
to the High
Court Bench.

5 A.—Yes.

The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar:—"With reference to reply to question No. 5, are the Government aware, that in reply to a question in Parliament on 5th November 1917, it was stated there would be no deviation from the policy laid down by Parliament?"

His Excellency the PRESIDENT:—"Would the Honourable Gentleman be good enough to give notice of the question?"

6 Q.—Will the Government be pleased to state—
 (i) the data, i.e., the amount of arrears to be cleared with information as to the mode of calculating it on which they recommended in January 1912 the appointment of two temporary Judges for a period of two years;
 (ii) the fresh data on which the continuance of the two Judges for another period of two years was recommended;
 (iii) the grounds on which in April 1914 two more Judges were considered necessary;
 (iv) similar information for each subsequent extension;
 (v) the reasons which in each case led to the continuance of the temporary arrangements; and
 (vi) how many of the temporary Judges it is proposed to retain, and for what period?

Continuance of
temporary
Judges in the
High Court.

6 A.—(i), (ii), (iii), (iv) & (v) A statement † of business pending in the High Court is laid on the table.
 (vi) Two: the existing sanction will expire on the 31st December 1918.

7 Q.—With reference to G.O. R. No. 593, Revenue, dated 28th September 1917, on the petition of M. S. Raghunatha Tatacharya, of the village of Arasanzeri, Udaiyarpalayam taluk, will the Government be pleased to state—

Condition of
an irrigation
source.

(i) when the irrigation tank of the village was breached;
 (ii) whether the breach has been repaired and when;
 (iii) whether the supply channel from the tank is full of sand and silt;
 (iv) when the silt-clearance was last made; and
 (v) whether wet cultivation is possible under the tank in its present condition?

7 A.—(i) In 1911.
 (ii) Yes; the breach was closed at once and the site of the breach was strengthened in 1912.
 (iii) No.
 (iv) No silt-clearance seems to have been done by Government during the past ten years.
 (v) Yes.

* Vide Appendix I on page 169 infra.

† Vide Appendix II on page 169 infra.

(Mr. Ramanuja Achariyar ; Mr. Gillman.) [12TH FEBRUARY 1918.]

Reorganization of the Provincial Judicial service.

- 8 Q.—Will the Government be pleased to state—
 (1) what has been done since the last meeting of this Council to promote the prospects of the Provincial Judicial service; and
 (2) when the reorganization of that service and the revision of the salary of its members will be effected?

8 A.—(1) The Government have prepared and are about to obtain approval of a scheme for the conversion of 25 temporary courts—11 Sub-Judges and 14 District Munsifs—into permanent and for the consequential re-grading of officers.
 (2) No definite date can be fixed.

Circular regarding out-turn of work by sub-courts in Tanjore district.

- 9 Q.—Will the Government be pleased to state—
 (1) whether Subordinate Judges in the Tanjore district are required to show a certain quantity of work in a month;
 (2) whether any circular was issued by the District Judge on the subject; and
 (3) whether a copy of it will be placed on the table?

9 A.—The Government have no information.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Will the Government be pleased to obtain the information?"

The Hon'ble Mr. H. F. W. GILLMAN:—"No, Sir. The matter is within the special province of the High Court and the Government are not disposed to interfere."

Quarters for European and Indian sub-inspectors of police.

- 10 Q.—Will the Government be pleased to state—
 (i) whether their attention has been called to a letter, dated 13th October 1917, in the *Hindu* newspaper under the heading "Why the difference";
 (ii) whether the provision of a terraced building for a European sub-inspector and of a tiled building for an Indian sub-inspector was deliberate; and
 (iii) whether the reasons for the difference can be stated?

10 A.—(i) The Government have now perused the letter.
 (ii) & (iii) By a 'terraced building' the Honourable Member probably means a 'two-storeyed building.' The designs of the buildings in question were drawn up to suit the habits of living of the classes of officers who occupy them.

Defence of a suit against Mr. Stodart.

- 11 Q.—Will the Government be pleased to state—
 (i) whether a civil suit has been filed against Mr. Stodart, Revenue Divisional Officer, Negapatam, in the District Munsif's Court, Tiruvallūr;
 (ii) whether the act complained of related to any act done by him in his capacity as Revenue Divisional Officer or as Municipal Chairman;
 (iii) whether Government have issued orders for the defence of the suit at the public expense; and
 (iv) what are the reasons for this action?

11 A.—(i) Yes.
 (ii) The plaint alleges that Mr. Stodart while presiding at a meeting of the municipal council made a defamatory statement concerning the plaintiff.
 (iii) & (iv) Provisional sanction has been accorded with reference to sub-paragraph (iii), paragraph 2 of Board's Standing Order No. 93.

Progress made with the Madras City Municipal Bill.

- 12 Q.—Will the Government be pleased to state in connexion with the Madras City Municipal Bill—
 (i) when the question of amending the Act was first taken up;
 (ii) how many officers were placed on special duty, and for what periods, and what was the work done by each;
 (iii) whether the sanction of the Government of India has been obtained to the proposed amendments, whether that Government have made any suggestions or alterations in the Bill public;
 (iv) whether a committee of officials and non-officials considered the Bill; what was the time taken by the committee, and whether Government intend to publish its report; and
 (v) in what stage the Bill is at present and when it will be introduced into the Legislative Council?

The stage reached in the preparation of certain Bills.

- 13 Q.—Will the Government be pleased to furnish similar information in regard to the following Bills:—
 (i) Bill to amend the Madras District Municipalities Act;
 (ii) Bill to amend the Local Boards Act;
 (iii) Town-planning Bill; and
 (iv) Food and Drugs Bill?

[12TH FEBRUARY 1918.]

(Mr. Ramanuja Achariyar ; Mr. Ahmad Tambi Marakkayar.)

- 12 & 13 A.—(i) The Honourable Member is referred to the answer given to question No. 66 at the meeting of the Council held on 20th November 1917.

Bills.	Mr. A. Galletti, I.C.S., 6th April 1914 to 31st December 1915.	Sir Robert Clegg, 16th October 1917 to 16th January 1918.
(a) The Madras City Municipal Bill.	The preparation of the Bill and of the Statement of Objects and Reasons together with notes on clauses. He also served as Secretary to the Committee that sat on the Bill and he revised the Bill with reference to its recommendations.	He made a detailed examination of some of the important provisions in the Bill especially with regard to taxation.
(b) The Madras District Municipalities Bill.	The preparation of the Bill and of the Statement of Objects and Reasons together with notes on clauses.	A detailed examination both of the original draft and of suggestions received since the first drafting.
(c) The Madras Local Boards Bill.	Do.	Do.
(d) The Town-planning Bill.	Do.	....
(e) The Madras Prevention of Adulteration Bill.	Do.	....

Bills.	Whether the sanction of the Government of India has been obtained to the proposed amendments.	Whether the Government of India have made any suggestions or alterations.	Whether the Bills will be immediately published.
(a) The Madras City Municipal Bill.	Final approval has not yet been obtained.	Yes ..	No.
(b) The Madras District Municipalities Bill.	No ..	No ..	No.
(c) The Madras Local Boards Bill.	No ..	No ..	No.
(d) The Town-planning Bill ..	Yes ..	Yes ..	No.
(e) The Madras Prevention of Adulteration Bill.	Yes ..	Yes ..	The Bill will be ready for publication shortly.

Bills.	Whether a committee considered the Bill.	The time taken.	Whether its report will be published.
(a) The Madras City Municipal Bill.	Yes ..	The committee sat for nine days and a sub-committee from 7th July to 29th November 1915.	No.
(b) The Madras District Municipalities Bill.	Yes ..	4 days ..	No.
(c) The Madras Local Boards Bill.	Yes ..	4 days ..	No.
(d) The Town-planning Bill ..	No ..	....	..
(e) The Madras Prevention of Adulteration Bill.	No ..	....	..

- (v) The Honourable Member is referred to the answer given to question No. 66 at the meeting of the Council held on 20th November 1917. Subsequent to that date the committee that sat on the Madras Local Boards Bill has made several suggestions and these are now under consideration. The Government are unable to name a definite date.

The Hon'ble Khan Bahadur A. T. G. M. Ahmad Tambi Marakkayar
 Sahib Bahadur.

- 14 Q.—(1) Are the Government aware—
 (a) that the Government of Bombay propose appointing a committee to formulate measures to minimise begging in their province;
 (b) that, in the Madras Presidency, the begging nuisance has considerably increased?
 (2) Will the Government be pleased to appoint a committee of officials and non-officials to look into the question of begging in this Presidency also?

Begging nuisance in the Presidency.

14 A.—(1) (a) Yes.
 (b) The Government have no information to that effect.
 (2) No.

(Mr. Ahmad Tambi Marakkayar.)

[12TH FEBRUARY 1918.]

Distribution of gazetted appointments in the registration department.

15 Q.—(a) Are the Government aware that, out of 24 gazetted appointments of District Registrars in the Registration Department, only one is held by a non-Brahman Hindu, while no less than seventeen are held by Brahmans, four by Muhammadans and two by others?

(b) Will the Government be, therefore, pleased to issue instructions to the Inspector-General of Registration that, in making recommendations for future vacancies of District Registrars, he should see that the interests of the communities, that are not fairly represented, are safeguarded, by selecting for Registrars from among the duly qualified and competent Sub-Registrars in the first two grades in such communities, until such disproportion is remedied?

15 A.—(a) Yes, except that there are two non-Brahman Hindus, not one, the number of Brahmans being 16, not 17.

(b) The matter is under consideration.

A drinking-water channel in Trichinopoly municipality.

16 Q.—(a) Are Government aware that the residents of Nather Avulia Durga and its adjoining locality in Trichinopoly have submitted a memorial to the Chairman, Municipal Council, Trichinopoly, and forwarded a copy of the same to Government on 29th July 1917; and that they also sent a reminder thereon on 1st January 1918, regarding the fouling of the drinking water channel running by the side of the Durga by allowing the filthy sewage water of the drains in Chinna Kammala street, Periya Kammala street and Jaffar Sahib street, to flow into it?

(b) Will the Government be pleased to issue immediate orders to the Chairman, Municipal Council, Trichinopoly, directing him to divert the sewage water elsewhere than in the channel, with a view to protecting the health of the inhabitants of the Durga and its vicinity?

16 A.—The Government have not received a copy of the memorial or the reminder referred to.

Revised scale of pay to sanitary inspectors in the Negapatam municipality.

17 Q.—(a) Is it a fact that the sanitary inspectors of the Negapatam municipality have submitted to Government a memorial, dated 17th December 1917, requesting that orders passed in G.O. Mis. No. 1715 M., dated 5th October 1917, may be rescinded in their case?

(b) Will the Government be pleased to favourably consider the memorial of the sanitary inspectors?

17 A.—The memorial has been received and is under consideration.

A Muslim leader and the Tirupattur Munsif.

18 Q.—(a) Has the attention of the Government been drawn to the letter in the *Indian Patriot*, of 21st November 1917, under the heading 'Insult to a Muslim Leader'?

(b) Will the Government be pleased to inquire into the matter?

18 A.—(a) The Government have received a petition from the person aggrieved.

(b) The matter has been referred to the High Court which supervises the conduct of district munsifs.

Appointment to vacant post of Sarishtadar, District Court, Trichinopoly.

19 Q.—(a) Has the attention of Government been drawn to a letter in *Justice*, dated 5th January 1918, regarding the appointment of the Brahman head clerk of the District Court, Trichinopoly, drawing a salary of Rs. 100 to the post of Sarishtadar of that Court, which fell vacant on the death of a Muhammadan, in preference to a non-Brahman Sub-Court Sarishtadar drawing Rs. 110?

(b) In view of the close attention which Government bestow on the subject of the "inadequate representation of non-Brahman communities in Government offices," will the Government be pleased to state why a Brahman should be appointed when there was a non-Brahman candidate available?

(c) Will the Government be pleased to investigate into the matter and arrange for the necessary alterations?

19 A.—(a) The Government have now perused the letter referred to.

(b) Under section 22 of the Madras Civil Courts Act, 1873, ministerial officers of District Courts are appointed by District Judges whose orders are final, subject to the control of the High Court.

(c) The Government are not prepared to take action.

Elected chairman for the Trichinopoly municipality.

20 Q.—(1) Has the attention of Government been drawn to an article in the *Hindu*, dated 22nd January 1918, regarding the resolution passed by the Trichinopoly Municipal Council requesting Government to appoint, by election, an honorary chairman, on the expiry of the period of the present chairman?

(2) Will the Government be pleased to comply with the request made by the Municipal Council, Trichinopoly?

20 A.—(1) The Government have perused the article in question.

(2) The Council's request will be duly considered.

[12TH FEBRUARY 1918.] (Mr. Ahmad Tambi Marakkayar.)

21 Q.—(1) With reference to question No. 81, put at the meeting of the Council held on 20th November 1917, of the Hon'ble Mr. B. Venkatapati Raju, and the answer given thereto by Government, regarding the exportation of cattle by Dr. Vander Veen of the Dutch Government, from Madras, are Government aware—

Export of cattle to the East Indies.

(a) that a large number of cattle were being shipped by Indian merchants from Madras and Negapatam to Dutch ports in the East Indies, for a long time (but not for the last eight years);

(b) that the Dutch Government issued an order on the 15th February 1910 that no cattle should be allowed to be landed at their ports from Madras and Negapatam owing to the existence of rinder-pest among cattle in the Madras Presidency then, and that the order is still in force;

(c) that such order was issued by the Dutch Government to improve and conserve their own breed of cattle;

(d) that such order has prejudicially affected the interests of Indian trade?

(2) With a view to protect the Indian trade, will the Government be pleased to arrange with the Dutch Government for the withdrawal of the long-standing restriction enforced on the exportation of cattle to Dutch ports?

(3) If, however, the Dutch Government do not agree to the withdrawal of the said order, will the Government be pleased to move the Government of India to prevent any cattle being purchased in India by representatives of the Dutch Government for the purpose of exportation to their colonies?

21 A.—(1) (a) & (d) The following are the statistics available:—

Number of cattle exported from Madras and Negapatam to Sumatra and Java:—

1900-01 to 1905-06	Nil.	1911-12	405
1906-07	264	1912-13	..
1907-08	600	1913-14	1,110
1908-09	466	1914-15	800
1909-10	450	1915-16	..
1910-11	..	1916-17	..

The figures of the years prior to 1912-13 include all animals other than horses. Separate statistics for cattle are not available for those years.

(b) The Honourable Member apparently refers to the prohibition in notification No. 104, dated 24th February 1910, published at page 277 of Part I of the *Fort St. George Gazette*, dated 1st March 1910. This prohibition extends only to ports in Sumatra and not to other Dutch Colonies.

(c) The Government are not aware of the intentions which actuated the Dutch Government, but the prohibition was probably due to the prevalence of rinderpest in Madras and Negapatam.

(2) & (3) The matter will be inquired into.

22 Q.—(a) Has the attention of the Government been drawn to the leader article in *Justice* of 24th January 1918, giving statistics showing how the posts of deputy tahsildars in this Presidency are disproportionately distributed between the different communities?

Selection of probationary deputy tahsildars.

(b) In view of the answer to part (b) of my question No. 9, put at the Council meeting held on 20th November 1917, will the Government be pleased to consider the desirability of throwing open the six probationary deputy tahsildarships, for which they have invited applications by G.O. No. 3061, dated 30th September 1917, to candidates belonging to such of the communities whose members hold a very few appointments as deputy tahsildars?

22 A.—(a) Yes. The figures given in the article were however incorrect.

(b) The appointments have already been made.

23 Q.—Will the Government be pleased to lay on the table—

(a) a list showing the total number of Superintendents in each department of the Secretariat and the numbers in each scale and the number of the present permanent incumbents of the posts, communalwar (non-Brahman Hindus, Muhammadans, Indian Christians and Brahmans) and the percentage which each community bears to the total population in the Madras City and the percentage of Superintendents of each community to the total number of Superintendents employed in each department;

Representation of the different communities on the Secretariat establishment.

(b) a similar list in regard to clerks in the Upper and Lower divisions in each Secretariat?

23 A.—A statement is laid on the table. The Honourable Member is referred to the answer to question No. 9 put at the last meeting of the Legislative Council as regards the percentage of communities to the total population in the Madras City.

(Mr. Ahmad Tambi Marakkayar; Mr. Venkatapati Raju.) [12TH FEBRUARY 1918.]

Sale of establishment lists of Government offices to the public.

24 Q.—Will the Government be pleased to order that the establishment lists of the several departments of the Secretariats and other Government offices in the Madras City be made available for sale to the public as in the case of the Revenue Department Establishment List?

24 A.—The Government are not prepared to adopt the suggestion.

Number of questions and resolutions dealt with by the departments of the Secretariat.

25 Q.—Will the Government be pleased to place on the table a list showing the total number

(a) of questions
(b) of resolutions
that had to be dealt with in each department of the Secretariat during each of the last five years?

25 A.—A statement * containing the information asked for, so far as it has been possible to compile it, is laid on the table.

The Hon'ble Mr. B. Venkatapati Raju.

Holding of special test examinations twice a year.

26 Q.—In view of a similar concession granted to candidates for the Salt, Forest, I.C.S. Lower and Higher Standard examinations, Law and Medical, will the Government be pleased to hold the special test examinations also twice a year, or in the alternative will the Government be pleased to permit candidates to appear for and pass the examinations by compartments?

26 A.—The Government do not consider it advisable to hold the examinations twice a year. The simplification of the tests is under contemplation and in this connexion the rules that prevent a partial pass will be examined.

Simplification of special test examinations.

27 Q.—With reference to G.O. No. 1021, Home (Education), dated 6th August 1917, will the Government be pleased to state—

(a) whether the mere possession of the complete school-leaving certificate irrespective of the marks obtained in the public examination gives the holder the privilege to appear for the various special tests; and

(b) what are the simplifications proposed to be effected in the various special tests, and when will those proposals be given effect to?

27 A.—(a) Yes, provided he is a Government servant.

(b) The matter is under consideration.

Increase of batta to peons and clerks.

28 Q.—Will the Government be pleased to take steps to increase the daily batta allowable to peons and clerks in the Government service drawing Rs. 30 or less from 2 annas and 4 annas to 4 annas and 6 annas, respectively, in view of the high prices of foodstuffs?

Increased salary to shroffs in sub-treasuries.

29 Q.—In view of the minimum salary of Rs. 20 per month prevailing in almost all the branches of the Government and in consideration of arduous and exacting duties and heavy security demanded of them, will the Government be pleased to extend the same concession to shroffs in the sub-treasuries also?

28 & 29 A.—Under present financial conditions arising out of the war, the Government are unable to give any undertaking, but they will consider these subjects.

Restriction of recruitment of probationary revenue inspectors.

30 Q.—Will the Government be pleased to restrict the further recruitment of probationary revenue inspectors in view of the direct recruitment of probationary deputy tahsildars and provide facilities for those already recruited?

30 A.—The Government after full consideration have decided that there is not at present sufficient reason to adopt the course suggested in the question.

Telugu in the Provincial Educational and in other services.

31 Q.—(a) With reference to the reply given to my question No. 84 at the Council meeting held on the 20th November 1917, will the Government be pleased to give the names of Telugu gentlemen who are in the permanent cadre, Provincial Educational Service, with their qualifications and date of the permanent appointment to that grade as the Quarterly Civil List did not enlighten me on the point?

(b) In the impending reorganization of the services in Educational or other departments, will the Government be pleased to keep in view the poor representation of the Telugus when posts have to be filled in when qualified Telugu gentlemen are available?

31 A.—(a) Mr. N. R. Krishnamma who holds a permanent post in the Provincial Educational Service is a native of the Northern Circars. Particulars regarding his qualifications and service are contained in the Quarterly Civil List and the List of Educational Officers.

(b) The Government will certainly keep in view all relevant considerations: but they do not consider it either practicable or desirable to make appointments on a geographical basis.

* Vide Appendix IV on page 193 infra.

12TH FEBRUARY 1918.] (Mr. Venkatapati Raju.)

32 Q.—Will the Government be pleased to state the circumstances under which a number of appointments in the Provincial and Subordinate Educational Service (vide Quarterly Civil List) are left vacant and when they would be filled in?

Vacancies in the Educational Department.

32 A.—Since the publication of the list the Honourable Member refers to, the vacancies in the Subordinate Collegiate and Inspecting services have been permanently filled. The vacancies in the Provincial Educational Service will in due course engage the attention of Government.

33 Q.—(a) Will the Government be pleased to lay on the table a statement showing when the present incumbents of each of the following offices assumed charge of their offices and how long they have been at the same station:—

Personal Assistant to Inspector-General of Police, Surgeon-General, Chief Engineer, Director of Public Instruction, Managers of Superintending Engineers, Conservator of Forests, Head clerks of Deputy Inspector-General of Police, Superintendent of Police, Assistant and Deputy Commissioners of Salt, and Sarishtadars of the District Collectors and District Judges and Subordinate Judges?

(b) If any of them is serving in the same capacity and at the same station for over five years, what action has been taken by the respective departments?

Tenure of their office by certain ministerial heads of offices.

33 A.—A statement * containing the available information is laid on the table.

34 Q.—Will the Government be pleased to consider whether it is advisable to appoint an Advisory Board for the Queen Mary High school at Vizagapatam?

An Advisory Board for Queen Mary High school, Vizagapatam.

34 A.—Yes.

35 Q.—(a) Will the Government be pleased to state why the paragraph generally dealing with examinations is omitted in the Administration Report of 1916-17, while we notice that in the Administration Report of 1912-13 under the head of 'Examinations' in separate paragraph it is stated that the results of Intermediate examinations were poor, only 33.4 per cent being successful, and in 1914-15 it is stated that the results of Intermediate examinations were poor, the percentage having fallen from 39 to 27.5, while in 1915-16 it is stated that the results of examinations were poor in various University examinations both in the Intermediate and B.A. (Honours), the percentage being 26.3 and 25.7?

Information regarding examinations in the Madras Administration Report.

(b) Will the Government be pleased to add a paragraph to the future Administration Reports about examinations?

35 A.—(a) The omission was inadvertent.

(b) Yes.

36 Q.—(a) Will the Government be pleased to consider the advisability of appointing a full-time Curator for the Oriental Manuscripts Library?

Full-time Curator for the Oriental Manuscripts Library.

(b) Is it a fact that there are about 200 volumes of local records in Telugu and a large number of Telugu visitors?

(c) Will the Government be pleased to consider the advisability of appointing a permanent Telugu pandit to look after the Telugu manuscripts and similarly a Tamil pandit for Tamil manuscripts in the place of temporary staff?

(d) Is it a fact that the Mysore Government is publishing the important works of select ancient authors out of the manuscripts secured by them?

(e) Will the Government be pleased to consider the advisability of adopting the similar course?

(f) Will the Government be pleased to consider the advisability of giving additional facilities to private firms and scholars, by lending such works on taking proper security from them, for the purpose of editing and publishing those works which are not intended to be published by the Government?

36 A.—(a) It has been arranged to transfer the library to the University when their new buildings are completed; meanwhile the Government consider it inadvisable to revise the permanent establishment.

(b) The library contains Telugu manuscripts and is visited by Telugus. It is not understood what particular 200 volumes the Honourable Member refers to.

(c) The library has no temporary staff. There are in it a librarian, an assistant librarian, two pandits, a clerk and three copyists. There is a party appointed to search for and acquire oriental manuscripts which is on a temporary footing.

The library staff look after the manuscripts and the librarian knows Telugu.

(d) & (e) The attention of the Honourable Member is invited to the annual and triennial reports of the Oriental Manuscripts Library which have been placed on the Editors' Table.

(f) It is a rule of the library that manuscripts are not lent and the Government consider that its maintenance is essential to the safety of the collection. Facilities are however given for the copying of manuscripts in the library.

* Vide Appendix V on page 194 infra.

(Mr. Venkatapati Raju.)

[12TH FEBRUARY 1918.]

Constables' beats.

37 Q.—Will the Government be pleased to consider the advisability of curtailing the jurisdiction of constables for beats where it exceeds ten miles to and fro?

37 A.—The Government consider that the suggestion is not feasible.

Relieving constables of carrying tappal, etc.

38 Q.—Will the Government be pleased to consider the advisability of relieving the constables of tappal-carrying and process-serving work?

38 A.—The Government do not consider the suggestion feasible.

Recruitment of constables.

39 Q.—Will the Government be pleased to state whether there is any difficulty in securing recruits of constables and reasons therefor?

39 A.—Yes, owing mainly to the increased cost of living and higher wages paid to labourers.

Detective and preventive duties of the Police.

40 Q.—Will the Government be pleased to consider the advisability of keeping the detective and preventive duties of the police apart?

40 A.—The Government do not consider the suggestion feasible.

Special training in detective work.

41 Q.—Will the Government be pleased to consider the advisability of giving special training in detective work to select police officers?

41 A.—The Government are not prepared to adopt the suggestion.

Opening of additional police stations.

42 Q.—Will the Government be pleased to state whether they propose to open any additional police stations in the near future?

42 A.—The re-allocation of police stations in all the districts in this Presidency has been completed and the Government do not anticipate any appreciable addition to the number of stations in the near future.

Revenue from Government lankas in the Godavari district.

43 Q.—(a) Will the Government be pleased to lay on the table a statement showing the revenue derived annually by sale of Government lankas in the Godavari district during the last ten years?

(b) How much of it was due annually from Messrs. Barry & Co., Cocanada, who are also lanka renters?

(c) What is the amount of remission, if any, given to that company annually for vicissitudes of season and other reasons and what proportion does it bear to the remission granted during the said period to other lanka bidders in the district?

43 A.—(a) & (b) The information asked for by the Honourable Member is furnished in the statement below:—

Fasli.	Total amount of rentals from Government lankas.	Amount due from lankas leased to Mr. Barry.
	RS.	RS.
1317	90,491	..
1318	1,07,621	3,908
1319	1,90,926	11,419
1320	1,82,174	11,419
1321	1,70,569	8,557
1322	1,50,112	24,084
1323	1,54,789	24,084
1324	1,58,892	24,084
1325	1,53,996	27,897
1326	1,87,995	27,897

(c) The Government are not in possession of the information but have called for it.

Tobacco cultivation on Godavari lanka lands.

44 Q.—Will the Government be pleased to state—
(a) whether the leaflet promised in answer to my question No. 244 asked at the meeting of this Council held on 21st November 1916 was published by the Agricultural Department, and

(b) whether the Agricultural or the Godavari Revenue Department has taken any steps to encourage ryots to betake to schemes for experimental cultivation on scientific lines in the Godavari lankas?

44 A.—(a) A leaflet is under preparation.

(b) Not so far as the Government are aware.

[12TH FEBRUARY 1918.]

(Mr. A. S. Krishna Rao.)

The Hon'ble Mr. A. S. Krishna Rao Pantulu.

45 Q.—(1) Will the Government be pleased to state whether any orders have been passed about the removal of unpassed candidates from Government service subsequent to the issue of G.O. No. 1021, Home (Education), dated 6th August 1917?

(2) If so, will the Government be pleased to lay those orders on the table?

45 A.—The Government have passed no such orders.

46 Q.—(1) In reply to the question relating to the monthly income of copyists in Civil Courts, No. 79 put by me at the meeting of the Council held on 20th November 1917, the Government stated that they would lay on the table a statement from eight typical districts if the question be repeated. Will the Government be pleased to lay those statements on the table?

(2) Will the Government be pleased to state on what basis or principle those districts were selected?

(3) Will the Government be pleased to call for similar information from the other districts?

46 A.—(1) The Government have obtained the information which is given hereunder:—

			Average monthly income.						Average monthly income.		
			RS.	A.	P.				RS.	A.	P.
North Arcot	..	..	16	11	7	South Malabar	..	..	20	15	7
Bellary	..	..	19	8	8	Salem	..	..	16	6	2
Kistna	..	..	22	0	7	Tanjore	..	..	21	4	3
Madura	..	..	25	0	5	Vizagapatam	..	..	20	2	11

(2) The districts selected are representative examples of the varying conditions in this Presidency in the matter of population and litigation.

(3) The Government see no reason to call for further information.

47 Q.—In continuation of the question put by me at the meeting held on 2nd April 1917, will the Government be pleased to state what further steps have been taken to arrange for medical inspection of pupils in public schools?

47 A.—The Government are considering proposals for extending medical inspection experimentally to selected high schools and colleges.

48 Q.—(a) Will the Government be pleased to state the reasons which led them to withdraw all restrictions hitherto imposed on school-final candidates in the way of their appearing for special test examinations?

(b) Is it a fact that the Board of Revenue and Collectors of districts were consulted before the Government issued the orders?

(c) Will the Government be pleased to lay on the table the opinions received from the Board of Revenue and the Collectors of districts on the subject?

48 A.—(a) The restrictions have not been withdrawn in the case of all school-final candidates, but only in the case of Government servants possessing the minimum general educational qualification, viz., a completed secondary school-leaving certificate or its equivalent, who are permitted to appear for the special test examinations.

(b) Yes.

(c) The Government are unable to place the correspondence on the table.

49 Q.—(a) Will the Government be pleased to state whether proposals for improving the pay and prospects of the subordinate judiciary have been formulated and sent to the Government of India for sanction?

(b) If not, will the Government be pleased to state the reasons?

49 A.—The Honourable Member is referred to the answer given to question No. 8.

50 Q.—(a) Has the attention of the Government been drawn to the increase in the number of offences reported and the persons tried under the Criminal Tribes Act III of 1911 in the year 1916 as compared with 1915?

(b) Will the Government be pleased to state why there was such an increase in the case of these offences?

(c) Will the Government be pleased to inquire into the matter?

50 A.—(a) Yes.

(b) & (c) The Government will inquire.

Unpassed candidates and the Government service.

Income of copyists in civil courts.

Medical inspection of schools.

Relaxation of special test rules in favour of school-final candidates.

Reorganization of the Provincial Judicial Service.

Increase of offences reported under the Criminal Tribes Act.

(Mr. M. Ramachandra Rao ; the President.) [12TH FEBRUARY 1918.]

The Hon'ble Rao Bahadur M. Ramachandra Rao Pantulu.

Orders on the recommendations of the Educational Conference.

51 Q.—Will the Government be pleased to state when the orders of the Government may be expected on the recommendations of the Educational Conference summoned by the Government two years ago?

51 A.—The replies of local bodies who were consulted in regard to the recommendations made by the Conference were received only recently. The financial aspect of the proposals is now under examination and it is hoped that orders will issue at an early date.

Price of fuel.

52 Q.—Will the Government be pleased to lay on the table a statement showing the present prices of fuel in the principal towns in this Presidency?

52 A.—A statement * is laid on the table.

Mr. Gray's report on wages statistics.

53 Q.—Will the Government be pleased to state whether Mr. Gray has submitted his report on statistics of wages in this Presidency? Will the Government be pleased to publish the same?

53 A.—Mr. Gray's report has been received but has not yet been considered by the Government. It will be laid on the table.

Allegations against Mr. Wells.

54 Q.—(a) Will the Government be pleased to state whether they made any inquiry into the allegations made against Mr. G. W. Wells in an article in the *Hindu* of the 1st of November 1917 under the heading "An instance of arrogance"? Will the Government be pleased to publish the facts elicited in such an inquiry, if any?

(b) If no inquiry has been made hitherto, will the Government be pleased to call for a report on the subject and to publish the same?

54 A.—An inquiry into the allegations referred to has been made and the Government have taken such notice of the matter as they considered necessary. They are not prepared to publish the correspondence.

Improvement of water-supply on grazing grounds.

55 Q.—With reference to the statement made in the Council on the 3rd April 1914 by Sir John Atkinson in the course of the discussion on a resolution moved by me regarding the construction of a district grazing fund, will the Government be pleased to state—

(a) the amount spent in 1914-15, 1915-16 and 1916-17 for the improvements of water-supplies on grazing grounds;

(b) the nature of the improvements effected and the districts in which such improvements for water-supply were made;

(c) the number of wells or other works constructed on grazing grounds during these years?

55 A.—The information will be called for and laid on the table at a subsequent meeting of the Council.

I.C.S. officers with judicial training.

56 Q.—(a) Is it a fact that two members of the Indian Civil Service have recently received judicial training?

(b) Will the Government be pleased to state why they are not employed as District Judges or in other posts in the Judicial Department?

56 A.—(a) Yes.

(b) There is at present no vacancy available in the grade of District Judge and the number of officers of the Indian Civil Service absent on military duty has made it inconvenient to employ officers of that service as Sub-judges.

Report on emigration to Ceylon.

57 Q.—(a) Will the Government be pleased to state whether the Hon'ble Mr. Ahmad Tambi Marakkayar and Mr. Marjoribanks submitted any other report in addition to the published report published on the subject of emigration to Ceylon?

(b) Will the Government be pleased to publish the same, if any, and to state why it was not published hitherto?

57 A.—Messrs. Marjoribanks and Marakkayar submitted a report on Malaya which has been published with the published report upon Ceylon; also a confidential note intended for the information of the Government only, which will not be published.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—" With reference to the answer to question No. 57 about the report of the Hon'ble Mr. Ahmad Tambi Marakkayar and Mr. Marjoribanks, will the Government be pleased to state what harm to public interest will result by the publication of the confidential note submitted by them? The matter has excited considerable discussion and attention in this Presidency and I should consider that it would serve public interest to publish the report."

His Excellency the PRESIDENT :—" It is rather a matter of opinion, I think."

* Vide Appendix VI on page 195 infra.

† Vide Appendix VII on pages 196-201 infra.

12TH FEBRUARY 1918.] (Mr. M. Ramachandra Rao.)

58 Q.—(a) Is the Government aware that a great deal of hardship is being caused to the poorer and middle classes by the abnormally high prices of the necessities of life?

Inquiry into the recent rise in prices.

(b) Will the Government be pleased to institute an inquiry into the whole subject with special reference to the rise in the price of articles of clothing, kerosene oil, salt, fuel and food-stuffs?

58 A.—The question of the general rise in prices is engaging the attention of Government.

59 Q.—With reference to the Bill No. 5 of 1917 published in the *Fort St. George Gazette* of 22nd January 1918, will the Government be pleased to publish a statement showing

Effect of the Privy Council judgment in the Uram case.

(a) the area in each estate as defined in the Bill which was actually irrigated or registered as wet at the time of the grant or settlement and also

(b) the additional area for which exemption from payment of the cess has been claimed or is likely to be claimed in virtue of the decision of the Privy Council in the Uram case?

59 A.—The Government are not in possession of the statistics asked for and are doubtful whether accurate figures can be obtained without prolonged and elaborate inquiry. A report on the subject will be called for.

60 Q.—Will the Government be pleased to place on the table a statement, schoolwar, of teaching grants paid to secondary schools for the years 1914-15, 1915-16 and 1916-17?

Teaching grants paid to secondary schools.

60 A.—The Government are not convinced that any public service will be served by the preparation and publication of such a statement.

61 Q.—Will the Government be pleased to state whether any programme for the progressive expansion of primary education in this Presidency has been drawn up other than the programme published in G.O. No. 1585, dated 15th December 1917?

Expansion of primary education.

61 A.—The Government order quoted by the Honourable Member does not contain a programme for the progressive expansion of elementary education. No such programme has been drawn up, and, while the present uncertainty of the finances exists, the Government do not propose to frame one. The Government have, however, more than fulfilled their promise of a progressive increase of two lakhs expenditure on elementary education.

62 Q.—(a) Will the Government be pleased to state in how many secondary schools in this Presidency provident fund for the benefit of teachers has been started?

Provident fund for secondary school teachers.

(b) Will the Government be pleased to place a statement on the table showing the names of the institutions and the grant paid to each school from public funds under this head?

62 A.—(a) The precise information asked for by the Honourable Member is not available but approximately there are about 140 secondary schools with approved provident fund rules.

(b) A statement * is laid on the table.

63 Q.—(a) Will the Government be pleased to state whether the Government have any scheme for the expansion of secondary education?

Scheme for the expansion of secondary education.

(b) Will the Government be pleased to publish the proposals if any before finally approving of them?

63 A.—(a) The Government hope next year to be in a position to subsidise local bodies to enable them to raise some middle schools to the grade of high schools and some elementary schools to the middle grade.

(b) The Government are not prepared to accept the Honourable Member's suggestion.

64 Q.—Will the Government be pleased to state what amount was allotted in the current official year for building grants for secondary schools and how much has been spent so far and what amount is likely to remain unspent at the close of the year?

Building grants for secondary schools.

64 A.—The allotment for building grants for schools under private management in the current budget is (revised estimate) Rs. 2,25,050 and out of this Rs. 94,961 has been spent up to date. It is not possible to say how much of the balance will be spent before the end of the year since this depends on what buildings are completed by that time.

There is no separate allotment for building grants on account of secondary schools. An allotment of Rs. 1.7 lakhs has been provided in the current budget for construction of buildings for secondary schools under local bodies. Schemes for the expenditure of this sum have been sanctioned to a total amount of Rs. 43,440. How much of the balance will be sanctioned within the year depends largely on the promptitude of the local bodies concerned in bringing their schemes to maturity.

* Vide Appendix VIII on page 232 infra.

(Mr. M. Ramachandra Rao; Mr. Fraser; [12TH FEBRUARY 1918.
Mr. Subbarayalu Reddiyar.)

Elective privilege to Peddapuram Municipal Council.
65 Q.—(1) Is it a fact that the municipal council of Peddapuram applied for elective privileges?
(2) Will the Government be pleased to favourably consider the request of the Council?
65 A.—(1) Yes.
(2) Orders have been issued throwing open four of the twelve seats for election.

Average growth of revenue from resettlements.
66 Q.—Will the Government be pleased to state the average growth of revenue in this Presidency from resettlements?
66 A.—The average annual increase in revenue from resettlement operations during the eleven years ending 1915-16 was 1.755 lakhs which, capitalized on a 4 per cent basis, represents a sum of 43.87 lakhs.

The Hon'ble Mr. Gordon Fraser.

Certificated auditors under the Indian Companies Act, 1913.
67 Q.—Will the Government be pleased to place on the table statements containing—
(a) the names of persons to whom permanent certificates for auditing have been granted under rule II (Notification No. 656, dated 14th September 1915, page 865) of the rules framed for the appointment of auditors under the Indian Companies Act, 1913;
(b) the names of persons at present in possession of temporary certificates of auditing under the above mentioned rules?
67 A.—A statement is placed on the table.

The Hon'ble Diwan Tahadur A. Subbarayalu Reddiyar.

Information regarding two reserves, North Arcot.
68 Q.—Will the Government be pleased to furnish the following information regarding the Sennaleri and Enadivadi reserves in North Arcot district:—
(1) The present extent of the forests;
(2) the number of ponds within the forest area remaining unused at present;
(3) whether there are any valuable fruit and timber trees within the areas and if so their approximate value; and
(4) the amount of annual income from the areas and the annual cost of their upkeep?
68 A.—The area of the Sennaleri reserve is 1,675 acres and that of the Enadivadi reserve is 1,565 acres. The Government have no information on the other points raised in the question and are unable to see what useful purpose will be served by calling for it.

Careers for passed students of the Agricultural College.
69 Q.—Will the Government be pleased to furnish information regarding—
(1) the number of students that came out successful from the Agricultural College, Coimbatore, during the past three years,
(2) the percentage of passed students of the college who have been provided with Government employments, and
(3) what facilities the Government have provided for the utilization of the services of the rest?
69 A.—(1) & (2) The information asked for is furnished below:—

Year.	Examination.	Number of successful candidates.	Number of such candidates.			Percentage of columns (4) and (5) to (3).
			Absorbed in the department.	Selected for advance course.	Remainder.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1915 ..	Diploma (old curriculum).	14	5	..	9	36
1916 ..	(i) Do.	12	10	..	2	83
	(ii) Certificate course (new curriculum).	28	12	8	8	71
1917 ..	Certificate course (a).	23	9	12	2	91
Total ..		77	36	20	21	73

(a) The results of the Diploma examination (new curriculum) held in December 1917 have not yet been reported to Government.

(3) Particulars of the 21 students shown in column (6) are given below:—
(a) One has secured an appointment in Mysore.
(b) Two were stipendiary holders from the Pudukkottai State.
(c) One has been recommended for appointment as agricultural instructor in the Madras-i-Islamiah, Vaniyambadi.

* Vide Appendix IX on pages 232-234 infra.

12TH FEBRUARY 1918.] (Mr. Subbarayalu Reddiyar; Sir Francis Spring; Mr. Siva Rao.)

(d) One has since applied for an appointment in the Madras Agricultural department.
(e) Six were considered unsuitable for employment in the department.
(f) Ten others did not apply for any appointment under the Government.

70 Q.—Will the Government be pleased to lay on the table a report showing—
(a) the areas where the forest panchayat system is now prevalent in the districts of South Arcot and North Arcot; and
(b) the working of the panchayats in those areas?
70 A.—The Government will call for the information.

71 Q.—Will the Government be pleased to state if there is any proposal pending with Government for the abolition of the District Munsif's Court at Arni and location of an additional Court at Vellore? and if so, will the Government be pleased to consider the desirability of retaining the Munsif's Court at Arni and locating the additional Court at Cheyyar?
71 A.—There is no such proposal before the Government.

72 Q.—Is it a fact that the present system of distribution of water-supply to the various tanks in the North Arcot district from the Cheyyar anicut, North Arcot district, is defective? If so, will the Government be pleased to invite the attention of the Department of Public Works to arrange for a better system in consultation with the ryots so far as practicable?
72 A.—The Government have no information, but will call for a report.

73 Q.—Will the Government be pleased to consider the question of reducing the seigniorage fee fixed for green leaf manure in the reserved forests of the North Arcot district?
73 A.—Yes.

74 Q.—Will the Government consider the desirability of developing their scheme of medical inspection of the students of Madras so as to arrest the spread of tuberculosis among them?
74 A.—The matter is under the consideration of the Government.

The Hon'ble Sir Francis Spring, K.C.I.E.

75 Q.—Has Government read a book published in 1916 by the Clarendon Press, Oxford, by Mr. J. O. Jack, of the Indian Civil Service, entitled "The Economic Life of a Bengal District"? If so, will they consider whether it is desirable and practicable to institute in one or more typical Madras districts an economic inquiry similar to that dealt with in the book referred to?
75 A.—The Government have seen the book mentioned in the question. It is not an official publication, but the product of private inquiries made in his leisure hours by a district officer in Bengal who was employed in an official capacity in making a record of rights and who obtained the assistance of some of his official subordinates. There is at present no record of rights in this Presidency, but if it is decided to introduce one and if any district officer in Madras wishes to undertake similar inquiries, the Government will be prepared to give him any suitable aid and encouragement.

The Hon'ble Mr. P. Siva Rao.

76 Q.—Will the Government be pleased to state how many district munsifs have been recruited from the Bar in the Ceded Districts during the last ten years?
76 A.—Three.

77 Q.—Will the Government be pleased to state whether they contemplate any measures towards the prevention of 'juvenile smoking' and 'professional begging'?
77 A.—The Government do not contemplate any general measure to prevent juvenile smoking. They have already taken steps to discourage the practice in schools. With regard to professional begging, the Honourable Member is referred to the answer to question No. 14.

78 Q.—Will the Government be pleased to state—
(i) whether there was a reference to the local bodies whether they were willing to hand over the management of the hospitals situate in the headquarters of the districts to the Government on certain conditions;
(ii) how many local bodies have hitherto consented to the transfer of management; and
(iii) how many such hospitals have been hitherto taken over by the Government?

(Mr. Siva Rao.)

[12TH FEBRUARY 1918.]

78 A.—(i) Yes.

- (ii) The local bodies controlling fifteen headquarter hospitals have consented to the transfer of management on the terms suggested by the Government.
- (iii) One hospital, viz., that at Bellary, has been taken over by the Government from the 1st December 1917.

Vacancies in sub-inspectors' grades in the Bellary district.

79 Q.—With reference to my question No. 216 asked in the Legislative Council, dated 20th November 1917, regarding vacancies in the different grades of sub-inspectors of police in the Bellary district, will the Government be pleased to call for detailed information in the matter?

79 A.—The Government see no reason to call for the information.

Use of railway warrants by sub-inspectors of police.

80 Q.—With reference to my question No. 215 put in the meeting of Legislative Council, dated 20th November 1917, on the subject of the use of railway warrants by sub-inspectors of police, will the Government be pleased to state whether they have called for the information; if so, with what result?

80 A.—The Government have obtained the information. At present, all sub-inspectors whether European, Eurasian or Indian are not allowed any option but are required to use railway warrants. Sergeants, who do not perform journeys except on definite orders from a superior officer, are given the option of travelling on a railway warrant or of paying their own fares.

Pasturage in Molagavalli, Bellary district.

81 Q.—With reference to my question No. 218 at the same meeting regarding the reservation of a suitable extent of land for grazing purposes in the village of Molagavalli, Bellary district, will the Government be pleased to state—

- (i) whether they have since called for a report;
- (ii) whether the report has been received; if so, what orders have been passed thereon; and
- (iii) whether the Government will be pleased to lay the papers on the table?

81 A.—(i) Yes.

(ii) & (iii) The papers are laid on the table.*

Memorials from registrars and sub-registrars.

82 Q.—Will the Government be pleased to state whether they have received any memorial from the registrars and the sub-registrars regarding their pay and prospects; if so, will the Government be pleased to consider it favourably?

82 A.—No such memorial has been received by the Government.

Sub-registrars' posts in Ceded Districts.

83 Q.—Will the Government be pleased to state—

(i) the number of vacancies in the Ceded Districts in the sub-registrars' posts in each of the three years ending with 1917;

(ii) the number of such posts conferred on

(a) the probationary sub-registrars,

(b) the clerks of the department;

(iii) out of (ii) (b) the number promoted from

(a) the Telugu peoples,

(b) the Tamilians?

Confirmation of clerks appointed as sub-registrars in the Ceded Districts.

84 Q.—Is it a fact that in the Ceded Districts the clerks appointed as sub-registrars sub. *pro tem.* from 1916 have not been confirmed, while the probationary sub-registrars appointed subsequently to them have been so confirmed; if so, will the Government be pleased to remove this inequality?

83 & 84 A.—The Government have no information.

Reversion of sub-registrars appointed sub. *pro tem.* in second grade.

85 Q.—(i) Will the Government be pleased to state whether sub-registrars already promoted to the second grade sub. *pro tem.* in permanent vacancies in the absence of qualified men are deprived of their promotion when others get qualified subsequently by passing special tests if they are seniors in service?

(ii) Will the Government be pleased to prevent such reversions?

85 A.—(i) Yes. This happens in some cases. The rank of an officer in a grade is determined with reference to the date on which he is promoted permanently to that grade. The appointment of an officer sub. *pro tem.* does not by itself give claim to permanent absorption in a grade in supersession of seniors who at the time of the permanent filling up of a vacancy are duly qualified for promotion.

(ii) The Government do not propose to make any change.

* Vide Appendix X on pages 235-236 *infra*.

[12TH FEBRUARY 1918.]

(Mr. Kavalappara Muppil Nayar.)

The Hon'ble Mr. K. K. R. Kavalappara Muppil Nayar.

86 Q.—(a) Will the Government be pleased to state if sufficient men have now been recruited by the Provincial recruiting officers from the West Coast to form a regiment? Formation of a West Coast regiment.

(b) If the answer is in the affirmative, will the Government be pleased to recommend to the authorities the strong desirability of forming such a regiment not based on caste distinctions?

86 A.—Complete statistics of recruiting in the Malabar district are not available in the Government office. They will now be called for and the Honourable Member's suggestion will be considered.

87 Q.—Is it a fact that more of the industries owned or controlled by the Basel German Mission in Malabar are intended to be disposed of through the Government in the near future? Disposal of the industries of the Basel Mission.

87 A.—No final decision has yet been arrived at, the matter being under correspondence with higher authorities.

88 Q.—(a) Is it a fact that a special committee has been appointed by the Government to investigate and report in the matter of advancement of education? Measures to promote English education among Nambudiris.

(b) Will the Government be pleased in view of the social and religious customs of the Nambudiris to order an inquiry regarding the scope for English education among the Nambudiris in Malabar and as to the measures to be adopted to promote the same?

88 A.—(a) No such special committee has been appointed by Government.

(b) The Government understand that the Nambudiris are themselves taking the necessary initiative in the matter and the Government will consider any definite proposals that are put forward. The Government see no need for any special inquiry.

89 Q.—(a) Is it a fact that the Government have decided to carry out a scheme for the deepening and widening of the canal from Tirur so as to make it navigable throughout the year? Scheme for deepening and widening the canal from Tirur.

(b) If so, will the Government be pleased to state the extent and full particulars of the scheme?

89 A.—An estimate for the following improvements to the portion of the Conolly's canal connecting the Valiangode and Chetwaye backwaters, calculated to facilitate navigation in the canal, has been called for and is awaited from the local officers:—

- (1) deepening the canal to allow a minimum depth of 3 feet at H.T.L. (ordinary).
- (2) constructing locks at the entrances to the canal at Valiangode and Chetwaye (at Oramanayur) backwaters.
- (3) flood surplus works.

90 Q.—(a) Is it a fact that the Government have under consideration the transfer of the Medical School established at Calicut to Coimbatore? Transfer of the Calicut Medical School to Coimbatore.

(b) If so, will the Government be pleased to state why the transfer is proposed?

(c) In view of the fact that the school is intended mainly for the benefit of the two important districts of the West Coast and the healthy climate and the central position of the place of its present location, will the Government be pleased to order its retention at Calicut?

(d) If for any special reason this is not agreeable, will the Government be pleased to consider the feasibility of having the school transferred to Mangalore?

90 A.—(a) Yes.

(b) The transfer was decided upon partly because of the heavy expense which would have been involved in making the hospital at Calicut suitable for the purposes of a medical school and to the opposition of the municipal authorities to the necessary arrangements and partly because of the better facilities for medical education available at Coimbatore.

(c) & (d) The Government are unable to accept either of these suggestions.

91 Q.—(a) With reference to my question No. 188 at the Council meeting on 20th November last, will the Government be pleased to state whether the Special Settlement Officer appointed for the re-settlement of the Wynad taluk and the Nilgiris has since submitted his report? Resettlement of the Wynad taluk.

(b) If so, will the Government be pleased to place on the table that report and also the report, if any, on the economic condition of the tracts to be re-settled?

91 A.—The report of the Special Settlement Officer has been received by the Board of Revenue, but has not yet been submitted for the orders of Government. When it is received, the suggestion contained in clause (b) of the question will be considered.

(Mr. Kavalappara Muppil Nayar ;
Mr. K. R. V. Krishna Rao.) [12TH FEBRUARY 1918.]

Transfer of the
Munsif's Court,
Vayitiri, to
Calicut.

92 Q.—(a) Is it a fact that the present Munsif's Court at Vayitiri is proposed to be transferred to Calicut?

(b) Have any memorials or other communications been received from the people of Wynad protesting against the transfer?

(c) In view of the fact that the Vayitiri Munsif's Court is the only civil court for the whole Wynad taluk will the Government be pleased to move the High Court in the matter? and

(d) If the present locality of the court is found unsuitable, will the Government be pleased to order the court to be transferred to Manantoddy or any other suitable locality in the same taluk?

92 A.—(a) No.

(b) No.

(c) No such transfer is contemplated.

(d) The suggestion will be kept in view.

Grant of com-
pensation for
dearness of
provisions.

93 Q.—(a) Is it a fact that compensation for dearness of provisions hitherto sanctioned by Government to low-paid Government servants has been lately discontinued or is about to be discontinued?

(b) In view of the increase of prices of all commodities in consequence of the War, will the Government be pleased to continue the grant till better conditions prevail?

93 A.—Grain compensation is still granted to public servants drawing Rs. 30 or less except in cases where revision of pay has recently been sanctioned or new appointments are created. In these cases the rates are fixed after making due allowance for the general rise in prices.

The Hon'ble Mr. K. R. V. Krishna Rao Pantulu.

Reports of
Indian
Students'
Advisory
Committee.

94 Q.—Will the Government be pleased to arrange to obtain and supply to the non-official members of this Council annual reports of the Indian Students' Advisory Committee of the Madras Presidency since its formation and hereafter annually in future for their information?

94 A.—The annual reports of the Madras Students' Advisory Committee are placed on the Editors' Table and are supplied to all the non-official Additional Members by the Superintendent, Government Press.

Revision of,
subjects for
Civil Judicial
Test.

95 Q.—Has the attention of the Government been drawn to the letter published in the *Hindu* of the 18th instant, headed the "Civil Judicial Test" and will the Government be pleased to take into their favourable consideration, when the revision of subjects for Special tests is taken up, the suggestion embodied therein of excluding the Contract Act, the Transfer of Property Act, the Evidence Act and the Negotiable Instruments Act from the list of subjects prescribed for the Civil Judicial Test as far as the Judicial ministerial establishments are concerned?

95 A.—The Government will consider the suggestion.

Appointing
deputy
collectors for
settlement
duty.

96 Q.—(a) What is the number of Civilians employed on the resettlement of districts in this Presidency and what is the salary with allowances attached to each appointment?

(b) Will the Government be pleased to reserve at least half the number of appointments to competent senior deputy collectors of this Presidency?

96 A.—(a) Six Indian Civil Service officers are now employed on settlement work. No fixed salary is attached to any of these appointments. The salary of the officers varies from time to time according to their grade. A statement is given below showing the officers employed and their present salaries including allowances:—

Officers.	Salaries (including allowances).		
	Rs.	A.	P.
Mr. J. T. Gwynn	1,385	0	0
Mr. H. A. Watson	1,185	0	0
Mr. G. T. Boag	1,185	0	0
Mr. A. H. A. Todd	1,185	0	0
Mr. F. J. Nobes	951	10	8
Mr. G. W. Priestley	901	10	8

(b) The Government do not consider it necessary to lay down any hard and fast rule as suggested by the Honourable Member. Out of the fourteen officers employed at present on settlement duty, six are civilian officers and eight are deputy collectors.

12TH FEBRUARY 1918.] (Mr. K. R. V. Krishna Rao.)

97 Q.—Will the Government be pleased to state the amounts recovered during the past three official years from the several municipalities in this Presidency towards the price of water supplied by the Irrigation Department for the municipal water-works and will the Government be pleased to consider the desirability of relieving the municipalities from this payment?

Payment for
water supplied
to municipal
water-works.

97 A.—The information required in the first part of the question is not available but will be called for. The Government do not see sufficient reason to waive the levy of such charges from municipal councils.

98 Q.—Will the Government be pleased to state whether any of the London and Edinburgh publishing companies having branches in India have been specially authorized to print and publish school text-books for any fixed period and whether any formal agreement has been entered into with them by the Education Department with a view to their being introduced into the elementary schools in this Presidency?

Agreement
with
firms for
publishing
school text-
books.

98 A.—The answer is in the negative.

99 Q.—(a) Will the Government be pleased to state the amounts of grants, if any, made to the Young Men's and Young Women's Christian Associations in this Presidency during the last three official years together with the purpose for which these grants are made?

Grants given
to Christian
and non-Chris-
tian societies.

(b) Will the Government be pleased to state whether similar grants are made to any non-Christian societies in this Presidency and, if so, to what societies, of what amounts and for what purpose?

99 A.—(a) During the official years 1914-15, 1915-16 and 1916-17, grants of Rs. 300, 896 and 2,960 respectively have been sanctioned to the Madras Young Men's Christian Association Technical class. Since 1916, a grant of Rs. 2,760 a year is also being paid to the same institution towards the cost of employment of a Physical Director.

Towards the renting and maintenance of the hostel for female medical students which the Young Women's Christian Association was running from 1st August 1914 to the 30th June 1917, the following grants have been made to the Young Women's Christian Association:—

From 1st August 1914 to 30th June 1915—

Actual rent subject to a maximum of Rs. 100 a month.

From 1st July 1915 to 30th June 1916—

(i) Actual rent subject to a maximum of Rs. 100 a month;

(ii) Rupees 50 a month for supervision; and

(iii) A lump grant of Rs. 1,500 for equipment, etc.

From 1st July 1916 to 30th June 1917—

(i) Actual rent subject to a maximum of Rs. 100 a month;

(ii) Rupees 50 a month for supervision; and

(iii) A lump grant of Rs. 240 to meet deficit in the working of the hostel.

Detailed information as to the exact amounts disbursed to the Young Women's Christian Association in each of the official years in question is not available.

(b) The attention of the Honourable Member is invited to the details furnished in the Civil Budget Estimates for the official years in question under heads "20-H.," "22-G.," "24-Ab.," "25-A.," "26-B.," and "32-B." for the grants given by Government to private institutions or bodies for reclamation work relating to criminals, educational, medical, agricultural, scientific or industrial work, and for charitable purposes.

100 Q.—Will the Government be pleased to state the amount of Government grants paid to the Salvation Army for the support of the criminal tribes settlements entrusted to their charge during the last two years?

Grants to the
Salvation
Army for
criminal
settlements.

100 A.—The grants paid to the Salvation Army were as follows:—

	RS.	A.	P.
1915-16	43,755	4	1
1916-17	42,336	1	3

101 Q.—(a) What is the number of suits filed by private parties against the Secretary of State for India during the last three years in each district of this Presidency?

Suits filed by
private parties
against
Government.

(b) How many cases were compromised in favour of private parties and how many were decreed against the Secretary of State? and

(c) What is the amount of money expended towards law charges in these suits?

101 A.—The statistics called for are not available and the Government do not think it necessary to order their compilation.

(Mr. K. R. V. Krishna Rao ; Mr. Annamalai Chettiyar ; [12TH FEBRUARY 1918.
the Raja of Ramnad.]

Secondary
School
certificates and
Government
service.

102 Q.—(a) Will the Government be pleased to state the minimum number of marks prescribed in the various subjects for Secondary School-leaving Certificate holders to qualify themselves for Government appointments carrying salaries of Rs. 20 and above?
(b) If no such minimum has been prescribed will the Government be pleased to prescribe one?

102 A.—(a) No minimum has been prescribed.
(b) The Government do not consider it necessary.

The Hon'ble Rao Bahadur S. R. M. Annamalai Chettiyar.

Training
schools for
mistresses.

103 Q.—(a) Referring to the answer given by the Government to question No. 63 put by the Hon'ble Mr. Subbarayalu Reddiyar at the meeting of this Council held on the 5th April 1916, will the Government be pleased to state whether they have received the recommendations of the Director of Public Instruction therein referred to in regard to the opening of additional training schools for mistresses in this Presidency?
(b) If the answer to the above is in the affirmative, will the Government be pleased to place on the table of the house a copy of the report received from the Director of Public Instruction on the subject?

103 A.—The Director of Public Instruction's recommendations have not been received.

Machine for
shelling
groundnuts.

104 Q.—(a) Referring to the answer given by the Government to question No. 1 put by the Hon'ble Sir Francis Spring at the meeting of this Council held on the 5th April 1916, will the Government be pleased to state whether a machine for shelling groundnuts suited to village conditions has been found by the Department of Agriculture and Industries after testing the various machines invented in and imported into this country for that purpose?
(b) If the answer to the above is in the affirmative, will the Government be pleased to give the name of the machines, the name and the address of the inventors or the importers and the cost of the machines?

104 A.—A note * on the subject is laid on the table.

Increase
of minimum
pay of clerks.

105 Q.—Has Government perused a letter published on page 3 of the *Hindu* of the 21st January 1918 under the heading "The grievances of clerks" in which one T. N. Umapathi Ayyar of Chittoor has set forth arguments and figures to show that the minimum salary of Rs. 15 or Rs. 20 a month allowed in the present scale of pay for clerks in the various departments of Government is inadequate to meet even their bare necessities of life, and urging the increase of the minimum in the scale to Rs. 30 a month?

(b) Will the Government be pleased to state whether they would appoint a mixed committee of officials and non-officials to investigate the matter and submit a report to Government at an early date?

105 A.—(a) The Government have read the letter referred to.
(b) The answer is in the negative.

Religious
instruction in
elementary
schools.

106 Q.—Referring to the answer given by the Government to question No. 153 put by the Hon'ble Mr. Narasimha Raju on the subject of religious instruction in schools at the meeting of this Council held on the 23rd November 1915, will the Government be pleased to state whether the proposals of the committee for imparting religious and moral instruction in schools have been finally considered by the Government and with what results?

106 A.—The Government have approved, as an experimental measure, the imparting of moral instruction in the higher forms of four select Government secondary schools according to an approved syllabus. The consideration of the question of religious instruction in schools has been postponed for the present.

The Hon'ble the Raja of Ramnad.

Publication of
work of the
Archaeological
Department.

107 Q.—Will the Government be pleased to undertake the publication of manuscripts and copper plates remaining with the Archaeological Department yet unpublished at an early date?

107 A.—The attention of the Honourable Member is drawn to G.O. No. 47, Public, dated the 9th January 1914, which has been placed on the Editors' Table. The work of publication of the inscriptions is being pushed on consistently with the other work of the department. A comprehensive scheme for the systematic and expeditious publication of all epigraphical collections is under contemplation, but its further consideration awaits the return of normal financial conditions.

* Vide Appendix XI on page 237 infra.

12TH FEBRUARY 1918.] (The Raja of Ramnad ; Sir Alexander Cardew.)

108 Q.—(a) Are the Government contemplating to invest some tahsildars with first-class powers?
(b) Will the Government kindly make a statement as to what original and appellate powers they will exercise?

Investing
tahsildars with
first-class
powers.

108 A.—(a) Yes.
(b) They will exercise all the ordinary and additional powers which the Government may confer on a magistrate of the first class except summary and appellate powers, and will try only such cases as are referred to them by the District Magistrates.

109 Q.—(a) Have the Government ever considered the proposal of diverting the flow of water in the Kallar river flowing in Shencottah taluk, Travancore State, for irrigating lands in the Tenkasi taluk, Tinnevely district?
(b) If the answer is in the affirmative, will the Government kindly give details?

Diversion of
Kallar river
for irrigating
lands in
Tenkasi taluk.

109 A.—(a) Yes.
(b) The scheme provides for the construction of a dam across the Kallar river, to impound the supply from 27 square miles of the catchment of that river. The water stored in the proposed reservoir would have to be diverted into the Hanumanadi by means of an expensive tunnel through a range of hills. The length and cost of this tunnel made the scheme quite impracticable, and the investigation was in consequence dropped.

110 Q.—With reference to plague notices issued under the Epidemic Diseases Act of 1897, will the Government kindly state—

Prohibition of
attendance at
festivals.

(i) on what report such notices are issued ;
(ii) whether persons proceeding to the festivals or fairs in contravention thereto have, at any time, been turned back ; and
(iii) what agency is employed to prevent people from attending such festivals?

110 A.—(i) The notifications are issued at the instance of Collectors.
(ii) Yes.
(iii) The local authorities make their own arrangements.

111 Q.—(a) Are the Government aware that a mixed committee, consisting of officials and non-officials, has been appointed by the Government of Ceylon to report on Indian labour?

Inquiry into
the conditions
in this Presi-
dency as
regards labour.

(b) Will the Government kindly appoint a similar committee to either co-operate with the other committee in the investigation or independently report on the conditions prevailing in this Presidency regarding labour, as also on the necessity or otherwise of the quarantine restrictions enforced at Mantapam?

111 A.—(a) The Government are aware that a committee has been appointed. They have no information as to its constitution.
(b) No.

112 Q.—With reference to the answer given to my question No. 24 put at the meeting of the Legislative Council held on the 20th November 1917, on the subject of the appointment of deputies to minor village officers in proprietary estates, will the Government kindly peruse the proceedings of the Collector of Ramnad, R.O.C. No. 925/M.P. of 1906, dated 15th June 1916, and the proceedings of the Board of Revenue passed on appeal setting aside the said order of the Collector, and issue such instruction as may seem necessary?

Selection of
deputies to
minor village
officers in
proprietary
estates.

112 A.—The Government have perused the Board's proceedings referred to. The Government do not consider that any action is called for.

113 Q.—Have the Government perused the two letters of the Maharaja of Bobbili, President of the Madras Landholders' Association, appearing in the issues of the *Madras Mail* dated 14th January 1918 and 25th January 1918 respectively?

Memorial of
the landholders
and zamindars
to His Excel-
lency the
Viceroy and
the Secretary
of State.

113 A.—Yes.

The Hon'ble the RAJA OF RAMNAD :—"With reference to question No. 113, will the Government be pleased to state whether the statements made by the Maharaja in those letters are fairly accurate?"

The Hon'ble Sir ALEXANDER CARDEW :—"I am afraid I cannot undertake to answer that question. It would be a matter of opinion altogether whether it is fairly accurate or not."

114 Q.—Will the Government kindly consider the desirability of exempting school teachers in places other than the headquarters of the district from attendance in District Court as jurors and assessors?

Exemption of
teachers from
serving as
jurors and
assessors.

114 A.—The Government do not consider the proposed exemption desirable.

(Mr. Sadasiva Bhat.)

[12TH FEBRUARY 1918.]

The Hon'ble Mr. K. Sadasiva Bhat.Hassan-
Mangalore
Railway
project.

115 Q.—Will the Government be pleased to address the Government of India and the Mysore Darbar urging the superior claims of the Hassan-Mangalore project before final orders are passed by the Government of India on the proposals of the Mysore Darbar to develop a harbour at Bhatkal?

115 A.—The Government do not propose to take any action at this moment.

Secondary
schools in
Malabar and
South Kanara

116 Q.—(a) Will the Government be pleased to state the number of secondary schools that have been closed in Malabar and South Kanara outside the district headquarters since 1906 showing also how many of them were under the management of public bodies and how many under private management?

(b) Is it a fact that the local bodies in those districts were addressed by the Educational Department and asked to state their needs in the matter of secondary schools with a view to relieve the congestion in the school departments and hostels of schools and colleges at the district quarters?

(c) Will the Government be pleased to publish an abstract of the answers received from the local bodies of the two districts and the recommendations of the local educational officers and the orders of the Government, if any, thereon?

(d) Have the Government taken any steps to ascertain whether and how far local private efforts will be forthcoming to co-operate with the Educational Department and local bodies in the matter of opening new secondary schools or raising the status of existing incomplete schools? If not, will the Government be pleased to take steps to ascertain through local bodies and officers before framing any programme in the matter?

116 A.—(a) The Honourable Member is referred to the annual Reports on Public Instruction from which the required particulars can be gathered.

(b) The Government have no information.

(c) The Government have not yet received any reports.

(d) No such steps are considered necessary. The Director of Public Instruction will be glad to be informed through the Inspectors of Schools of any projected educational development on the part of private persons and bodies.

Building
grants to
aided elemen-
tary schools in
South Kanara.

117 Q.—(a) Will the Government be pleased to state how many aided elementary schools managed by teacher-managers have received building grants in South Kanara in the last five years and in what amount?

(b) Is it a fact that the deputation of the South Kanara District Association which waited upon His Excellency the Governor in October last prayed for conditional recognition of new schools specifying a time within which proper buildings should be provided to enable the managers to avail of the benefit of article 54 of the Grant-in-Aid Code?

(c) Will the Government be pleased to state whether the representation has been considered and, if so, any orders have been passed in the matter?

117 A.—(a) The Government have no information.

(b) & (c) No specific suggestion to this effect was contained in the notes submitted by the South Kanara District Association.

Reserving
sites for school
houses in
villages in
South Kanara.

118 Q.—Will the Government be pleased to consider the desirability of selecting and reserving suitable sites for school houses in all the villages in the South Kanara district with a population of over 1,000, especially on the coast where there is competition in the assignment of Government waste lands?

118 A.—The Government will consider the suggestion.

Rules fixing
compounding
fee for breach
of forest rules
in South
Kanara.

119 Q.—(a) Will the Government be pleased to ascertain and state—
(1) whether in a certain case of felling a tree of the value of Rs. 4 or Rs. 5 on unreserved waste land in Coondapoor taluk, South Kanara district, in December 1917, the Revenue Divisional Officer fixed a sum of Rs. 500 as the compounding fee?

(2) whether the alleged offender applied to the Collector of South Kanara to revise the order of the Divisional Officer with a view to a reduction of the compounding fee and that the Collector dismissed the application on the ground that he had no power to interfere?

(b) Will the Government be pleased to call for the papers in the said case and state whether there were any special circumstances to justify the levy of such heavy compounding fee?

(c) Will the Government be pleased to consider the desirability of issuing any general instructions on the subject of fixing compounding fee for breaches of forest rules and enabling District Collectors to revise such orders in special cases?

119 A.—The Government have no information but will call for a report.

[12TH FEBRUARY 1918.]

(Mr. Sadasiva Bhat; Mr. Gillman.)

120 Q.—(a) Will the Government be pleased to state whether there is any good reason for the existing practice in the South Kanara district whereby Forest officers inquire into and fix compounding fees in certain cases of breaches of forest rules while Divisional Officers do so in others?

Officers fixing
compounding
fees for
breaches of
forest rules.

(b) Will the Government be pleased to consider the expediency of any one set of officers being authorized to exercise these powers?

120 A.—(a) The power to compound forest offences generally is vested in Forest officers but on grounds of obvious convenience it was decided in 1908 that offences connected with unreserved lands, with the management of which the Forest Department has little concern, should be dealt with by the Revenue Divisional Officer and this arrangement was later extended to lands handed over to panchayat management. These rules are not peculiar to South Kanara but apply to the whole Presidency.

(b) The Government are not prepared to make the change suggested.

121 Q.—Will the Government be pleased to state what progress has been made in the matter of opening a Government school for girls in Mangalore town?

A Government
girls' school for
Mangalore
town

121 A.—The selection of a site is under consideration.

122 Q.—(a) Has the attention of the Government been drawn to the resolution adopted at several teachers' conferences and meetings of teachers' associations urging the desirability of enabling bona fide teachers of the secondary grade to appear privately for the Intermediate and the B.A. examinations without being required to produce certificates of attendance in a college?

Enabling
teachers of
secondary grade
to appear
privately for
certain exam-
inations.

(b) Will the Government be pleased to consider the matter and take steps in that direction?

122 A.—The matter is one for the consideration of the University of Madras.

123 Q.—(a) Will the Government be pleased to ascertain whether considerable scarcity and rise of prices of necessities in the mufassal stations of the districts of Malabar and South Kanara have been caused by the new railway restrictions prohibiting booking of goods traffic within short distances?

Railway restric-
tions and rise in
prices of food-
stuffs in South
Kanara.

(b) Will the Government be pleased to take immediate steps to relieve the hardship and distress by enabling periodical booking of necessities of life or by other means?

123 A.—If the Honourable Member will place the Government in possession of any information he may have as to the places where, and the articles in respect of which, prices are believed to have risen in consequence of restrictions on short distance booking, inquiry will be made.

The Hon'ble Mr. K. SADASIVA BHAT :—"With reference to question No. 123, the information which is in my possession has been communicated to the Collectors of the two districts. I would request the Honourable Member to ask the Collectors to inquire and report upon the matter. Will the Government be pleased to ask the Collectors to inquire and report on the matter?"

The Hon'ble Mr. H. F. W. GILLMAN :—"My impression is that we have called upon Collectors for a report. I think the best thing would be for the honourable gentleman to put himself in communication with the Collectors."

124 Q.—(a) Is it a fact that the Government have in 1916 framed rules for the regulation of timber in transit in Malabar, under sections 35 and 36 of the Madras Forest Act?

Working of
timber transit
rules in
Malabar.

(b) Is it a fact that some years ago the Government considered the desirability and necessity of framing such rules and decided that such rules were unsuitable and unnecessary in Malabar?

(c) Will the Government be pleased to state whether the views of persons engaged in timber trade had been obtained and considered before introducing the new timber transit rules?

(d) Will the Government be pleased to ascertain if it is a fact that several large timber traders have closed their business since the rules came into force?

(e) Will the Government be pleased to direct a careful examination as to the necessity for these rules, their workable nature and what modifications in them are called for so as to meet the objections of timber traders in the district?

124 A.—(a) & (b) Rules for the regulation of timber in transit in the Malabar district have been in force since 1884. It was not at first found necessary to enforce them in South Malabar, but in 1916 Government found it undesirable to leave the forests in that division any longer without the protection which the transit rules afford and special rules for the South Malabar division were accordingly notified in that year.

(c) Yes.

(d) The Government have no information.

(e) A report on the working of the rules is due in March 1918 when the Government will consider whether any modifications are necessary.

(Mr. Sadasiva Bhat; Mr. Chidambaranatha Mudaliyar; [12TH FEBRUARY 1918.
Mr. Ranga Achariyar.]

Profiteering in kerosene oil. 125 Q.—(a) Is the Government aware that kerosene oil is being sold in Calicut bazaar at Rs. 9-12-0 to Rs. 10 per case, while the warehouse price of the same in Calicut itself is only Rs. 7 or a little more?

(b) Will the Government be pleased to ascertain the cause of this state of things and whether the evil exists in other towns on the West Coast and take steps to prevent profiteering?

125 A.—The Government will call for a report.

The Hon'ble Mr. K. Chidambaranatha Mudaliyar.

Opening of minor ports in the Presidency. 126 Q.—Will the Government be pleased to see as large a number of minor ports as possible opened up, at the earliest opportunity in the Presidency, particularly those that were closed since the year 1900 to relieve to the practicable extent the present blocked up transit by rail?

126 A.—The Government will inquire.

Refusal of toll-gate licences by local boards. 127 Q.—Will the Government be pleased to state if applications for annual toll-gate licences are being refused by local boards or unions in the Presidency, in any case, and the circumstances under which they are so refused?

127 A.—The Government have no information on the subject. The matter is one entirely within the discretion of the local boards.

The Ceylon quarantine regulations. 128 Q.—Is the Government aware of the inconveniences caused by the present Quarantine Regulations to people travelling from India to Ceylon and vice versa, and will the Government be pleased to state if they would take early steps to abolish the present regulations, and substitute for them a system on the lines of the notification system in force in this Presidency?

128 A.—The quarantine arrangements for persons travelling from India to Ceylon are under the control of the Government of Ceylon. No restrictions are placed on persons travelling from Ceylon to India. The Government do not propose to take any action.

Assessment of backyard cultivation. 129 Q.—Will the Government be pleased to state whether the promised reference to Collectors of districts regarding the levy of charges on backyard cultivation was made, whether replies have been received and whether the Government have arrived at any decision; and place all the connected papers on the table?

129 A.—A reference was made to the Board of Revenue on the 28th November and the Board has made a reference to Collectors but the replies of Collectors have not been received and the Government have therefore not arrived at any decision on the matter.

Mr. Gray's report on wages statistics. 130 Q.—Will the Government be pleased to lay on the table the report of Mr. Gray relating to the statistics of wages if it has been received?

130 A.—The Honourable Member is referred to the reply given to question No. 53.

Housing of depressed classes. 131 Q.—Will the Government be pleased to lay on the table the report of Mr. Srinivasa Achariyar regarding the provision of Panchamas with house-sites in the Tanjore district, and all connected papers with the order or orders of the Government of Madras thereon?

131 A.—A copy of G.O. No. 3559, Revenue, dated 10th November 1917, is laid on the table.

The Hon'ble Mr. T. Ranga Achariyar.

Sub-assistant surgeons removed from service for not proceeding on military duty. 132 Q.—With reference to my question No. 163 put at the meeting of the Legislative Council on the 20th November 1917, and the answer thereto, will the Government be pleased to state—

(a) Whether, in the case of the seventeen civil sub-assistant surgeons who were dismissed for refusal to proceed on military duty, they were called on to proceed out of British India?

(b) Whether it was a condition of their service that they should proceed on military duty when called upon to do so either in or out of British India?

(c) If the reply be in the negative, will the Government be pleased to restore them to service?

132 A.—(a) No.

(b) & (c) The Honourable Member's attention is invited to article 192, Civil Medical Code, and to the notification published on page 193 of the Fort St. George Gazette, Part I-B, dated 6th March 1917.

* Vide Appendix XII on pages 238-249 infra.

12TH FEBRUARY 1918.] (Mr. Ranga Achariyar.)

133 Q.—Will the Government be pleased to call for and publish a return showing the number of vacancies that arose in the years 1915, 1916 and 1917 in the composing and examining departments of the Government Secretariat Press together with the dates on which they occurred and on which they were filled up?

Vacancies in the Government Press.

133 A.—The Government are not prepared to take the course suggested. The Honourable Member's attention is however drawn to the answer to question No. 153.

134 Q.—(a) Will the Government be pleased to call for and publish a statement showing the number of hours of overtime work in the months of October, November and December 1917 by each of the employees in the several branches of the Government Secretariat Press subjected to overtime duty?

Conditions of service of employees in the Government Press.

(b) Will the Government be pleased to state whether it is a fact that in the case of those employees the period of casual leave granted to them is deducted from out of the overtime worked by them?

(c) And if so, will the Government be pleased to issue orders putting an end to such practice?

(d) Will the Government be pleased to allow the usual Government holidays to all the permanent employees in the Government Secretariat Press, and if the answer be in the negative, will the Government be pleased to state the reasons for such exceptional treatment?

134 A.—(a) The Government do not consider that sufficient reason has been shown for ordering the compilation of the statements asked for.

(b) Employees of the Press who are entitled to draw overtime allowances are only eligible for casual leave in very exceptional circumstances. When such leave is granted it is deducted from any time allowed to count for overtime allowances.

(c) The answer is in the negative.

(d) It would not be possible to allow the permanent employees all the Government holidays customary in other departments of the public service without giving rise to serious dislocation of work. The Government Press is an institution which must be run on commercial lines and the number of holidays granted there is already in excess of the allowance obtaining in private presses.

135 Q.—Will the Government be pleased to give detailed information as to whether any soap-making experiments have been made from 1916 and, if so, with what result?

Experiment in soap-making.

135 A.—Experiments in soap-making are conducted by the Fisheries Department. Information as to the results of those experiments is given in the annual reports of the department which are placed on the Editors' Table. The report for 1916-17 has just issued.

136 Q.—Will the Government be pleased to lay on the table—

(a) G.O. No. 485, Educational, dated 5th May 1915,

(b) the reports of the Director of Public Instruction and of the Committee appointed to report on the establishment of a School of Commerce, and

(c) also G.O. No. 813, Education, dated 16th June 1917?

Papers regarding establishment of a School of Commerce.

136 A.—(a) The Government order will be laid on the table.*

(b) & (c) A copy of G.O. No. 813, Home (Education), dated the 16th June 1917, which contains the reports of the Director of Public Instruction and of the Committee is placed on the table.†

137 Q.—(1) With reference to my question No. 78 put at the meeting of the Legislative Council held on 2nd April 1917 and the answer thereto and my question No. 57 at the meeting of the Council on 22nd May 1917 and the answer thereto, will the Government be pleased to state—

The housing of depressed classes.

(a) whether any report or reports have been received from the officers placed on special duty in connexion with the acquisition of village-sites in the Tanjore district; and

(b) if so, will the Government be pleased to lay them on the table?

(2) Will the Government be pleased to lay on the table also G.O. No. 3559, Revenue, dated 10th November 1917?

137 A.—The Honourable Member is referred to G.O. No. 3559, Revenue, dated 10th November 1917, which is laid on the table.

138 Q.—With reference to paragraph 4 of G.O. No. 652, Financial (Separate Revenue), dated 24th June 1917, will the Government be pleased to state what steps they have taken in regard to the establishment of a Licensing Board for the City of Madras on the lines of that working in Calcutta?

A Licensing Board for the City of Madras.

138 A.—The matter is still under consideration.

* Vide Appendix XIII on page 250 infra.

† Vide Appendix XIV on pages 251-260 infra.

‡ Vide Appendix XII on pages 238-249 infra.

(Mr. Ranga Achariyar ; Mr. Rama Ayyangar ; [12TH FEBRUARY 1918.
Mr. Yaqub Hasan.)

A forest
grievance.

- 139 Q.—Will the Government be pleased to state—
(a) whether their attention has been drawn to the correspondence headed “Forest Grievances” published in the *Hindu* of 19th September 1917 and of the 8th November 1917?
(b) whether the circumstances stated therein are true?
(c) whether it is a fact that the cattle of the Meyyur village in the Madurantakam taluk have to suffer by reason of the want of a grazing ground?
(d) whether any representations have been received on the subject by the Government or the Board of Revenue?
(e) Will the Government be pleased to call for the papers and pass early orders on the subject restoring to the villagers the privilege recognized in G.O. Mis. No. 2061, Revenue, dated 10th September 1915?
(f) Will the Government also be pleased to lay on the table G.O. Mis. No. 2061, Revenue, dated 10th September 1915?
- 139 A.—(a) The Government have perused the correspondence.
(b), (c) (d) & (e) A report has already been called for.
(f) G.O. No. 2061, Revenue, dated 10th September 1915, is laid on the table.*

The Hon'ble Mr. K. Rama Ayyangar.

Prosecution of
sub-inspectors
of police for
acts done in
their official
capacity.

- 140 Q.—Is it a fact that a sub-inspector of police is now liable to be prosecuted for acts done in his official capacity on the complaint of any individual without the previous sanction of a district magistrate or any other superior officer as provided in section 197 of the Criminal Procedure Code? Will the Government be pleased to issue orders that sub-inspectors as such officers shall not be liable to be prosecuted without the previous sanction of an authority specified by the Government?

- 140 A.—Sub-inspectors of police are not covered by the terms of section 197 of the Criminal Procedure Code and are therefore liable to prosecution by private individuals without any previous sanction. The Government do not propose to take action in the manner suggested.

Prospects of
probationary
revenue
inspectors.

- 141 Q.—Has the attention of the Government been drawn to the article in the *Hindu* at page 3 of the 25th January 1918 headed “Probationary Revenue Inspectors”? Will the Government be pleased to consider the claims of the old revenue inspectors referred to therein and do what is possible and necessary for them?

- 141 A.—The Government have perused the article referred to. The matter is under the consideration of the Government.

The Hon'ble Yaqub Hasan Sahib Bahadur.

Raising certain
elementary
schools for
Muhammadans
to the incom-
plete secondary
grade.

- 142 Q.—(a) Is it a fact that Inspectors of Schools have requested the taluk and district boards to submit proposals for converting some of the existing elementary schools into incomplete secondary schools or opening new incomplete secondary schools?
(b) Will the Government be pleased to direct that some of the 846 Board and Municipal elementary schools maintained for Muhammadans be converted into incomplete secondary schools?

- 142 A.—The Government consider the multiplication of Muhammadan secondary schools a separate question from that of the extension of secondary education in general from which the Muhammadan community benefits in common with others. It is however the intention of Government to provide special secondary schools for Muhammadans in well-defined Muhammadan centres as it proves practicable to do so.

Raising an
elementary
school in
Nellore to
the secondary
grade.

- 143 Q.—Will the Government be pleased to direct the Nellore municipality to utilize the recently sanctioned Government subsidy in converting an elementary Muhammadan school into an incomplete secondary school instead of raising it to the higher elementary grade as was previously proposed?

- 143 A.—The Government prefer not to interfere with the exercise by a local body of a discretion which rightly vests in it.

Consulting
Muhammadan
Educational
Association
about location
of new
secondary
schools.

- 144 Q.—Will the Government be pleased to state if they have selected the two centres where it is proposed to open two additional Government incomplete secondary schools for Muhammadans, and also whether the Muhammadan Educational Association of Southern India has been consulted in this matter? Will the Government be pleased to consult the said association before deciding this important question?

- 144 A.—The centres have not been selected. The Director of Public Instruction will be glad to have the views of the Muhammadan Educational Association of Southern India.

* Vide Appendix XV on page 260 infra.

12TH FEBRUARY 1918.] (Mr. Yaqub Hasan.)

- 145 Q.—Will the Government be pleased to lay on the table a statement showing where the 63 Government, 846 Board and Municipal and 603 Aided elementary schools for Mussalmans are situated and also the highest standard that each school teaches up to?

Statement
showing
location of
Muhammadan
schools.

- 145 A.—The Honourable Member will find the information he asks for as regards schools above the elementary grade in the Report on Public Instruction. He can see at the office of the Director of Public Instruction copies of the elementary school lists from which he can obtain the required information about elementary schools.

- 146 Q.—In view of the fact that only 36 schools with 2,325 pupils out of 1,096 private Mussalman schools with 43,862 scholars have been brought to the list of recognized elementary schools in the last official year, and also that the number of Sub-Assistant Inspectors of Muhammadan schools has recently been increased, will the Government be pleased to direct that special efforts shall be put forth to bring a larger number of the private Quran Maktabas or schools every year into the category of the aided recognized schools so that their secular side may be developed under the guidance and control of the Sub-Assistant Inspectors of Muhammadan schools?

Recognition of
private Muham-
madan schools.

- 146 A.—The Government have no reason to suppose that the inspecting officers are not doing their best in the matter.

- 147 Q.—Will the Government be pleased to state if any action has been taken in respect of the resolution of the Muslim League of the 20th December last requesting the Government to withdraw the prosecution of certain Mussalmans alleged to have been concerned in the disturbance at Chennur, Cuddapah district, on the occasion of the Muharram-Dasara festival? If not, will the Government be pleased to act on the suggestion at an early date?

Religious
disturbances at
Chennur,
Cuddapah
district.

- 147 A.—The answer to both parts of the question is in the negative. The Government have decided to reserve all comments on the Chennur riot until the judgments in the cases now under trial have been received and considered.

- 148 Q.—Are the Government aware that the Madras and Southern Mahratta Railway Company, Limited, have, since 1st January 1917, made it a rule to charge enhanced rate of freight on firewood in the first half-year, January to June, and usual rate in the second half-year, July to December, and that this has resulted in the dearness of firewood in Madras to the inconvenience of the poor? Will the Government be pleased to direct that the Company do adopt previous practice of charging uniform low rate of freight on firewood throughout the year?

Railway
freights on
firewood.

- 148 A.—The Government are not aware of the fact. Inquiries are however being made.

- 149 Q.—Is it a fact that forest contractors in South Cuddapah were, for a long time, being allowed full one year to fell the trees, etc.; but they are now compelled to complete their contract within nine months, and that extension of time is granted only on payment of fines and penalties? Will the Government be pleased to order that the former practice is re-enforced in respect of the period of contract?

Forest contracts
in South
Cuddapah.

- 149 A.—The Government have no information but will call for a report.

- 150 Q.—With reference to G.O. No. 3061, Revenue, dated the 30th September 1917, will the Government be pleased to direct that out of the six deputy tahsildars who are to be recruited directly each year, not less than two be Mussalmans?

Recruitment of
Muhammadans
as deputy
tahsildars.

- 150 A.—The selection of recruits for the posts referred to during the current year has been made on a consideration of all the qualifications of the candidates concerned and the Government propose to apply the same criteria in future.

- 151 Q.—Will the Government be pleased to state if they have ascertained the reasons why 815 young men out of 2,512 who applied for enrolment in the First Madras Infantry of the Indian Defence Force withdrew their applications and did not present themselves for medical examination? If so, will the Government be pleased to state the same?

Withdrawals
from the First
Madras
Infantry of the
Indian Defence
Force.

- 151 A.—The Government are unaware of the reasons.

- 152 Q.—Will the Government be pleased to state whether they have read the letters that appeared in the *Madras Mail* of the 23rd and 26th January 1918 under the heading of “The Government Press, Madras,” and whether they would seriously consider the suggestion made therein, i.e., of removing the branch Government Press from Mount Road to the premises recently vacated by the Medical Stores which adjoin the Government Press building in the Mint Street?

Removal of the
branch
Government
Press from
Mount Road.

- 152 A.—The suggestion will be examined.

(Mr. Yagub Hasan.)

[12TH FEBRUARY 1918.]

Filling up of vacancies in the Government Press.

153 Q.—Will the Government be pleased to state whether it is a fact that vacancies in the Examining and Composing sections of the Government Press are allowed to remain unfilled for six months and more? Will the Government be pleased to issue instructions to the Superintendent to fill up the same as they occur?

153 A.—The Government will inquire.

Filling up of vacancies in the Government Press.

154 Q.—Will the Government be pleased to lay on the table a statement showing the number of posts that fell vacant in all the permanent branches of the Government Press during the last three years, giving dates when they fell vacant and when they were filled up?

154 A.—The Government are not in possession of the statistics asked for.

Grant of leave to employees in Government Press.

155 Q.—Is it a fact that privilege or sick leave was granted to several employees of the Government Press, Madras, when only casual leave for two or three days was applied for in the course of the last and this year?

155 A.—Inquiry will be made.

APPENDIX I.

[Vide answer to question No. 4 asked by the Hon'ble Rao Bahadur V. K. Ramanuja Achariyar Avargal at the meeting of the Legislative Council held on the 12th February 1918, page 163 supra.]

Statement showing the number of first appeals instituted before the 1st July 1916 and of second appeals instituted before the 1st January 1917 pending in the High Court, Madras, on the 1st January 1918.

Class of the appeals.	Judgment reserved	Referred to Full Bench.		Issues sent to Lower Courts or reports called for.		Others.		Total.		Grand Total.
		Ready for posting.	Not ready.	Ready for posting.	Not ready.	Ready for posting.	Not ready.	Ready for posting.	Not ready.	
<i>First Appeals—</i>										
From the—										
(a) Mufassal ..	..	1	..	2	12	23	77	26	89	115
(b) Original Side ..	..	..	..	..	1	5	5	5	6	11
(c) City Civil Court. ..	..	..	..	..	..	..	1	..	1	1
<i>Second Appeals</i> ..	10	2	6	4	102	102	227	108	345	453

APPENDIX II.

[Vide answer to question No. 6 asked by the Hon'ble Rao Bahadur V. K. Ramanuja Achariyar Avargal at the meeting of the Legislative Council held on the 12th February 1918, page 163 supra.]

Arrears of work in the High Court.

Main classes of cases.	Pendency on 31st August 1911.	Pendency on 31st August 1913.	Pendency on 31st December 1913.	Pendency on 31st December 1914.	Pendency on 30th September 1915.	Pendency on 31st December 1916.	Pendency on 31st October 1917.
First appeals	1,065	1,270	1,162	1,140	1,071	820	742
Second appeals	3,502	4,268	4,491	4,631	3,838	2,315	2,417
Appeals against orders	164	287	459	492	687	335	281
Civil revision petitions	945	1,770	1,451	1,610	1,608	1,064	990
Civil miscellaneous petitions	952	821	1,129	1,153	1,112	780	864
Original suits	511	496	467	381	397	287	313
Insolvency petitions	613	704	747	870	962	982	966

APPENDIX III.

[Vide answer to question No. 23 asked by the Hon'ble Khan Bahadur A. T. G. M. Ahmad Tambi Marakkayar Sahib Bahadur at the meeting of the Legislative Council held on the 12th February 1918, page 167 supra.]

Posts on	Non-Brahman Hindus.	Muham-madans.	Indian Christians.	Brahmans.	Total.
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CHIEF SECRETARIAT.

Superintendents.

Rupees 350	..	..	..	1	1
" 300	..	..	..	1	1
" 250	..	..	..	1	1
" 200	..	..	..	1	1
" 175	..	..	1	1	2
" 150	..	..	1	..	1
Total	..	..	2	6	8
Percentage of Superintendents to total	..	..	25	75	..

Upper division clerks.

Rupees 80—5—180	..	..	..	3	4
" 120	..	..	1	1	2
" 100	..	..	1	1	2
" 80	..	..	1	1	2
" 60	..	..	2	2	4
" 40	..	..	1	2	3
Total	..	..	3	11	14
Percentage of clerks to total	..	..	34.7	13.04	47.8

Lower division clerks.

Rupees 80	..	..	..	1	1
" 70	..	..	..	1	1
" 60	..	..	..	1	1
" 50	..	1	..	1	2
" 40	..	..	1	1	2
" 35	..	..	..	1	1
" 30	..	..	1	1	2
" 25	..	..	..	1	1
Total	..	1	2	6	10
Percentage of clerks to total	..	28.5	7.1	14.2	42.8

HOME SECRETARIAT.

Superintendents.

Rupees 350	..	..	..	1	1
" 250	..	..	..	1	1
" 200	..	..	..	1	1
" 175	..	..	..	1	1
" 150	..	..	..	1	1
Total	..	..	..	5	5
Percentage of Superintendents to total	..	..	..	83.3	..

Upper division clerks.

Rupees 120	..	..	..	1	2
" 100	..	..	..	1	2
" 80	..	..	..	1	2
" 60	..	..	..	1	2
" 40	..	..	..	1	2
Total	..	..	..	5	10
Percentage of clerks to total	..	..	..	14	23

* Includes one European.

† Held by an Eurasian.

‡ Includes one Eurasian.

Posts on	Non-Brahman Hindus.	Muham-madans.	Indian Christians.	Brahmans.	Total.
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HOME SECRETARIAT—cont.

Lower division clerks.

Rupees 40—2—70	..	..	..	1	1
" 60	..	..	..	1	2
" 50	..	..	..	..	2
" 40	..	..	..	1	2
" 35	..	..	..	2	2
" 30	..	..	..	1	2
" 25	..	..	..	2	2
Total	..	5	..	8	13
Percentage of clerks to total	..	38.4	..	61.6	..

REVENUE SECRETARIAT.

Superintendents.

Rupees 350	..	..	1	..	1
" 250	..	..	..	1	1
" 200	..	..	1	..	1
" 175	..	..	..	1	1
" 150	..	..	1	1	2
Total	..	..	2	3	5
Percentage of Superintendents to total	..	..	50	50	..

Upper division clerks.

Rupees 120	..	..	..	1	2
" 100	..	..	..	3	3
" 80	..	..	..	5	6
" 60	..	..	1	3	4
" 40	..	..	1	2	3
Total	..	..	2	14	16
Percentage of clerks to total	..	20	10	70	..

Lower division clerks.

Rupees 60	..	..	1	1	2
" 50	..	..	3	..	3
" 40	..	..	1	2	3
" 30	..	1	..	1	2
" 40—2—70	..	..	..	1	1
Total	..	6	1	5	12
Percentage of clerks to total	..	40	6.6	6.6	33.3

PUBLIC WORKS SECRETARIAT.

Superintendents.

Rupees 250—20—350	..	..	..	1	1
" 250	..	..	..	1	1
" 200	..	..	1	..	1
" 175	..	..	..	3	3
" 150	..	..	..	..	..
Total	..	..	1	6	7
Percentage of Superintendents to total	..	..	14.3	85.7	..

Clerks. ‡

Rupees 120	..	..	..	2	2
" 100	..	..	..	2	2
" 80	..	..	..	3	3
" 70	..	1	1	2	4
" 60	..	1	..	4	5
" 50	..	..	2	3	5
" 45	..	..	2	5	7
" 40	..	..	..	7	8
" 35	..	..	..	1	1
" 30	..	..	..	1	1
" 30—2—70	..	..	..	1	1
" 30—2—40	..	..	..	1	1
" 20—2—30	..	..	..	..	..
Total	..	4	1	5	51
Percentage of clerks to total	..	7.8	2.00	9.8	80.4

* One vacant on Rs. 40.

† Includes one Eurasian.

‡ There are no upper and lower divisions. All clerks are borne on one list.

APPENDIX.

Posts on	Non-Brahman Hindus.	Muham-madans.	Indian Christians.	Brahmans.	Total.
PUBLIC WORKS SECRETARIAT (IRRIGATION).					
<i>Superintendents.</i>					
Rupees 350—20—450 *	..	..	..	1	1
" 200—10—250	..	..	..	1	1
" 150	..	..	..	1	1
Total ..	..	..	..	3	3
Percentage of Superintendents to total ..	..	..	..	100	..
<i>Clerks. †</i>					
Rupees 125	..	..	..	1	1
" 100	..	..	..	2	2
" 75	..	..	..	2	2
" 60	1	1	..	..	2
" 50	1	..	..	3	3
" 40	..	..	..	2	3
" 35	..	..	..	3	3
" 30	..	..	..	4	4
Total ..	2	1	..	17	20
Percentage of clerks to total ..	10	5	..	85	..
LOCAL AND MUNICIPAL SECRETARIAT.					
<i>Superintendents.</i>					
Rupees 350	..	..	..	1	1
" 250	..	..	..	1	1
" 200	..	..	..	1	1
" 175	..	..	..	1	1
" 150	..	..	..	2	2
Total ..	..	..	..	6	6
Percentage of Superintendents to total ..	..	..	..	100	..
<i>Upper division clerks.</i>					
Rupees 120	..	..	..	1	2
" 100	2	..	..	2	4
" 80	1	..	1	4	6
" 60	..	..	1	3	4
" 40	2	..	..	4	6
Total ..	6	..	2	14	22
Percentage of clerks to total ..	27.3	..	9.1	63.6	..
<i>Lower division clerks.</i>					
Rupees 30—2—70	..	..	..	1	1
" 60	1	..	..	1	3
" 50	1	..	1	2	3
" 40	1	..	..	1	2
" 35	1	..	..	2	3
" 30	1	..	1	..	2
Total ..	6	..	2	6	14
Percentage of clerks to total ..	42.9	..	14.2	42.9	..

* Manager.

† There are no upper and lower divisions.

APPENDIX.

APPENDIX IV.

[Vide answer to question No. 25 asked by the Hon'ble Khan Bahadur A. T. G. M. Ahmad Tambi Marakkayar Sahib Bahadur at the meeting of the Legislative Council held on the 12th February 1918, page 168 supra.]

Statement showing the number of questions and resolutions dealt with in each department of the Secretariat during each of the five years ending 1917.

Year.	Number dealt with in					
	Chief Secretariat.	Revenue Secretariat.	Local and Municipal Secretariat.	Home Secretariat.	Public Works (General) Secretariat.	Public Works (Irrigation) Secretariat.
<i>Questions.</i>						
1913	108	120	152	..	32	70
1914	111	123	183	..	45	55
1915	127	177	247	..	58	39
1916	140	173	181	..	37	39
1917	54	191	158	218	64	47
Total ..	540	784	921	218	236	250
<i>Resolutions.</i>						
1913	14	18	68	..	13	4
1914	9	37	54	..	8	3
1915	28	51	61	..	7	4
1916	22	49	62	..	5	7
1917	19	44	62	65	6	10
Total ..	92	199	307	65	39	28

Note.—A considerable number of questions relate to business pertaining to more than one department of the Secretariat. The same is true of resolutions.

APPENDIX V.

[Vide answer to question No. 33 asked by the Hon'ble Mr. B. Venkatapati Raju at the meeting of the Legislative Council held on the 12th February 1918, page 169 supra.]

The following statement shows when the present incumbents of the offices mentioned in column (1) assumed charge of their offices, how long they have been at the same station and the action taken if the incumbents were serving in the same capacity and at the same station for over five years :—

Designation of the office.	Date on which the officer assumed charge of the appointment.	Length of time the officer has been at the same station.	Action taken if the incumbent is serving in the same capacity and at the same station for over five years.
(1)	(2)	(3)	(4)
Personal Assistant to the Inspector-General of Police.	There is no Personal Assistant to the Inspector-General of Police.		
Manager of the Office of the Surgeon-General.*	21st May 1915	2 years and 8 months.	
Personal Assistant to the Chief Engineer.	There is no appointment of Personal Assistant to the Chief Engineer.		
Personal Assistant to the Director of Public Instruction.	2nd July 1907	10 years and 6 months ..	No action has been considered necessary.
Manager of the Office of the Superintending Engineer—			
I Circle	30th October 1917	3 months.	
II "	7th March 1915	2 years and 11 months.	
III "	7th July 1906	11 years and 6 months ..	The Chief Engineer has decided that there are no public grounds which render his transfer necessary or desirable.
IV "	23rd April 1917	2 months.	
V "	26th August 1917	5 months.	
VI "	7th March 1915	2 years and 11 months.	
VII "	15th August 1913	4 years and 5 months.	
Manager of the Office of the Conservator of Forests—			
Northern Circle	Joined his office quite recently.	Exact date not known.	
Western "	Do.	do.	
Central "	2nd March 1916	1 year and 11 months.	
Southern "	25th October 1911	6 years and 3 months.†	
Head clerks in the Offices of the Deputy Inspector-General of Police and Superintendents of Police.	The present head clerk of the Deputy Inspector-General, Criminal Investigation Department, has held office since July 1911.		The Government have no information.
	There are no head clerks in any of the other police offices mentioned.		
Sarishtadars of District Collectors.	The Government are not in possession of the information.		
Sarishtadars of District and Subordinate Judges.	The Government have no information about the names and dates of assumption of office of the Sarishtadars of District and Subordinate Judges beyond what is contained in annual establishment lists.		
Head clerk of the Office of the Deputy Commissioner of Salt—			
Northern division	31st January 1918	11 days.	
Central "	3rd May 1913	1 year and 9 months ..	Under orders of transfer.
Southern "	1st August 1917	6 months.	
Abkari Deputy Commissioner's Office.	5th April 1917	10 months.	
Head clerk of the office of the Assistant Commissioner—			
Waltair subdivision	11th March 1913	4 years and 11 months.	
Cocanada "	10th January 1905	13 years and 1 month ..	Transfer has been ordered.
Masulipatam "	29th November 1914	3 years and 2 months.	
Nellore "	Vacant from 17th January 1918.		
Chingleput "	9th July 1917	7 months.	
Cuddalore "	1st January 1914	4 years and 1 month.	
Arcoot "	10th June 1918	1 year and 8 months.	
Bellary "	30th March 1917	10 months.	
Nagapatam "	18th October 1917	3 months.	
Tinnevelly "	1st October 1916	1 year and 4 months.	
Trichinopoly "	1st August 1917	6 months.	
Malabar "	2nd July 1916	1 year and 7 months.	

* It is presumed that information is required only with respect to the Manager.

† For a year and a half of this period the Manager was employed in the Revenue Department.

APPENDIX VI.

[Vide answer to question No. 52 asked by the Hon'ble Rao Bahadur M. Ramachandra Rao Pantulu at the meeting of the Legislative Council held on the 12th February 1918, page 172 supra.]

Statement showing the price of fuel per ton at the headquarter town of each district.

Number and headquarter town.		District.		Price per ton									
				Maximum.			Minimum.						
					RS.	A.	P.	RS.	A.	P.			
1.	Salem	..	..	Salem	..	..	..	13	12	0	12	8	0
2.	Coimbatore	..	..	Coimbatore	..	..	..	14	8	0	13	12	0
3.	Vellore	..	..	North Arcot	..	..	..	15	0	0	11	4	0
4.	Tanjore	..	..	Tanjore	..	..	..	15	8	0	13	8	0
5.	Trichinopoly	..	..	Trichinopoly	..	..	..	22	8	0	17	8	0
6.	Anantapur	..	..	Anantapur	..	..	..	31	0	0	21	0	0
7.	Cuddapah	..	..	Cuddapah	..	..	..	13	0	0	12	0	0
8.	Cocanada	..	..	Gōdāvari	..	..	..	12	0	0	10	0	0
9.	Calicut	..	..	Malabar	..	..	..	8	0	0	7	8	0
10.	Saidapet	..	..	Chingleput	..	..	..	15	10	0	..	..	..
11.	Tinnevelly	..	..	Tinnevelly	..	..	..	12	0	0	..	..	..
12.	Guntur	..	..	Guntūr	..	..	..	14	0	0	..	..	..
13.	Waltair	..	..	Vizagapatam	..	..	..	17	8	0	13	0	0
14.	Chatrapur	..	..	Ganjām	..	..	..	6	12	0	..	..	..
15.	} Madras	..	..	Madura and Ramnad	..	..	..	24	0	0	18	0	0
16.													
17.	Madras	..	..	Madras	..	..	..	17	8	0	15	0	0
18.	Ootacamund	..	..	The Nilgiris	..	..	..	6	5	4	..	..	..
19.	Chittoor	..	..	Chittoor	..	..	..	12	0	0	10	0	0
20.	Kurnool	..	..	Kurnool	..	..	..	15	0	0	12	0	0
21.	Nellore	..	..	Nellore	..	..	..	9	8	0	9	6	8
22.	Mangalore	..	..	South Kanara	..	..	..	14	0	0	11	0	0
23.	Masulipatam	..	..	Kistna	..	..	..	12	8	0	10	0	0
24.	Cuddalore	..	..	South Arcot	..	..	..	10	0	0	..	..	..
25.	Trivandrum	..	..	Anjengo	..	..	..	6	4	0	..	..	..
26.	Bellary	..	..	Bellary	..	..	..	15	0	0	..	..	..

APPENDIX VII.

[Vide answer to question No. 53 asked by the Hon'ble Rao Bahadur M. Ramachandra Rao Pantulu at the meeting of the Legislative Council held on the 12th February 1918, page 172 supra.]

No. Dis. 2 of 1917.

OFFICE OF THE OFFICER ON SPECIAL DUTY,

Dated Madras, 22nd November 1917.

From

J. GRAY, Esq., M.A., I.C.S.,

OFFICER ON SPECIAL DUTY, MADRAS

(*now Sub-Collector, Karur*).

To

THE SECRETARY TO GOVERNMENT,

REVENUE DEPARTMENT, FORT ST. GEORGE.

(*Through the Secretary to the Commissioner of Revenue Settlement, Survey, Land Records and Agriculture.*)

SIR,

With reference to G.O. Press No. 737, Revenue, dated 31st March 1916, I have the honour to submit the following report. I was deputed for the special duty mentioned in the above Government Order, in G.O. No. 623, Public, dated 1st April 1916, and reported myself in Madras on 13th April 1916. In addition to the instructions contained in G.O. Press No. 737, Revenue, dated 31st March 1916, further instructions were issued to me in Revenue U.O. No. 1236-B-14-10, dated 19th April 1916, and were received by me through the Board of Revenue (Settlement) on 26th April 1916. The copy of these further instructions is

G.O. 1195	Rev., 29th October 1885.
" 366	" 27th May 1888.
" 386	" 2nd June 1890.
" 212	" 17th March 1891.
" 1010-1010-A,	" 30th Sep. 1892.
" 1279	" 27th May 1907.
" 2798	" 8th October 1908.
" 2240	" 14th August 1909.
" 2868	" 19th October 1909.
" 3268	" 30th Nov. 1909.
" 1634	" 18th May 1910.
" 2910	" 3rd Sep. 1910.
" 2275	" 29th July 1912.
" 2765	" 16th Sep. 1912.

herewith resubmitted, along with the marginally-noted records which were received by me on 1st May 1916 as enclosures to D.O. (Revenue Secretariat) No. 694-B-16-1, dated 27th April 1916).

2. My instructions were to inquire into the method of collecting statistics of wages and the accuracy and significance of those statistics especially in regard to the lowest classes of Agricultural wage-earners and to report on the position of the agricultural classes as ascertained by these inquiries. I was directed to conduct my inquiry in typical villages in the four districts of

Chingleput, South Arcot, Tanjore and Malabar. In addition to the general inquiry mentioned above, I have also been directed to inquire into and report (through the Collector of Chingleput, on the economic condition of the Panchamas and other labouring classes in the Chingleput district and to suggest remedies for any evils which may be shown to exist—vide G.O. No. 875, Revenue, dated 19th April 1916 (Confidential), Board's Reference thereon No. 756, Confidential No. 26, dated 27th April 1916 and D.O. (Revenue Secretariat) No. 1236 B-14-11, dated 19th April 1916. In connexion with this further special inquiry in Chingleput district, Government has ordered (upon a letter, dated 9th June 1914, from the Rev. A. Andrew of the United Free Church Mission, Chingleput) that the report should deal in particular with the following points:—

(1) How far the freedom of labourers of Panchama and other classes is restrained by a system of "man mortgage".

(2) Whether threats to oust labourers of these classes from their house-sites are used by landlords in order to force them to work at a low rate of wage.

(3) To what extent such labourers leave their villages to seek employment elsewhere in India or abroad.

As these subjects are closely allied I propose to deal with them in one report.

3. In B.P. Mis. No. 1284, dated 16th May 1916 (Settlement), I have been asked to report whether conditions similar to the "kamiouti" system described in a report of the Director of Land Records and Survey, Bihar and Orissa, as prevailing in Hazaribagh district, exist among the low caste agricultural labourers in the districts of Chingleput, South Arcot, Tanjore and Malabar and if so to suggest remedial measures through the Collectors of the respective districts. The "kamia" of Hazaribagh is apparently in much the same position as the "pannaiyal" or "padiyal" of Chingleput, South Arcot and Tanjore and as the condition of the latter is an important part of the general subject of the economic condition of the lowest classes of agricultural wage-earners, I shall include my reply to the Board's Proceedings above quoted in the present report.

In paragraph 2 of Board's Reference No. 1835, dated 13th September 1916 (Revenue Settlement, etc.), I have been called upon to report with reference to the four districts of Chingleput, South Arcot, Tanjore and Malabar what has been achieved in the past and what more can be done in the future to improve the condition of the depressed classes in these districts. This reference reached me on 27th September 1916 when I had already completed my touring in Chingleput district and had almost completed it in South Arcot. The "depressed classes" as defined in paragraph 2 of the circular letter of the Government of India, read in the Board's Reference just quoted comprise (a) depressed classes, i.e., untouchables, (b) aboriginal and hill tribes, (c) criminal tribes. That definition covers much more than "the lowest classes of agricultural wage-earners" referred to in the original instructions issued to me (vide paragraph 2 of the present report). I am therefore submitting through the Collectors of the respective districts, a separate report on the points raised in the circular letter of the Government of India. But as part of the ground covered must necessarily be common to both reports I would request that both may be considered together.

4. Appendix A is a list arranged by districts and taluks of the villages in which I made inquiries, 225 in all. I have visited several villages in each taluk of the four districts, and, as far as possible, except in Malabar, one or more villages in each Revenue Inspector's firka. Conditions in Malabar are so much more uniform than in the other three districts, that it seemed unnecessary to visit every Revenue Inspector's firka there. A comparison of the list of villages in Appendix A with the district and taluk maps will show that the villages visited in each taluk are widely scattered. Except in Chingleput district where the scope of my inquiry was greater than in the other three districts, the villages visited were almost all selected (vide Appendix A) from the list of typical villages chosen for wage census purposes in the 1916 census. It may therefore be said that the villages visited are fairly representative of the area dealt with in this report.

5. The scheme of the quinquennial wage census which since 1908 has taken the place of the half-yearly returns of wages formerly furnished by Collectors is fully described in G.Os. No. 1279, Revenue, dated 27th May 1907, No. 2798, Revenue, dated 8th October 1908, No. 3268, Revenue, dated 30th November 1909, No. 2910, Revenue, dated 3rd September 1910 and No. 2275, Revenue, dated 29th July 1912. It has also been summarized in paragraphs 1 to 6 of Mr. Moir's note, dated 13th October 1916, sent to me with U.O. Register No. 479, dated 15th November 1916 (Revenue Board's U.O. No. 550, dated 16th November 1916) and herewith resubmitted. It seems unnecessary for me again to describe the scheme here. The object of the census is to ascertain the standard rates of wages in each district or homogeneous tract, and to observe permanent changes in those standard rates neglecting short period fluctuations. Only the actual facts as to prevailing wages are reported by the Revenue Inspectors and no averaging is done except in the Board's office.

The question of urban wages is outside the scope of my inquiry. With regard to the statistics of rural wages compiled under the new scheme at the wage censuses of August 1908, August 1911, and August 1916 (the last not published yet) two questions arise. These are:—

(1) whether the figures reported by Revenue Inspectors, Agricultural correspondents and Railway Administrations on which the statistics are based, are, so far as they go, substantially accurate,

(2) whether assuming that these figures are accurate, the method or scheme of the census is not so inadequate that the final statistics are of very little real value as an index of the economic condition of the labouring classes.

The original returns submitted in connexion with the 1911 wage census by Revenue Inspectors and Agricultural correspondents in forms B, C, and D (printed at pages 7, 8 and 9 of G.O. No. 2910, Revenue, dated 3rd September 1910) are not available for any of the four districts to which my inquiry extends. In any case as pointed out by Mr. Moir in paragraph 7 of his note it is impossible now after a lapse of five years to verify the accuracy of the original returns; any attempt to check the accuracy of the original returns submitted by Revenue Inspectors and Agricultural correspondents in connexion with the wage census of 1908 would obviously be even more futile. For not only is the lapse of time and the consequent difficulty of verification greater, but as stated in paragraph 3 at page 22 of G.O. No. 3268, Revenue, dated 30th November 1909, "the census (of 1908) being the first of its kind, the figures it supplies should be regarded as only approximate". The 1908 census statistics are admittedly vitiated by the fact that it was impossible in many cases to take supplements into account as it was not possible to determine them from the data furnished by the reporting officers.

6. But the returns in forms B, C and D submitted in connexion with the wage census held in August 1916 are now available for check and comparison. It is true that these returns deal only with the rates of wages prevailing in August while my local inquiries were begun in the end of April 1916 and continued up to the middle of February 1917.

In the case of "ordinary labourers doing ordinary work in the villages", the wage varies as a rule with the season of the year and the nature of the work (e.g., weeding, transplanting paddy seedlings, harvesting, threshing, etc.). But in the course of my local inquiries, I ascertained the different rates of wages actually paid at the different seasons of the year and for the different kinds of ordinary work. I have therefore all the information necessary for checking the accuracy of the returns submitted, in Form B abovementioned, by Revenue Inspectors and Agricultural Correspondents in connexion with the wage census of August 1916. With regard to the wages of farm servants, reported by Revenue Inspectors, etc., in form D above referred to, it is comparatively easy to check the returns. A farm servant is generally engaged by the year, although he is, as a rule, paid only for the days on which he actually works. Indeed he often serves the same employer for a life time, and the post is practically hereditary. The rate of wages and of any daily extra allowances varies in many cases with the season of the year, as upon that depends the nature of the work the farm servant has to do; but there is not the slightest difficulty in ascertaining at any time during the year the wage and allowances which he will get at any particular season of the year. The various extras paid at harvest, at Pongal and Dipavali in the Tamil districts (or at Vishu and Onam in Malabar) and on other special occasions throughout the year, can be as easily ascertained at any other time of the year as in August. The information which I have collected in the villages is therefore sufficient to enable me to check satisfactorily the returns sent in by Revenue Inspectors, etc., in form D in connexion with the 1916 census.

7. The only other returns relating to rural wages which are submitted to the Board of Revenue on the occasion of the quinquennial wage census are form C already referred to and form K printed at page 12 of G.O. No. 2910, Revenue, dated 3rd September 1910. Form C, which is filled in by Revenue Inspectors and Agricultural Correspondents, relates to the daily wages paid to carpenters and blacksmiths doing their ordinary work in the villages. The village carpenter and

blacksmith are generally paid a definite share of the grain at harvest with occasional special allowances for special jobs. Where however they are paid by the day as in cases where they go to adjacent villages for work the rate of wages (which are then practically always paid in money) and of any extra allowances is very easily ascertained. In the case of form C there are no special pitfalls for a careless or ignorant reporter as in the case of Forms B and D, and it may safely be assumed that the figures in form C are substantially correct. I have therefore not carried out any elaborate check of the form C submitted at the wage census of last year, more especially as the wages of carpenters and blacksmiths have little direct bearing on the question of the economic position of the wage-earners of the agricultural classes, or of the labourers of the depressed classes.

Form K is the return prepared by Railway Administrations showing the wages paid to coolies for handling goods at certain country railway stations (in each district) where there is heavy goods traffic. This statement is intended to be used for purposes of comparison with the wages paid to agricultural labourers, vide Table C at page 4 of G.O. No. 3268, Revenue, dated 30th November 1909 and Table III at page 5 of G.O. No. 2275, Revenue, dated 29th July 1912. I am inclined to think that this comparison is of very little value. The information furnished by the Railway authorities is very easy to collect, the possibility of mistake is small and the figures are presumably accurate. For purposes of comparison I append in parallel columns the rates of wages returned in form K at the 1908 census and at the 1911 census:—

District.	1908 Census.		1911 Census.		Increase or decrease.
	A.	P.	A.	P.	
Ganjām	2	8	5	4	+
Vizagapatam	3	2	3	10	+
Gōdāvari	3	2	4	10	+
Kistna	3	9	4	3	+
Guntūr	4	5	3	8	—
Bellary	3	5	1	7	—
Anantapur	3	4	4	2	+
Cuddapah	3	5	3	2	—
Nellore	3	2	3	9	+
Chingleput	6	8	4	10	—
South Arcot	4	3	6	0	+
North Arcot	3	1	3	11	+
Salem	3	3	2	0	—
Coimbatore	3	10	5	3	+
Trichinopoly	5	0	3	6	—
Tanjore	5	6	7	6	+
Madura	6	10	(Madura)	8	}
			(Ramnad)	6	
			(Tinnevely)	11	
Tinnevely	5	8	5	9	+
Malabar	5	0	3	10	+
South Kanara	3	1	4	9	—
The Nilgiris	14	0			

NOTE.—There was a redistribution in Madura and Tinnevely districts.

These rates exhibit some extraordinary anomalies. For example the rate in Ganjām reported in 1911 is double that reported in 1908 while the rate in Bellary reported in 1911 is less than half that reported in 1908. It is probably the case that at country stations where there is heavy goods traffic, periods of unusual pressure and periods of slackness occur at irregular intervals and have little connexion with the fluctuations in the demand for agricultural labour. If so, and I think this is the most likely explanation of the anomalies in the rates, the value of the information contained in form K, for purpose of comparison with agricultural wages is very small. If however the return in form K is retained in future wage censuses, it should be made clear that the return relates only to coolies handling goods, and not to telegraph peons, gatemen, points jemadars, etc., whose wages were wrongly included in the returns from some railway stations on the Madras and Southern Mahratta line in the 1908 and 1911 censuses.

Mr. Moir has suggested that Public Works Department schedules of rates might afford useful information in connexion with the wage census, but I do not think any comparison between these rates and the census statistics would be of much value. The demand on the part of the Public Works or Local Fund Departments for labour in any rural area at any particular time of the year is never even approximately constant from year to year. It is, I believe, almost invariably the case that these departments have to pay more than the local rates for their labour partly because, as Mr. Moreland has stated in the case of railway authorities, they have to pay for their entry into the existing social organization and partly because of the inertia which renders the labouring classes so slow to take advantage of a new labour market.

8. For the purposes of the present inquiry then, the most important returns are form B showing the daily rate of wages paid to ordinary unskilled labourers in the villages, and form D showing the monthly rates of wages paid to farm servants (i.e., padiyals, or as they are called in Tanjore pannaiyals). I have therefore carried out a careful and detailed check on the lines indicated in paragraph 6 above of the B and D forms submitted by Revenue Inspectors in connexion with the wage census of August 1916; this check has of course been limited to those of the typical villages selected for the 1916 wage census in which I have personally made inquiries. The total number of villages in respect of which this check has been made is 171 made up as follows:—50 in Chingleput district, 57 in South Arcot, 40 in Tanjore and 24 in Malabar. The results may be summarized as follows:—

Chingleput district (50 villages).—The B forms (dealing with unskilled labourers) have on the whole been correctly filled in by Revenue Inspectors for cash rates, grain rates and for extras such as tobacco, betel, etc. The D forms submitted by Revenue Inspectors dealing with farm servants contain the following inaccuracies. In four cases the value of daily meals is entered although such meals are not regularly given by the majority of employers to their farm servants or padiyals. In five villages the farm servants or “padiyals” wages are underestimated. In almost all cases the amount of grain given to the padiyal at harvest as “kalam”, “kalavasam”, etc., is underestimated. In two cases, where the Revenue Inspector has apparently failed to check the statements of the mirasidars by making inquiries of the padiyals themselves, the amount of kalavasam (or grain given at harvest) is too high. In five cases where farm servants or padiyals are actually employed, the Revenue Inspector has omitted to report the wages paid to them.

Before giving the results of the check of the B and D forms of the other three districts dealt with, it may be stated here that it is extremely difficult to obtain accurate information as to the amount of grain given (as kalavasam, etc.), to padiyals at harvest and on other occasions or as to the other perquisites given on special occasions like Pongal, Dipavali. The practice varies very much even within the same taluk. In most cases the padiyal's wife is considered as bound to work for the same master as her husband whenever required to do so; when not so required, she is free to seek casual employment elsewhere. She may or may not receive for every day she works under her husband's master a fixed daily wage, with or without daily extras such as meals, betel, etc., but in most cases a portion of the grain given as “kalam” or “kalavasam”, etc., is regarded as at least part of her remuneration. The employers themselves are in many cases unable to say exactly what proportion of the “kalam”, “kalavasam”, etc., pertains to the padiyal and what to his wife. This “kalam” or “kalavasam” constitutes as a rule a very considerable proportion of the total annual remuneration of the padiyal and his wife. But the wage census scheme takes no account of the wife or her earnings although it would be much easier and more instructive to record the joint earnings.

According to the instructions issued to Revenue Inspectors and agricultural correspondents for filling in form D, no account should be taken of cases where a farm servant has taken an advance and agreed to serve until it is paid off, vide paragraph 15 on pages 10 and 11 of G.O. No. 2910, Revenue, dated 3rd September 1910. If this instruction were strictly observed no D forms at all would be

submitted from Chingleput, South Arcot and Tanjore. For in these districts it is the invariable custom for a farm servant or padiyal to have an advance or loan from his master. This loan varies in different villages, from Rs. 10 or Rs. 15 to Rs. 60 or more (even reaching the sum of Rs. 150 or Rs. 180 in some cases) and is invariably free of interest so long as the padiyal works for the master. If the padiyal wishes to change masters he can as a rule do so only by inducing some other landholder not merely to engage him but also at the same time to take over the debts, i.e., to advance sufficient money to pay off the former master's dues. The debt is very rarely recovered by annual instalments from the padiyal's pay or perquisites and the padiyal is practically never in a position to repay the debt in a lump sum. This system of advances to padiyals and its effect in binding them to their masters very often for life, will be dealt with in greater detail at a later stage in this report. Such cases should, I consider, be included in form D, but a brief note of the farm servants' indebtedness to his master might be added.

South Arcot district (57 villages).—The B forms, showing the daily rate of wages paid to unskilled labourers have been correctly filled in by Revenue Inspectors. But in filling in the D forms, dealing with the rates of wages paid to farm servants or padiyals, Revenue Inspectors have made mistakes similar to those detailed above in connexion with Chingleput district. They have apparently experienced considerable difficulty in ascertaining the portion of the “kalavasam” and other grain perquisites given at harvest which pertains to the padiyal himself, as distinct from his wife's share. In eight cases the Revenue Inspectors have omitted altogether the “kalavasam” or grain given to the padiyal at harvest. In nine cases the “kalavasam” reported by the Revenue Inspectors is too high (probably the wife's share has been included). In eleven cases the “kalavasam” reported by the Revenue Inspectors is too low. In all but two cases the rate of monthly wages as distinct from the various extras and perquisites is correctly reported.

Tanjore district (40 villages).—As in the case of Chingleput and South Arcot districts the rates of daily wages paid to unskilled labourers have been on the whole correctly reported by Revenue Inspectors in form B. In two cases the rates quoted by the Revenue Inspectors are somewhat high while in two other villages the rates quoted are too low. As regards the wages paid to farm servants or pannaiyals reported in form D, the Revenue Inspectors have, as in the case of Chingleput and South Arcot, had a certain amount of difficulty in ascertaining correctly the quantity of grain given at harvest as “kalavasam”, etc. In four cases the Revenue Inspectors have omitted the “kalavasam”, etc., altogether, while in seven other cases they have underestimated not only the extra grain given at harvest in addition to the pannaiyal's pay, but also the actual monthly rate of wages. In only two cases have the Revenue Inspectors overestimated the monthly wage and also the amount of extra grain given at harvest. There are several other minor discrepancies due to careless or inadequate inquiry on the part of Revenue Inspectors.

Malabar district (24 villages).—The rates reported by Revenue Inspectors in both B and D forms are on the whole fairly correct.

9. Speaking generally it may be said that the figures reported by Revenue Inspectors and Railway Administrations on which are based the statistics relating to the wages of ordinary unskilled labour and of farm servants in rural parts, are so far as they go substantially accurate. I have not deemed it necessary to compare in detail the returns in forms B and D sent in by agricultural correspondents, as these are merely check returns. Moreover many agricultural correspondents did not submit reports as they either did not receive the forms at all or did not receive them in time, from the Board's office.

10. The second question raised in paragraph 5 above is “whether assuming that these figures (i.e., the figures reported by Revenue Inspectors, etc.), are accurate, the method or scheme of the census is not so inadequate that the final statistics (of rural wages) are of very little real value as an index of the economic condition of the labouring classes”. The figures reported in forms B, C and D

by Revenue Inspectors and in form K by Railway Administrations are compiled in the office of the Board of Revenue (Revenue Settlement, Survey, Land Records, etc.), and finally appear in the form of the three following tables : -

(1) *Table II.*—Rates of wages in the rural tracts of the Madras Presidency during August (vide paragraph 3 of G.O. No. 2275, Revenue, dated 29th July 1912, for the 1911 wage census table).

(2) *Table III.*—Statement showing the daily cash wages earned by an unskilled labourer in rural tracts as compared with the earnings of a coolie employed at goods stations in agricultural tracts (vide paragraph 5 of G.O. No. 2275, Revenue, dated 29th July 1912).

(3) *Table A in form G.*—Rates of daily wages in annas and pies (including money value of any supplements in kind most commonly paid to agricultural labourers in selected villages in each district, and the number of villages in which respectively such rates of wages are paid (vide paragraph 9 of G.O. No. 2275, Revenue, dated 29th July 1912).

For reasons which I have already stated I consider that the value of the comparative statement table III (item 2 above) is negligible. The railway return in form K may, I think, be abolished.

11. On examining table II, and table A in form G, for the 1911 wage census [items (1) and (3) above], it is found that the rates of wages of unskilled labourers and also of farm servants in rural tracts range between very wide limits within the same districts. The Board of Revenue has not yet issued its report on the wage census taken in August 1916 and it is therefore impossible to say whether the rates reported last August vary within the same extraordinarily wide limits in the same district. My own local inquiries however show that rates of wages in rural tracts whether for ordinary unskilled labourers or for farm servants do vary very greatly not merely within the same district but even within the same taluk and the same firka. The revenue district is, I consider, too large and not homogeneous enough to be taken as the unit. Labour in rural tracts is extremely immobile and the village community so far as concerns the market from which its agricultural labour is drawn, is still to a large extent self-contained. Both table II and table A in form G would, I think, be much more useful if the taluk (or a homogeneous group of taluks) were taken as the unit. For example the district of Tanjore is far from homogeneous and it is not surprising to find a wide range in the rates of wages for unskilled labourers there (3 annas to 8 annas in cash per day according to the 1911 Wage Census). The deltaic tract and the tank irrigated tract should obviously be considered separately. As the original returns in forms B, C and D are not available for the 1911 census no comparison by taluks could be instituted between the results of the 1911 census and that of 1916. But it would be a simple matter; and would, I think, involve very little extra labour in the office of the Board of Revenue to have these two tables prepared according to taluks or homogeneous groups of taluks instead of districts for the 1916 census. If it is found that there is still a very wide range of rates of wages even within the same taluk then the results of the census must be regarded as very inconclusive. For, so long as the rates of wages vary within such extraordinarily wide limits for the same tract, table II and to a less extent table A in form G are of very little use for the purpose of indicating whether the economic condition of rural labourers is improving or deteriorating. It is difficult to say for example whether the position of unskilled labourers in Ganjām has really improved or deteriorated when the daily rate of wages is shown as 2 annas to 6 annas in 1908 and 2 annas to 4 annas in 1911. Similarly in the case of Trichinopoly where the 1908 rates are 2 annas to 4 annas and the 1911 rates are 2 annas to 6 annas, it is impossible to come to any definite conclusion. It is possibly the case that in the United Provinces where the scheme of the wage census was first worked out by Mr. Moreland the "district" which is taken as the unit is much smaller and more homogeneous than the "district" in Madras Presidency.

12. On examining the three tables mentioned above which embody so far as rural wages are concerned the results of the wage census, it appears that the scheme on which they are constructed takes no account of a number of factors

which have the closest bearing on the position of the labouring classes. In other words the significance of the tabulated statistics is very limited and it would be most unsafe to base upon them alone any general arguments as to the economic condition or the progress of these classes. For example in many of the villages covered by the wage census, e.g., in parts of South Arcot there are no unskilled labourers entirely dependent on their daily wage. In such villages the poorer classes either own small plots of land, or cultivate lands which they hold on varam or for grain or money rent. They supplement however their income from these lands by working for the owners of larger holdings in their spare time. Again, even the farm servant or padiyal has not as a rule, work throughout the whole year under his own special master, although the latter has always got first claim on his services. The various extras and perquisites which the padiyal gets over and above his daily or monthly wage may be regarded as a sort of retaining fee. But on the days when his master has no work for him he is allowed to seek work elsewhere as an ordinary casual labourer.

If the wage census statistics are to be a real index to the economic condition of the labouring classes in rural tracts, the earnings of the family as a whole should be recorded or at least the joint earnings of the husband and wife not merely the wages of the adult male. In the case of farm servants or padiyals the master has generally the first call on the services of the wife also and in many cases on those of the male children. In such cases it is very difficult if not impossible to say exactly what proportion of the total annual earnings of the family pertains to the husband alone, as the various extras or perquisites are in many cases given to the husband and wife jointly. In the case of the ordinary unskilled daily labourer his wife and children may carry on the work of his own small holding thereby releasing the husband for at least part of the time to supplement the family earnings by working as a daily coolie for some other landowner; at other times the husband may work on his own holding while the wife goes out as a daily coolie. These facts go to show that a very low standard rate of wages for the adult male labourer in a rural village does not necessarily connote economic depression amongst the lowest classes of agricultural labourers in that village. For before coming to a conclusion on the point it is first of all necessary to ascertain to what extent the daily labourers in the village are entirely dependent on their daily earnings, and the farm servants on the wages and extras paid by their own special masters. This cannot be done by a mere reference to the wage census statistics.

Mr. Moir has pointed out in his note already referred to that the wage census scheme takes no account of the number of days on which employment is not available. Mr. Moreland however came to the conclusion that it is quite hopeless to attempt to calculate the average amount of unemployment at different seasons, and overcame the difficulty by selecting for the wage census investigation a "normal" month in which it is assumed that the period of unemployment is practically constant. It is doubtful as I shall show later on, whether the selection of August for the whole of the Madras Presidency is from this point of view the best that could have been made. Again the census scheme does not provide for cases such as paddy husking, harvesting operations in many villages in the deltaic tract of Tanjore, and groundnut picking in many villages in South Arcot, where the wage is a certain proportion of the outturn.

13. In drawing up his scheme for the United Provinces Mr. Moreland selected August "as the month best suited for the purpose of recording rates of wages." His reasons are (1) that irrigation and harvesting which carry with them a special rate of remuneration are not in full swing in August and that the rate of wages paid in that month does not differ materially according to the class of work performed by labourers of the same capacity and (2) that the chances of sudden fluctuations in agricultural wages will be at a minimum in that month (paragraph 8 at page 23 of G.O. No. 1279, Revenue, dated 27th May 1907). The same month has been adopted for the wage census in Madras, the assumption being that August is a normal month throughout the Presidency. Agricultural practice however varies considerably from district to district, depending as it does not merely on rainfall distribution and the nature of the irrigation facilities but also on the soil. "A statistical atlas of the Madras Presidency, revised and brought

up to the end of fasli 1320" shows under paragraph 5 for each district, the average monthly cultivation, in hundreds of acres, for each taluk both for dry and wet lands. From a study of these figures it would appear that for Malabar district at least August is, on the criteria enunciated by Mr. Moreland, by no means the most suitable month for recording wages and that July would be a better choice. For the three districts of Chingleput, South Arcot and Tanjore the month of August is certainly more suitable than in the case of Malabar although the month of September would for these districts probably be more suitable still. I am extremely doubtful whether any one month in the year is suitable for recording wages in an area showing such great diversity of soil, rainfall distribution and irrigation facilities as the Madras Presidency. Instead of selecting August for the whole Presidency it would be better to select the month most suitable or most nearly normal for each district or group of districts. Local knowledge is necessary to decide which is the most suitable month, and district authorities might be consulted before making the selection. It is of considerable importance to select carefully the normal month as only in this way can the very great difficulty regarding the period of unemployment be overcome.

14. One defect of the wage census scheme which struck me repeatedly in the course of my local enquiries is that there is no provision for any scrutiny or check of the Revenue Inspectors' returns in the district before they are submitted to the Board's office. The system under which Revenue Inspectors' returns are sent up direct to the Board's office is based apparently on Mr. Moreland's observation (in paragraph 4 of his note, printed at page 11 of G.O. No. 1279, Revenue, dated 27th May 1907), that the replies should come at first hand to his office without any intermediate averaging in the tahsil or district. I am strongly of opinion that many of the mistakes and omissions which occur in Revenue Inspectors' returns would not appear if the return underwent scrutiny (without any averaging or compilation) in the taluk offices before submission to the Board. These mistakes and omissions are due, not so much to carelessness as to ignorance, on the part of inexperienced Revenue Inspectors, of the village customs which govern the relationship of landholders and their labourers and farm servants. For example I found several Revenue Inspectors who were quite ignorant of the fact that in certain villages, for measuring out grain wages, a measure is used which is slightly less than the measure used for all other purposes. And yet every ryot and labourer in these villages was well aware of this longstanding custom. Again inexperienced Revenue Inspectors omit many of the extras given, in some tracts, to farm servants on special occasions such as the first and last days of the harvesting season, the day on which transplanting is completed and so on. These omissions are due to the fact that inexperienced Revenue Inspectors do not know what questions to ask. The omissions are not it is true very important but it would certainly make for greater accuracy if the returns were scrutinized by Tahsildars and sent back where necessary to Revenue Inspectors for correction, before submission. Although it has been more than once pointed out that the villages selected for inquiry should be retained in successive censuses the instruction has again been overlooked in some cases at the 1916 census. In paragraph 1 of Board's Proceedings (Revenue Settlement, etc.), No. 60, dated 11th March 1916, it is stated "the village to be selected for the purpose of the wage census should be from among those selected at the last census. These same villages should be retained in the successive enumerations in order to facilitate comparison and to arrive at uniform results". In Shiyali taluk of Tanjore district out of 18 villages, selected as typical for the 1916 census only 12 were chosen from the 1911 census list. In Chirakkal taluk of Malabar district 13 out of a total of 24 villages selected for the 1916 census do not appear at all in the 1911 census list. Such mistakes must necessarily vitiate to some extent the value of the tabulated statistics for purposes of comparison.

15. Before proceeding to summarize my conclusions regarding the accuracy and the significance of the census statistics of rural wages it will be of interest to examine the figures given in table A in form G (printed at page 10 of G.O. No. 2275, Revenue, dated 29th July 1912), for the four districts of Chingleput, South Arcot, Tanjore and Malabar in connexion with the 1911 wage census.

These figures are abstracted below :—

Rates of daily wages in annas and pies (including money value of any supplements in kind) most commonly paid to agricultural labourers in selected villages in each district and the number of villages in which respectively such rates of wages are paid.

Rate of daily wages including value of payment in kind.	Total number of villages in which the stated rate prevails.			
	Chingleput.	South Arcot.	Tanjore.	Malabar.
1 to 2 annas	15	49	..	24
2 to 3	133	278	76	123
3 to 4	122	166	134	264
4 to 5	21	115	230	228
5 to 6	9	6	69	84
6 to 7	..	12	13	2
7 to 8	..	..	4	..
Total ..	300	626	526	725
Number of villages in which prevailing rates are 3 annas or less.	148 or 49·3 per cent of the selected villages.	327 or 52·2 per cent of the selected villages.	76 or 14·4 per cent of the selected villages.	147 or 20·3 per cent of the selected villages.

Relying on these figures one might argue that, as the percentage of villages in which the prevailing rate of wages does not rise above 3 annas for a male adult labourer per day is 14·4 per cent in the case of Tanjore and 20·3 per cent in Malabar as against 49·3 per cent in Chingleput and 52·2 per cent in South Arcot, the economic condition of the agricultural daily wage earner is much better in Tanjore and Malabar than in Chingleput and South Arcot, that he is best off in Tanjore and worst off in South Arcot. But any such inference would be entirely fallacious. For a very large proportion of the daily agricultural labourers in South Arcot have plots of land of their own and merely take up daily coolie work to supplement their income from other sources while the agricultural daily coolie in Tanjore is as a rule entirely dependent on his daily earnings. Again in Tanjore the agricultural labourer is generally a permanent farm servant or pannaiyal and not a daily coolie whereas in South Arcot the daily coolie is more common than the farm servant or padiyal. In South Arcot the agricultural labourer very often owns his own house and house-sites. In the deltaic part of Tanjore he rarely owns even the hut in which he resides and the house-site practically never belongs to him. The total number of emigrants from Tanjore and South Arcot districts in 1911 (the year of the wage census referred to) as shown in the Annual Report of the Board of Revenue on emigration, is as follows :—

Tanjore	84,389	(this includes both regulated and non-regulated emigration).
South Arcot	295	

If the condition of the agricultural labourers of the lowest classes was so much worse in South Arcot than in Tanjore as the figures quoted from table A in form G indicate, it is difficult to see why there should have been only 295 emigrants from South Arcot as against 84,389 from Tanjore. For it is undoubtedly the case that economic depression of the labouring classes is one of the main factors affecting emigration. It is perhaps true that facilities for emigration are greater in Tanjore than in South Arcot but that is wholly inadequate to explain the extraordinary difference in the emigration statistics for the two districts. Again in South Arcot the daily agricultural labourer can hope to pass earnings to the class of small landholders. In the deltaic parts of Tanjore he can scarcely entertain this hope and the cases in which he does pass to the land owning class are very rare indeed.

16. Enough has been said to show how very limited is the significance of the census statistics in respect of rural wages and how very restricted is the use to which these statistics can safely be put. The general conclusions I have come to may be summarized as follows :—

(1) The returns of rural wages sent in by Revenue Inspectors are on the whole fairly accurate, although in the case of farm servants it is sometimes almost

impossible to state accurately the amount of grain and other extras which should be regarded as pertaining to the man alone as distinct from his wife's share.

(2) Such inaccuracies and omissions as occur in Revenue Inspectors' reports might be rectified by a preliminary scrutiny in the taluk offices and by the issue in some cases of modified instructions, e.g., the instruction that in reporting wages of farm servants all cases should be omitted where the farm servant has taken an advance and agreed to serve till it is paid off, might be deleted.

(3) The return from Railway Administrations showing the daily wages paid to coolies for handling goods at certain country railway stations with heavy goods traffic may be abolished.

(4) Table II should be prepared by taluks or homogeneous groups of taluks instead of by districts.

(5) It should no longer be assumed that August is a normal month for the whole Presidency but the most suitable month for each district or group of districts should be selected for recording rates of wages in rural tracts.

(6) Even with these modifications the wage census statistics must necessarily be of very limited significance, as they take no account of various important factors such as the fact that women and to a lesser extent children also engage in agricultural labour and contribute to the family earnings, that the family is a much more suitable unit than the adult male labourer for wage recording purposes, that the number of daily labourers and farm servants who are entirely dependent on their wages bears no fixed ratio to the total population of the village, or even to the total number of agricultural labourers in the village and that the remuneration for certain kinds of agricultural work is by a proportion of the outturn.

17. Although I am very doubtful whether a wage census conducted on the present lines, however it may be modified in detail, can ever be of much value as an economic record, I am unable to suggest any practicable alternative scheme which would attain the object in view. A detailed study of the economic position throughout the period of a whole year, of several typical families selected from the lowest classes of agricultural labourers conducted at intervals of five years in two or three selected villages in each Revenue Inspector's firka would be of the greatest value. Account would have to be taken of the total earnings of all working members of the family throughout the year whether in cash, grain, or kind. Extras such as the gifts in grain, clothes, etc., which the farm servant receives on the occasion of his own marriage, or of a marriage in his master's house would be excluded but gifts or perquisites which he receives from his master at regularly recurring times such as Dipavali, Pongal, harvest, etc., would be included. The extent to which the family is dependent on wage earnings as distinct from any income it may derive from the cultivation of its own private lands or lands held on lease or for varam would have to be ascertained and recorded. The inquiry would be by no means simple, the work involved in collecting the information would be considerable and it is doubtful whether it could safely be entrusted to Revenue Inspectors without a great deal of supervision and guidance. The scrutiny of the Revenue Inspectors' reports would necessarily have to be done in the districts by some one possessing local knowledge. The compiling and digesting of the results would be a very laborious task and it would be impossible to reduce the results to a few simple tables which would show accurately the variations in agricultural wages.

18. I pass now to a consideration of the position of the agricultural (labouring) classes, as ascertained in the course of my local inquiries, in the four districts of Chingleput, South Arcot, Tanjore and Malabar. In the case of Chingleput district, I shall deal at the same time with the following three points (vide paragraph 2 supra).

(1) how far the freedom of labourers of Panchama and other classes is restrained by a system of "man mortgage";

(2) whether threats to oust labourers of these classes from their house-sites are used by landlords in order to force them to work at a low rate of wages;

(3) to what extent such labourers leave their villages to seek employment elsewhere in India or abroad.

19. The following table shows the total number of farm servants and field labourers in each of the four districts dealt with, as reported at the (population) census of 1911:—

		Total population of the district.	Actual workers, farm servants and field labourers.	Dependants of farm servants and field labourers.
Chingleput	.. .. .	1,406,008	165,164	116,320
South Arcot	.. .. .	2,362,566	336,673	219,132
Tanjore	.. .. .	2,362,689	234,155	188,317
Malabar	.. .. .	3,015,119	457,459	305,132

According to these figures, farm servants and field labourers and their dependants formed in 1911, 20 per cent of the total population of Chingleput district, 23.1 per cent of the total population of South Arcot, 17.9 per cent of the total population of Tanjore and 25.3 per cent of the total population of Malabar. The figures do not include cultivating land-owners or cultivating tenants. The proportion of the actual labourers (farm servants and field labourers) who returned subsidiary occupations at the 1911 census is very small except in Malabar, and even there it is scarcely 4 per cent. The vast majority, which returned no subsidiary occupation, is entirely dependent on daily or monthly agricultural wage-earnings. But in addition to these labourers who have no other means of subsistence, many cultivating tenants and also many petty landowners work as field labourers for daily wages, when they can spare the time from their own plots of land.

20. The majority of the field labourers whether daily coolies or farm servants, are Panchamas—Paraiyas in Chingleput and South Arcot, both Paraiyas and Pallars in Tanjore and Cherumas in Malabar. Farm servants or padiyals are almost invariably Panchamas, although in some villages especially in South Arcot a few caste Hindus also work as padiyals. Where caste men as well as Panchamas work as padiyals in the same village the wages and extras are practically the same. Sometimes the caste padiyal gets a slightly higher wage than the Panchama but in that case he has certain extra household duties to perform for his master. The Panchama padiyal on the other hand gets some petty extras or perquisites of little value which the caste padiyal does not. Although the caste padiyal or farm servant is comparatively rare, the caste agricultural daily labourer (male) is very common. The Panchama labourers however probably predominate. These daily agricultural caste coolies are drawn from the poorer sections of almost every caste except the Brahman. Female daily agricultural coolies are almost all Panchamas.

Appendix B shows the Panchama population of the four districts dealt with, as ascertained at the 1911 (population) census. It will be seen that except in Malabar the Panchamas far exceed the total number of farm servants, field labourers and their dependants mentioned in the table given in paragraph 19 supra. In Malabar district Iluvass, Thiyaas and Moplahs (who numbered 114,968, 603,298 and 911,783, respectively for the district in 1911), supply a fairly large proportion of the agricultural daily coolies. As regards the three Tamil districts of Chingleput, South Arcot and Tanjore it has to be noted that a large number of Panchamas are porakudis, cultivating tenants, etc., and that a certain proportion of the Panchama population of these districts lives in the towns and engages in general labour.

21. *Chingleput district.*—The economic condition of the Paraiyas in Chingleput district was very fully considered by the Board of Revenue and by Government in 1892—vide G.O. Nos. 1010-10-A, Revenue, dated 30th September 1892. A great deal of information about the condition, in the past, of the lowest classes of agricultural wage earners in general, is available in the following records:—

(1) G.O. No. 366, Revenue, dated 27th May 1888.

(2) G.O. No. 386, Revenue, dated 2nd June 1890.

(3) "A memorandum on the progress of the Madras Presidency during the last forty years", by S. Srinivasaraghava Ayyangar (particularly paragraph 59).

In paragraph 13 of the section on Chingleput district in "a statistical atlas of the Madras Presidency revised and brought up to the end of fasli 1320" (page 398), it is stated: "The condition of the people (Chingleput district) has been described by the district officers from time to time as poor". Amongst other causes to which he considers the backwardness of the district may be attributed, the writer mentions "the mirasi system which still operates to keep out the enterprising cultivator" and "the proximity of the Madras town and the attraction of emigration which draw off the best manhood of the district and give the rest a taste for luxury". Anything which tends to retard the economic progress of the cultivating landowners and cultivating tenants must necessarily affect adversely the agricultural wage-earners also. Accordingly in a district like Chingleput where poverty and poor cultivation are still fairly general characteristics, we may expect to find field labourers and farm servants sharing in the general backwardness.

22. *Daily agricultural labourers.*—In the fourteen villages of Chingleput taluk in which I made inquiries (vide Appendix A), the wages of a male adult daily agricultural labourer range from 3 annas to 4 annas a day. This includes the value of the midday meal and betel which is given in most of these villages. The wage is generally paid in cash except at harvest when the wage ranges from

* One heaped Madras measure of paddy is equal to 1.23 seers of 80 tolas. There is considerable diversity in the measures used for paying grain wages. In every case I ascertained the capacity of the local measure and have worked out the grain wages in terms of Madras measures.

2 to 3½ Madras measures* (heaped) of paddy. A female adult daily agricultural labourer gets from As. 1-3 to As. 2-9 a day (including the value of midday meal and betel). Her wage too is generally paid in cash except at harvest when she gets from 1½ to 2 Madras measures (heaped) of paddy. At harvest also in some villages a midday meal and betel worth from ½ an anna to 1 anna is given to both male and female coolies in addition to the grain wage. Paraiyas and Vanniyars (Pallis) form the vast majority of these daily labourers but there are also a few Idaiyars (Shepherd caste). On the whole they are fairly well off and can manage to live in moderate comfort in all ordinary years. Besides those who depend entirely for a livelihood on their daily wage earnings a considerable number of Paraiyas and Vanniyars who cultivate lands on varam occasionally hire themselves out as daily agricultural labourers.

In Madurantakam taluk where I made inquiries in nineteen villages the wage of the daily agricultural labourer is much more frequently a cash wage than a grain wage. Grain wages are however more common than in Chingleput taluk—in five out of nineteen villages wages are paid in grain throughout the year and not merely at harvest time. The male adult daily labourer's wage ranges from As. 2-6 to 4 annas a day (including the value of the midday meal and betel where these are customarily given) and the female daily labourer's wage from As. 1-6 to 3 annas a day (also including the value of food and betel). The grain wage ranges from one heaped Madras measure of paddy (= 1.23 seers of 80 tolas each) with a meal worth ½ an anna per day to 1¾ heaped Madras measures of paddy and a meal worth 1 anna per day in the case of a male labourer and from one heaped Madras measure of paddy and a meal worth ½ an anna to 1½ heaped Madras measures of paddy and a meal worth 1 anna a day in the case of the female labourer. At harvest of course the grain wage is considerably higher; a man gets then from 1½ to 3¾ heaped Madras measures of paddy a day and a woman 1½ to 2 (or in one village even 3) heaped Madras measures of paddy a day, with the usual daily meal worth from ½ an anna to 1 anna. The daily labourers are either Paraiyas or Vanniyars or in a few cases Idaiyars. The standard of living amongst these labourers seems slightly higher than in Chingleput taluk.

In Conjeeveram taluk I made inquiries in twelve villages. In three villages the daily agricultural labourer is paid in grain throughout the year, in eight villages he is paid in cash except at harvest and in one village he is paid either in grain or in cash, except at harvest when he is paid in grain only. The male daily agricultural labourer gets 2 to 4 annas a day (including the value of the

midday meal in the comparatively rare cases in which it is given) and the female daily agricultural labourer gets 1½ to 3 annas. Grain wages range from 1¾ heaped Madras measures of paddy without any extras to 2½ heaped Madras measures of paddy and a meal worth ¾ of an anna per day in the case of a man and from 1¾ heaped Madras measures of paddy to 2½ heaped Madras measures of paddy a day for a woman. During harvest the grain wage ranges from 2½ heaped Madras measures of paddy without any supplements to 3¾ heaped Madras measures of paddy and a midday meal worth 1 anna in the case of a man and from 1¾ heaped Madras measures of paddy without supplements to 2½ heaped Madras measures of paddy with a meal worth 1 anna per day in the case of a woman. The condition of the daily labourers in this taluk is slightly better than in Madurantakam. These labourers are mainly Paraiyas and Vanniyars.

In Saidapet taluk I made inquiries in 23 villages. In most villages the wage of the daily agricultural labourer is paid in money except at harvest. The money wage ranges from 3 to 6 annas per day for a man and from 1½ to 3 annas or even 4 annas per day in the case of a woman. These figures include the value of food or other supplements where these are customarily given. Where the daily wages are paid in grain at harvest they range between 2½ heaped Madras measures of paddy with a midday meal worth 1 anna to 4 heaped Madras measures of paddy without any supplement in the case of a man, and from 1½ heaped Madras measures of paddy with a midday meal worth 1 anna to 3 heaped Madras measures without any supplement in the case of a woman. The taluk is not very homogeneous. In the villages which lie within 7 or 8 miles of Madras the wages of agricultural labourers are affected by the demand for general labourers in Madras and are therefore very high. The daily agricultural labourers in the taluk are mainly Paraiyas and on the whole their condition is distinctly good.

In Tiruvallur taluk I made inquiries in sixteen villages. Daily agricultural labourers are paid perhaps more commonly in grain than in cash—in many villages both systems prevail side by side. The man's wage ranges from 2 heaped Madras measures of paddy and a meal worth ¾ of an anna per day to 2½ heaped Madras measures of paddy and food worth As. 1-6 per day. The woman's wage ranges from 1½ heaped Madras measures and food worth of ¾ of an anna per day to 2 heaped Madras measures of paddy and food worth As. 1-6 per day. The money wage including the value of food ranges from As. 2-9 to 4 (or exceptionally 5) annas a day for a man and from As. 2-3 to 3½ (or exceptionally 4) annas a day for a woman. As usual elsewhere, the grain wage paid at harvest is slightly higher than at other seasons.

In Ponneri taluk I made inquiries in fourteen villages. Daily agricultural labourers are paid almost as commonly in grain as in cash. In several villages both systems prevail side by side. The daily wage ranges from As. 2-6 to As. 4-6 (including the value of food and other supplements) for a man and from As. 2-6 to As. 3-9 (including supplements) for a woman. The daily grain wage ranges from 2 to 2½ heaped Madras measures of paddy with food, etc., valued at 1 anna (or even 2 annas in exceptional cases) for a man and is generally about 1½ heaped Madras measures of paddy with food, etc., valued at 1 anna for a woman. As in the other taluks the wage at harvest is generally paid in grain and is from 20 per cent to 50 per cent higher than the grain wage paid at other times. The condition of the daily agricultural wage earners in Ponnēri and Tiruvallur appeared to me to be less favourable than that of the same class in the other taluks. This is probably due to the fact that there is more irregularity of employment there than in the four southern taluks. The average period during which there is no demand for agricultural labour varies according to the tract from a few weeks to four or five months in the year. During that period agricultural coolies who depend entirely on daily earnings and hold no land on varam or other tenure have to seek other means of livelihood such as cutting and selling grass, burning lime, working at salt pans, working under contractors, etc.

23. Speaking generally it may be said that throughout the district the villages in which the lowest rates of wages (of daily agricultural labourers) prevail are

those in which such labourers have some other means of subsistence, such as cultivation of land held on varam, etc. It is of course wrong to infer that the economic condition of the labourer in such villages is necessarily very low, for his daily wage earnings form only a part of his total income. This fact seems to have been overlooked by the Rev. Andrew in his letter of the 9th June 1914. The general opinion in the villages which I visited is that wages of daily labourers in rural tracts have risen considerably in recent years and that the condition of these labourers has improved although it is very difficult to form a definite opinion as to the extent of the improvement. It may safely be said that in all ordinary years they can make enough to maintain themselves in moderate comfort.

24. The position of the padiyal or farm servant is not however quite so favourable. It is true that he has in most cases the advantage of regular employment and regular wages for the greater part of the year but his total annual income is very low. Although nominally a free agent he is in reality bound to his master by a debt which in most cases he can scarcely hope to repay.

The total number of padiyals in the district is probably one half to two-thirds of the number of male agricultural daily coolies, but it is impossible to estimate the relative numbers with any degree of certainty. The padiyal is in the vast majority of cases a Paraiya. Of the 98 villages in Chingleput district which I visited the padiyals in 71 villages are all Pariyas, in one village the padiyals are all Vanniyars, while in 16 villages most of the padiyals are Paraiyas the remainder being Nayaks, Vanniyars, Idaiyars and other castes. In the other 10 villages there are no padiyals at all.

25. I have already explained when discussing the wage census scheme, how difficult it is to arrive at a correct statement of the total annual income of the padiyal. It is however even more difficult, indeed it is practically impossible, to state briefly the income of the typical padiyal in a taluk or even in a Revenue Inspector's firka. For there is an extraordinary diversity in the forms in which the padiyals' remuneration is paid. Almost every village has its own custom regarding the numerous items which form the padiyal's total annual earnings.

One or two statements of general application may however be made regarding padiyals in Chingleput district. Practically all padiyals have loans or advances from their masters. So long as the padiyal works for the same master or his heirs, he has no interest to pay on the advance. Nor has he as a rule to repay any portion of the advance until he finally quits the master's service. Only in rare cases does the padiyal repay the advance by annual instalments deducted from his pay or perquisites. The amount advanced varies from Rs. 10 to Rs. 100 except in Tiruvallur taluk where it does not exceed Rs. 50. In Ponneri the advance in some cases amounts to Rs. 150.

In most villages (78 out of 88) the employers admit that the padiyals' engagement can be terminated at the latter's will and pleasure, at the end of the year, i.e., generally at the end of the Tamil month Ani. But this can be done only if the padiyal repays his whole advance and as he is rarely in a position to do so he has to continue to work under the same master for his whole life time. In some cases the master writes off the advance when the padiyal dies or becomes too old to work, but in many villages the amount of the advance is then transferred to the name of the padiyal's son, who has to work as a padiyal in place of his father. The son is regarded as liable not only for any advance he himself may have received but also for the advance transferred to his name from that of his father. Even when the padiyal changes masters at the end of the year this simply means that his debt passes with him, that is, the new employer advances enough money to pay off the former master's dues. In many villages however the mirasidars discourage any such changes especially in the case of those padiyals who are regarded as hereditary serfs.

In 10 out of 88 villages the mirasidars maintain that the padiyals are bound for life and can never leave their service without permission even if they repay all advances. The padiyals in these villages are, as a rule, too ignorant of their own rights to make any effective protest against the mirasidars' claims. Formerly

when a mirasidar made an advance to his padiyal he either noted the amount in his accounts against the padiyal's name or he obtained from the padiyal a "service agreement." The practice of taking these "service agreements" still prevails, but in some villages their place is being taken by ordinary promissory notes. The promissory note which the padiyal executes in favour of his master for the amount advanced, generally specifies the rate of interest due on the advance, but there is an oral understanding that no interest will be collected so long as the padiyal continues to work for his master. I have collected a few typical "service agreements" of comparatively recent date and have had them translated (vide Appendix C series). These "service agreements" are very rarely produced in the Civil Courts. If a padiyal refuses to work for his master or attempts to get employment elsewhere without paying off his advance, the master threatens to take action on the document and in this way frequently succeeds in getting back his padiyal. I am inclined to think that in some cases (probably comparatively rare) the village munsif makes use of his official position to assist in bullying the recalcitrant padiyal into submission. But I found it impossible to collect any definite evidence regarding such cases. The mirasidars hardly ever file civil suits on these agreements and in some villages they are inclined to regard ordinary promissory notes executed in their favour by their padiyals as a much more effective means of preventing the latter from leaving their service. I shall refer again to these "service agreements" in connexion with the system of "man mortgages".

In only 9 out of 98 villages in which inquiries were made in Chingleput district, do the mirasidars openly lay claim to the Cheri sites where their padiyals live. But I am inclined to think that in many villages in Chingleput district, where the mirasidars had not the courage to lay claim to the Cheri sites, in the presence of the assembled padiyals, at the time of my inquiry the threat of eviction from his house-site in the Cheri is quietly employed to prevent the padiyal from leaving his master in search of higher wages.

26. So greatly do customs vary from village to village in the method of payment of padiyals that it is impossible to draw up a simple tabular form showing the wages paid to padiyals in the district or even in the taluk. To illustrate this I shall summarize very briefly the results of my inquiries regarding padiyals' wages in fourteen villages of Chingleput taluk.

In the villages of Guduvancheri and Nandivaram the padiyal is given 35 Madras measures of paddy a month throughout the year and one meal daily worths Rs. $1\frac{1}{2}$ a month. He gets no separate "Kalam" or "Kalavasam" apart from his wife, but at harvest he gets $3\frac{1}{2}$ to $4\frac{1}{2}$ Madras measures of paddy as "betel-nut paddy". At Pongal he is given a cloth worth As. 10 to Re. 1, and some extra food, etc. His wife is bound to work for the same master when required, and is paid like the ordinary casual woman coolie except at harvest time. For her work at the harvest and threshing seasons extending over about four months in the year she receives "Kalam" amounting to about 118 Madras measures of paddy.

In Amanampakkam Shrotriyam village there are very few padiyals and they have also lands of their own. They receive as padiyals' wages Rs. 3 a month in cash, a daily meal worth Re. 1 a month, and a cloth (worth As. 12) once a year at Pongal. In addition they receive as harvest perquisites about 28 Madras measures of paddy or 22 Madras measures of ragi for the year, and as Pongal presents extra meals and about 3 Madras measures of paddy.

In Kolathur village the padiyal is paid 30 Madras measures of paddy for six months in the year and for the rest of the year he gets a share of the crop at the harvest amounting, on an average, to about 300 Madras measures of paddy (or 50 Madras measures per month). He is given no meals, but gets the usual Pongal present of a cloth worth As. 12. The padiyal's wife (or some other female relative) is bound to work for the same master during the harvest and receives for the three months to which on an average the harvest seasons of the year extend, about 150 Madras measures of paddy.

In Saiyur where there is a large number of padiyals, their wages are 24 Madras measures of paddy per month throughout the year, and a daily meal worth

Rs. 2 a month. Each padiyal gets as "betel-nut paddy" about 16 Madras measures of paddy a year, a cloth worth As. 12 at Pongal and some other trifling presents at Pongal, Deepavali, etc. The padiyal's wife is bound to work for the same master at the harvest seasons and receives as "Kalavasam", etc., about 120 Madras measures of paddy for four months' work in the year.

In Tirukkachiyur padiyals are paid 40 Madras measures of paddy a month throughout the year, and are given one meal daily worth Rs. $1\frac{1}{2}$ a month. They also receive 10 Madras measures of paddy a year as "betel-nut paddy", a cloth worth As. 12 at Pongal and certain other presents or perquisites of trifling value. His "Kalavasam" or share of the crop at harvest amounts to 125 Madras measures of paddy for the year.

In Sithamanur village padiyals are paid 38 Madras measures of paddy a month and receive a meal daily worth Re. 1 a month. They are also given a cloth worth As. 12 at Pongal and various other perquisites of trifling value. Their "Kalavasam" and "betel-nut paddy" amount to about 124 Madras measures of paddy a year.

In Tandalam the padiyal receives only 15 Madras measures of paddy a month throughout the year and a meal daily worth Re. 1 a month. He receives a cloth worth As. 12 at Pongal and certain other small perquisites at Pongal, Deepavali, etc., but he is given no "Kalavasam" unless his wife or mother or other female relative also works for the same master.

In Sembakkam the padiyal's monthly wage is 30 Madras measures of paddy throughout the year and in addition he receives a meal daily worth about Rs. 1-8-0 a month, a cloth worth As. 12 at Pongal, 50 to 60 Madras measures of paddy a year as "Kalam" and 5 Madras measures of paddy a year as "betel-nut paddy." The padiyal's wife is bound to work for the same master when required and when she actually works is paid at the rate of As. $1\frac{1}{4}$ a day except at harvest when she receives the same value in grain.

In Karumbakkam the padiyal receives 40 Madras measures of paddy a month throughout the year and a daily meal worth Rs. $1\frac{1}{2}$ a month. His wife is bound to work for the same master when required and is given As. $1\frac{1}{4}$ in cash and a meal worth $\frac{1}{2}$ anna for each day she works. At the harvest seasons however she receives in lieu of cash wages "Kalavasam" amounting to 200 Madras measures of paddy for the whole year.

In Mullikolathur the padiyal receives 36 Madras measures of paddy a month, in most cases throughout the year, and a daily meal worth Rs. $1\frac{1}{2}$ a month, a cloth worth As. 12 at Pongal and other small perquisites but no "Kalam" or "Kalavasam." The padiyal's wife is not in most cases bound to work for the same master.

In Nemmali padiyals are paid in cash, at the rate of Rs. 4 a month (or in some cases Rs. $4\frac{1}{2}$ a month) throughout the year. No perquisites or extras are given and the padiyals are never referred to as such, but as "Sambalakarans" although they receive advances free of interest and execute service agreements just like the padiyals of other villages.

In Kirapakkam the padiyal receives 34 Madras measures of paddy a month throughout the year, a daily meal worth Rs. $1\frac{1}{2}$ a month and betel worth about As. $2\frac{1}{2}$ a month, a cloth worth As. 12 at Pongal and certain other perquisites some of which are difficult to estimate. The padiyal's wife must work for the master when required. On an average she has four months' work in the year and for this she receives "Kalam" at harvest amounting to about 81 Madras measures of paddy while her husband gets as "Kalavasam" about 122 Madras measures of paddy for the year.

In Valuvadur the padiyals get either 45 Madras measures of paddy a month throughout the year and no meals, or $37\frac{1}{2}$ Madras measures of paddy monthly and daily meals worth Rs. 2 a month. The padiyal is given a cloth worth As. 12 at Pongal and his "Kalam" or "Kalavasam" amount to about 135 Madras measures of paddy for the year. The padiyal's wife has to work for the same master but receives separate remuneration.

27. Great as are the divergencies in the method of paying and in the amount of padiyal's wages within a comparatively small and homogeneous area like Chingleput taluk, they are still greater when the whole district is taken into account. In some cases the monthly wage is paid only during part of the year, and during the slack season the padiyal is left to shift for himself, although his master has always first claim on his services for any odd jobs there may be to do. Again the harvest perquisites ("Kalavasam, etc.") in some villages take the form of a definite proportion of the outturn so that part of the padiyals' annual income in such villages depends upon the nature of the season. I do not therefore propose to embody in my report details of padiyal's wages for each of the villages of Chingleput district in which I made inquiries, but simply to state certain general conclusions to which I have come.

28. As already remarked the padiyal in Chingleput district although assured of employment and a regular wage for at least the greater part of the year is, on the whole, not so well off as the daily agricultural labourer who is free to sell his labour to the best advantage. The padiyal, on the other hand, has the advantage in very bad years that his master, from motives of self-interest, will not allow him to starve whereas the casual daily coolie has to shift for himself. But the lot of the padiyal is, as a rule, far from a happy one. Not only is his wage the barest minimum necessary for subsistence but the burden of the debt which he owes his master, the fetters of the "service agreement" which he is generally induced to execute and the combination of the mirasidars against any attempt on his part to free himself, render his position very little better than that of a serf. In many villages the padiyal is still referred to as an "Adimaial" or slave, while the cloth given him at Pongal is generally known as "Sirai Panam" (slave money). It is quite true that many mirasidars treat their padiyals kindly enough, but too often the kindness ceases and is replaced by persecution when the padiyal attempts to break the bonds which fetter him.

29. In theory the system of "man mortgage" under which a padiyal binds himself or his son (or both) to work for the same master for a lifetime, in consideration of an advance of money, is now extinct. In village after village it was admitted by the mirasidars that such a system formerly prevailed and it would have been easy to make a collection of ancient "man mortgage" deeds. No such mortgage deed of recent date was however forthcoming and such agreements, if made at all nowadays, are merely oral. Needless to say, however, no mirasidar would admit having entered even orally into such an agreement with his padiyals, and I do not believe that such mortgages are now made. But, in effect, the pernicious system of advances, which the mirasidars undoubtedly encourage in order to increase their hold over their padiyals, differs very little from the "man mortgage." Padiyals' wages leave very little margin for saving and the knowledge that they can fall back upon their masters for a loan to meet the expenses of marriage and funeral ceremonies, etc., does not tend to promote a frugal habit amongst people who are naturally improvident. The "service agreements" contained in Appendix C show how very careful the mirasidar is to fetter the padiyal in every possible way, but they pass very lightly over or are purposely vague regarding the liabilities of the master. The document from Mandayur village No. 52 of Chingleput taluk (a registered document of 1914) is interesting, as it estimates the value of the padiyals' wages and "Kalavasam" at Rs. 36 a year.

One iniquitous feature of the advance system is that the padiyal's advance is hereditary and goes on accumulating from generation to generation (vide paragraph 25, sub-paragraph 3 supra). I believe that the legal position is that the padiyal's son is responsible for his father's debt or advance only to the extent of his father's assets, which are generally next to nothing. But the padiyal is, as a rule, too ignorant of his rights to know this. I have come across cases where the mirasidar has taken a pro-note or service agreement for a sum which includes the deceased father's debt as well as the son's own advance, but, generally, in villages where this system of hereditary debts prevails, the father's advances are simply retained in the mirasidars' books and the entry is made use of only when it is necessary.

to coerce a refractory padiyal by threats. In almost all cases advances made to padiyals by their masters are, within a certain limit, not intended to be recovered. Indeed in some few villages the mirasidars stated that they would refuse to accept them if they were offered. The object of the advance is to secure a permanent servant at a wage distinctly lower than the market rate, and to make it as difficult as possible for him to change masters, or at least to go to another master in a different village. The fact that the advance system does restrict the freedom of the padiyal is the cause, at least in part, of the extraordinary differences in padiyals' wages in villages which are comparatively near to each other. If the padiyal moves at all, he does so along with his load of debt and he rarely moves to another village.

It is difficult to see how the evils of the advance system can be mitigated. Any scheme of compulsory registration of padiyal advances in order to insure that the padiyal may know exactly his position with regard to his master, would be only too easy to defeat (e.g., by the substitution of ordinary pro-notes for service agreements. The master could by suing on these pro-notes harass the penniless padiyal into obedience). The only hope for the padiyal is so far as I can see education or emigration (please vide paragraph 9 of my Confdl. Dis. No. 1/17 submitted in reply to Board's Reference No. 1835, dated 13th September 1916). It is remarkable how the worst features of the padiyal system disappear in villages where the various Mission agencies have been for some time at work in educating the Panchama population.

30. I come now to the question whether threats to oust labourers (of Panchama caste) from their house-sites are used by the landlords in order to force them to work at a low rate of wage. I have already dealt briefly, in the last subparagraph of paragraph 25 supra, with the claim of the mirasidars in certain villages in Chingleput district to the cheri-sites in which their padiyals live. Such a claim is practically never put forward in the case of the ordinary casual agricultural coolie, but only in the case of the hereditary padiyal. Even in the case of the latter the threat of eviction is practically never translated into action, and the padiyal is, in most villages, well aware of the weakness of the mirasidars' claim to the cheri-site. Fortunately for the padiyal of Chingleput, the system prevalent in parts of Tanjore district under which the mirasidar obtains from his padiyal a Kur Chit (rent deed), or a recital in the "service agreement", acknowledging the mirasidar's full rights over the padiyal's cheri-site, is practically unknown in the former district.

31. It is not easy to give a definite answer to the question to what extent agricultural labourers of the depressed classes leave their villages to seek employment elsewhere in India or abroad. Appendix D gives particulars of emigration and immigration in respect of the whole presidency for the years 1900—1915. It will be seen that regulated emigration is very small, not only relatively to non-regulated emigration, but also absolutely. In the case of non-regulated emigration (to the Straits Settlements, Burma and Ceylon) it is impossible to collect figures showing the numbers of each caste which contributes to the total number of emigrants, or even the total number of emigrants who come from any particular district. In the case of regulated emigration, on the other hand, the native village and the caste, age, sex, etc., of each emigrant is recorded in the office of the Protector of Emigrants at Madras. In Appendix E I have shown for each taluk of Chingleput district the total number of indentured emigrants for the years 1890, 1895, 1900, 1905, 1910 and 1915, and also the number of those who belong to the Panchama caste. These figures include infants and children as well as adults of both sexes. The majority of non-indentured emigrants go to Ceylon and Burma, although very large numbers go to the Straits Settlements. In the case of the two former places the figures available do not distinguish between genuine emigrants and ordinary passengers. I have not been able to obtain any statistics of non-indentured emigration from Chingleput district alone.

With regard to the migration of labourers from Chingleput district to other places in India exact statistics are not available. Through the Labour Department of the United Planters' Association of Southern India only 400 coolies were

recruited from Chingleput district in 1914 (as against 5,784 from Malabar, 144 from South Arcot and 100 from Tanjore). Of the 400 coolies recruited in Chingleput most came from Madurantakam taluk where the number of padiyals as compared with free (casual) agricultural labourers is probably greatest, 3 from Tiruvallur and none from Ponneri taluks, where the proportion of padiyals to free (casual) agricultural labourers is probably smallest.

Speaking generally my inquiries in the villages show that agricultural labourers of the depressed classes in Chingleput district do not leave their villages except in small numbers to seek employment elsewhere in India or abroad. The rural villages adjoining Madras and its suburbs send large numbers of labourers to Madras (Perambur, Sembium, etc.) but these men generally return home every night.

32. It has been sometimes argued that one of the causes which contributes to the depression of the agricultural labouring classes in Chingleput district is the mirasi system. That the mirasi system has the effect of rendering it difficult for a low caste or Panchama non-mirasidar to acquire land for cultivation is undoubtedly true, but the magnitude of the effect has perhaps been unconsciously exaggerated. Out of 1,483 villages in Chingleput district, 1,298 are mirasi and 185 non-mirasi. Appendix F contains particulars of Panchama holdings as contrasted with the total holdings for the district in fasli 1325 in respect of mirasi and non-mirasi villages separately. In the mirasi villages Panchamas hold 4.2 per cent of the lands held on patta or inam tenure paying 3.6 per cent of the assessment due on the total holdings of the district; while in the non-mirasi villages the percentages are 5.2 and 4.5, respectively. As the revenue registry was brought up to date at the resettlement of the district these percentages represent with fair accuracy the actual position in respect of Panchama ownership of land. The extent of land (wet, dry, and manavari) registered as assessed waste in fasli 1325 was 15,186.50 acres in the mirasi villages and 4,536.40 acres in the non-mirasi villages of the district. The percentage of the area of assessed waste land to total holdings in fasli 1325 was therefore 2.4 in the mirasi villages and 4.1 in the non-mirasi villages. These statistics do not support the contention that the mirasi system has, to any very large extent, tended to prevent Panchamas in Chingleput district from acquiring land or to keep available waste land out of occupation.

33. I have, already, in my separate report on the amelioration of the depressed classes Confdl. Dis. No. 1/17, made various suggestions for improving their condition by providing additional cheri-sites, by the sinking of wells and by extension of elementary education. Any measures which will tend to promote temperance amongst them will necessarily also tend towards their uplift.

34. *South Arcot district.*—I shall deal much more briefly with the position of the agricultural labouring classes in South Arcot, Tanjore and Malabar districts.

In South Arcot district the wages of daily agricultural labourers are paid more frequently in cash than in grain; the system of money wages prevails in 38 out of the 62 villages which I visited while grain wages are given in the remaining 24. At harvest, of course, the wage in almost all villages is paid in grain. The wages whether paid in grain or in cash vary within extraordinarily wide limits. The following statement shows the maxima and minima for the villages visited in each taluk:—

Taluk.		Daily wage of an adult male labourer (at other times than harvest).	
1. Kallakurichi	..	1½ Madras measures of paddy.	4 annas in cash.
2. Tirukkōyilūr	..	1½ to 2 Madras measures of paddy with a meal worth 1 anna.	2 annas 6 pies to 3 annas with a meal worth 1 anna.
3. Tindivanam	..	1 to 1½ Madras measures of paddy with a meal worth 9 pies to 1 anna.	1 anna 6 pies to 3 annas with a meal worth 9 pies to 1 anna.
4. Cuddalore	..	1 to 1½ Madras measures of paddy with a meal worth 9 pies to 1 anna 6 pies.	2 annas to 4 annas with a meal worth 9 pies to 1 anna.

Taluk.	Daily wage of an adult male labourer (at other times than harvest).	
5. Gingee	1 to 2 Madras measures of paddy with a meal and betel worth 6 pies to 1 anna 1 pie.	2 annas to 5 annas with a meal and betel worth 6 pies to 1 anna 1 pie.
6. Chidambaram ..	2½ Madras measures of paddy and a meal worth 1 anna to 3 Madras measures of paddy without a meal.	2 annas to 4 annas with a meal and tobacco worth 1 anna 1 pie.
7. Villupuram .. ..	....	1 anna 6 pies to 4 annas with a meal and betel worth from 10 pies to 1 anna 1 pie.
8. Vriddachalam ..	1½ to 2 Madras measures of paddy.	2 annas to 4 annas and a meal worth from 1 anna 1 pie to 1 anna 7 pies.*

* Note.—In the village where 4 annas is paid no meal is given.

At harvest the grain wage is invariably higher than at other times. The condition of the daily agricultural labourer in the district is, on the whole, fairly good in all ordinary seasons. The ground-nut harvest affords labour to a vast number of female coolies who are generally paid according to the quantity they collect. Many of the labourers have small holdings of their own or take small plots on lease. Labour is in demand almost all the year round.

The lot of the padiyal in South Arcot is probably less miserable than that of the padiyal in Chingleput. Except in Kallakurchi taluk, the padiyal advance or debt rarely exceeds Rs. 100 and in many cases it is as low as Rs. 5 or Rs. 10. The hereditary system of debts which I have referred to in the case of Chingleput is almost unknown. The padiyal is not, as a rule, looked upon as a hereditary slave and the landowner whom he serves hardly ever asserts any claim to his padiyal's house-site.

The provision of additional cheri-sites for Panchamas, though not so pressing a need in South Arcot as in Chingleput district, should be systematically taken up. The need for drinking water wells for Panchamas is, perhaps, even greater in South Arcot than in Chingleput. But in South Arcot as elsewhere the greatest factor in improving the condition of the lowest classess of agricultural labourers must necessarily be the extension of elementary education and the promotion of habits of temperance and thrift.

35. *Tanjore*.—In Tanjore district, more especially in the deltaic taluks, wages both of padiyals and of daily agricultural coolies are considerably higher than in Chingleput or South Arcot. The proportion of padiyals to free daily agricultural labourers is probably higher than in Chingleput and certainly much higher than in South Arcot.

The cash wage predominates in the case of daily coolies. The male adult labourer's daily wage ranges from 4 annas to 8 annas or from 2 to 5 Madras measures of paddy. The position of the daily labourer is for the greater part of the year during which there is a demand for his labour, comfortable enough; but for 2 or 3 months in the slack season, he has difficulty in making a living.

The padiyal advance ranges from Rs. 5 to Rs. 120. The padiyal, although nominally free to change masters at the end of the year, is, in many villages, practically bound for life to his master. In the majority of the villages in the deltaic part of the district the house-site (and, very often also, the actual hut) of the padiyal belongs to his master whose right he acknowledges in the recital of his service agreement or in a separate kur-chit (rent-deed). It is true that rent is not often actually collected, but the threat of eviction is held out to prevent the padiyal from leaving his master in order to better his position. Although 'misiri right' in Tanjore has not been recognized by Government in the sense in which it is recognized in Chingleput, the mirasi feeling is fairly strong everywhere except in the dry tracts, and the mirasidars in most villages generally act together in all matters affecting their common interests, more especially in their relationship with their padiyals. The result is that the worst evils of the padiyal system as they prevail in Chingleput are found intensified in Tanjore. Emigration and

the consequent dearth of labour has already done much to improve wages both of daily labourers and of padiyals, and in several villages the Panchamas urged upon me that nothing should be done to restrict emigration.

The provision of drinking-water wells for Panchamas is not nearly so urgently needed as in Chingleput and South Arcot, but the question of free house-sites for the depressed classes in Tanjore is an extremely pressing and difficult one. The existing cheris are, in the majority of cases, insanitary and overcrowded and as they are generally surrounded by valuable wet lands unfit for house-sites, extension except at prohibitive cost is impossible. The selection of entirely new sites is, in most of the worst cases, impossible, because no suitable land is available for new settlements. I do not propose to discuss the emigration question as it has been fully considered recently by Government. Indentured emigration is only a small part of the emigration which takes place from Tanjore. The Panchamas themselves recognize that emigration has had the effect of raising the wages and improving the condition of those who remain and any measure which permanently restricts free emigration will, I think, have a prejudicial effect on agricultural labourers of the depressed classes in the district. All that I have said about the extension of elementary education of Panchamas in connexion with Chingleput district applies equally in the case of Tanjore.

36. *Malabar*.—In spite of the fact that social depression amongst the untouchables is perhaps greater in parts of Malabar than anywhere in Chingleput or Tanjore, I found practically no evidence of economic depression anywhere amongst the agricultural labourers of the depressed classes. There is a fairly steady demand for agricultural labour for the greater part of the year, and wages are almost as high as in Tanjore. The Cheruma, Puliya or Thiya farm servants who correspond to the Panchama padiyals or pannaiyals of Chingleput and Tanjore rarely have large advances. The maximum advance or debt is Rs. 25 in parts of Ernad and Wynaad taluks, but Rs. 5 to Rs. 10 is a much commoner figure and, in many villages, the farm servants have no advances at all from their masters. The result is that the farm servant in Malabar is a very much freer agent than the debt-bound padiyal of the East Coast and is able to take advantage of the demand for labour on the tea and rubber estates of the Wynaad, etc. The Malabar farm-servant is generally allowed to live rent-free on his master's land and the threat of eviction so common in Tanjore is almost unknown. The crowded and insanitary house-sites of the Panchamas in Tanjore, the total want of proper drinking-water wells so common in the cheris of Chingleput and South Arcot find no counterparts in Malabar. It is true that the Cheruma or Puliya farm-servant is, in some cases, still looked upon as a sort of slave and is sometimes even leased out to another landowner as a servant by his own master, but, on the whole, he is kindly treated and well-paid and lives in comparative comfort.

So far as Malabar is concerned no special measures are necessary on the part of Government, for improving the economic condition of the agricultural labourers of the lowest classes other than the extension of elementary education. The results already obtained at the night schools for Cherumas at Palghat and Calicut show that the depressed classes of Malabar respond very quickly to the influences of education.

37. In the report of the Director of Land Records and Survey, Behar and Orissa, referred to in paragraph 3 supra, the 'Kamiouti' system which corresponds very closely to the padiyal system of Chingleput, South Arcot and Tanjore is described as still extending (vide paragraphs 287 and 291 of the report). A description of paragraphs 284 and 285 of the report will show that many of the peculiarities as well as of the evils of the two systems are identical; but, I think, it is tolerably certain that the padiyal system is not extending in the districts I have visited in connexion with the present inquiry. Instances were brought to my notice in which Panchama free labourers or even Panchama petty landowners were reduced to the position of padiyals, but such cases were extremely rare. The converse case in which a padiyal rises to the position of a free labourer or even a petty landowner, although also comparatively rare, is more frequently met with.

APPENDIX A.

List of villages visited arranged by districts and taluks.

Chingleput district.

Name of taluk.	Number and name of village.	Name of taluk.	Number and name of village.	
(1) Chingleput.	5. Guduvancheri.	(4) Saidapet ..	360. Mattur.	
	6. Nandivaram.		364. Mettupalaiyam.	
	26. Ammanampakkam.		368. Vallam (zamin).	
	28. Kolattur.		320. Manimangalam.	
	52. Taiyur.		317. Padappai.	
	80. Tirukkachohiyur.		352. Sarappananjeri.	
	84. Sittamanur.		386. Kolattur.	
	120. Tandalam.		250. Sirukalattur.	
	128. Sembakkam.		251. Nandambakkam.	
	138. Karumbakkam.		121. Nemam.	
	183. Mullikolattur.		123. Kuttambakkam.	
	261. Nemali.		96. Paruttipattu.	
	264. Kiraipakkam.		192. Gurukambakkam.	
	303. Valuvadur.		195. Kovur.	
Total ..	14	Total ..	23	
(2) Maduranta-kam.	2. Perunagar.	(5) Tiruvallur.	123. Odikkadu.	
	3. Manampatti.		116. Kilanur.	
	11. Puntandalam.		147. Pundi.	
	44. Maruttuvambadi.		190. Odappai.	
	58. Nelvay.		128. Pullarambakkam.	
	95. Mattur.		16. Kadambattur.	
	106. Acharapakkam.		310. Polivakkam.	
	143. Perumperkandi-gai.		165. Vadamadurai.	
	207. Melkandai.		109. Velliyur.	
	215. Pakkam.		195. Kalavai.	
	219. Sirunallur.		186. Adilivakkam.	
	241. Vedavakkam (Shrotriyam).		197. Edembedu.	
	245. Karikkili.		196. Alapakkam.	
	301. Salavakkam.		194. Mailapur.	
	317. Sanur.		189. Devandavakkam.	
	338. Kilvalam.		201. Pondavakkam.	
	340. Kinar.		Total ..	16
	341. Budur.		(6) Ponneri ..	331. Uttukkottai.
	454. Sengattur.			286. Sattiyavedu.
Total ..	269. Arudur.			
19	265. Pandur.			
(3) Conjee-veram.	1. Damal.	141. Melmadalambedu.		
	21. Kilambi.	178. Medur.		
	107. Vallapakkam.	177. Vembedu.		
	119. Vedal (Shrotri-yam).	233. Tervali.		
	130. Tenneri.	199. Gummudipundi.		
	139. Kandur.	129. Arani.		
	153. Maduramangalam.	1. Alamadi.		
	164. Illuppappattu.	127. Sinnambedu.		
	12. Sittiyambakkam.	124. Vadakanallur.		
	227. Venpakkam.	22. Solavaram.		
	237. Angambakkam.	Total ..		14
	266. Tirumangalam.	(7) Tiruvallur.		331. Uttukkottai.
	Total ..			286. Sattiyavedu.
	12			269. Arudur.
(3) Conjee-veram.	107. Vallapakkam.			265. Pandur.
	119. Vedal (Shrotri-yam).		141. Melmadalambedu.	
	130. Tenneri.		178. Medur.	
	139. Kandur.		177. Vembedu.	
	153. Maduramangalam.		233. Tervali.	
	164. Illuppappattu.		199. Gummudipundi.	
	12. Sittiyambakkam.		129. Arani.	
	227. Venpakkam.		1. Alamadi.	
	237. Angambakkam.		127. Sinnambedu.	
	266. Tirumangalam.		124. Vadakanallur.	
	Total ..		22. Solavaram.	
	12		Total ..	14

List of villages visited arranged by districts and taluks—cont.

Name of taluk.	Number and name of village.	Name of taluk.	Number and name of village.
<i>Tanjore district—cont.</i>			
(4) Shiyali ..	{ 42. Edamanal. 12. Arasur. 67. Kattiyaniruppu.	(8) Arantangi. {	{ 4. Silattur (old No. 46 of Pattuk- kottai taluk). 40. Okkur (old No. 87 of Pattukkottai taluk). 13. Panjatti (old No. 55 of Pattuk- kottai taluk).
Total ..	3	Total ..	3
(5) Māya- varam. {	{ 86. Arupadi. 22. Villiyanallur. 98. Tirukkadaiyur. 41. Tiruvaduthurai.	(9) Kumba- kōnam. {	{ 163. Tirumangalak- kudi. 70. Devananjeri. 123. Nachchiyar- koyil.
Total ..	4	Total ..	3
(6) Mannārgudi {	{ 139. Ullikkottai. 85. Kunniyur. 13. Puvanur.	(10) Tirutturaip- pūndi. {	{ 24. Manali. 101. Alangadu. 19. Kaachanam. 66. Mulakkarai.
Total ..	3	Total ..	4
(7) Papanasam. {	{ 53. Nallur. 23. Maligaitidal. 109. Agaramangudi. 95. Alangudi. 126. Pundi.	(11) Nannilam. {	{ 34. Peralam. 176. Tirukannamangai. 113. Srivanjiyam. 80. Vishnupuram. 148. Tittachcheri.
Total ..	5	Total ..	5

Total, 40 villages.

Malabar district.

(1) Calicut ..	{ 42. Beypore. 67. Mayanad.	(6) Wynad ..	{ A. 51. Muppayanad. D. 13. Payingattiri.
Total ..	2	Total ..	2
(2) Ernad ..	{ 65. Nediyruppu. 181. Payyanad. 212. Trikkunnassheri.	(7) Kottayam. {	{ D. 195. Pattiyam. D. 27. Maruthayi.
Total ..	3	Total ..	2
(3) Walavanad. {	{ 126. Peruntalamanna. 86. Vaniyamkulam.	(8) Chirakkal. {	{ Ancharakandi. D. 170. Chirakkal. D. 118. Kurumattur. D. 14. Kokkanissheri.
Total ..	2	Total ..	4
(4) Palghat ..	{ 115. Elapulli. 108. Koduvayur.	(9) Kurumbra- nād. {	{ D. 16. Enamala. D. 94. Kuttipuram. D. 270. Pantalayini.
Total ..	2	Total ..	3
(5) Ponnāni ..	{ D. 271. Chalisseri. 403. Chavakkad. 404. Pavaratti. 5. Rayiri- mangalam. 31. Trikkandiyur.		
Total ..	5		

Total, 25 villages.

APPENDIX B.

Districtwar particulars of Panchama population.

Class of people.	Male.	Female.	Total.
<i>Chingleput district.</i>			
Paraiyars ..	176,500	174,029	350,529
Valluvans ..	2,558	2,286	4,794
Chakkiliyars ..	4,964	4,662	9,626
Malas ..	7,307	7,487	14,794
Madigas ..	1,709	1,602	3,311
Total ..	193,038	190,016	383,054
<i>South Arcot district.</i>			
Paraiyars ..	292,985	297,604	590,589
Valluvans ..	8,462	8,943	17,405
Chakkiliyars ..	9,378	8,970	18,348
Total ..	310,825	315,517	626,342
<i>Tanjore district.</i>			
Paraiyars ..	159,563	176,645	336,208
Valluvans ..	3,619	3,889	7,508
Chakkiliyars ..	2,103	2,165	4,268
Pallars ..	74,465	85,193	1,59,658
Total ..	239,750	267,892	507,642
<i>Malabar district.</i>			
Cherumas ..	117,853	130,002	247,855

APPENDIX C.

Translations of seventeen typical "Service Agreements" of Padiyals in Chingleput district.

(1)

MADURANTAKAM TALUK.

Perumpairkandigai village No. 143.

The personal varam document executed on 31st May 1911 jointly by Mari (1) and Ponnān (2), sons of Arya Puthiri residing at the cheri attached to village No. 143 Perumpairkandigai, Madurantakam sub-district of the Chingleput district, in favour of Nallatti Subbaraya Reddiyar, son of Nellatti Viraswami Reddiyar, Reddi by caste, Vaishnavaita, landlord, and residing at the abovementioned Perumpairkandigai village. In addition to the sum of Rs. 3-8-0 which we had borrowed already from your younger brother Ramaswami Reddiyar and Rs. 4 from you, we have received from you this day a further loan of Rs. 12-8-0 in cash. As we have thus received from you a total amount of Rs. 20 for the purpose of celebrating the marriage of Ponnān, one of us, we agree that, in lieu of interest on this sum, Ponnān will serve under you and cultivate your lands receiving the usual padi (wages) paid in the village. We hold ourselves responsible for seeing that he (Ponnān) performs all the work connected with the cultivation of your lands regularly. If he fails to discharge his duties to your satisfaction or stops work in the middle of the year or runs away from the village or commits breach of contract, we hold ourselves liable to the penalty which may be inflicted by a criminal court for breach of contract in accordance with the provisions of section 13 of the Act of 1859. Further, we agree also to make good your loss by the payment of a sum which is equivalent to one ploughman's wages each year and also to repay in a lump the sum advanced to us with interest thereon calculated at the rate of Re. 1 for Rs. 100 per mensem. If we fail to do so, you may realize the amount from us and from our properties according to law. Agreeing to these conditions we have executed this personal varam document with our full consent.

Kiral MARI.
,, PONNAN.

Witnesses—

Ellappa Mudali, Perumpair.
Subbaraya Mudali, Perumpair.
Lakshmana Pillai, Perumpair.
Venkatakrishna Reddi, Perumpair.
V. Ramaswami Reddi, Perumpair.
Written by P. A. Kumaraswami Pillai, Perumpairkandigai village.

APPENDIX C—cont.

Translations of seventeen typical "Service Agreements," etc.—cont.

(2)

MADURANTAKAM TALUK.

Pakkam village No. 215.

The al-varam cash document executed on 24th July 1908 by Tulukkan, son of Aiyar, Paraiya by caste, coolie, and residing at the cheri attached to village No. 215 Pakkam, Madurantakam sub-district of the Chingleput district, in favour of Palabadra Nayudu, son of Ramaswami Nayudu, Kamma by caste, landlord, and residing at Ozhukkuppakkam, hamlet attached to village No. 217 Silavattam of the Madurantakam taluk. I have received from you an advance of Rs. 7 in cash on condition that my son Narayanan should work under you as your padiyal receiving the padi, kanji and wage, etc., which are usually given to padiyals in the village. As I have borrowed this amount as a personal advance on my son, I agree that in lieu of interest due on this amount my son should discharge all the work connected with the cultivation of your lands regularly from this day onwards. In case he fails to do his duties regularly or if he wilfully stays away from work in the middle of the year, I agree that you may realize from me a sum equivalent to one ploughman's wages for the year to make good the loss incurred by you thereby and also the sum advanced to me with the interest thereon calculated at the rate of Re. 1 for Rs. 100 per mensem from the date on which he stops work under you. I agree that you may realize all your dues out of the sale-proceeds of my house which I have mortgaged to you on this account and which covers 4 cents of land in S. No. 80/A of village No. 215 Pakkam bounded as follows:—South of Govindan's house, east of the vacant house-site, north of the backyard of Anjan's house and west of Chinna Raja's house. Agreeing to these conditions I have executed this al-varam cash document.

Kiral TULUKKAN.

Witnesses—

B. Ayyalu Nayudu.

K. Muniswami Nayudu residing at the above village.

(3)

Mathur village No. 95.

The al-varam loan document executed on 16th March 1911 by Chinna Payyan, son of Parai Raman, residing at the cheri attached to village No. 95 Mathur, Madurantakam taluk, in favour of Vedachala Pillai, son of Karnam Vaidyanatha Pillai, residing at the abovementioned Mathur village. I have received from you paddy to the value of Rs. 30-12-0 for the purpose of celebrating my own marriage on condition that I serve under you as your padiyal. In lieu of interest on the sum due to you, I agree to cultivate your lands regularly receiving monthly padi (wages) and kalavasam (grain given at harvest). If I fail to work under you as stated above, I agree to make good the loss of crop thereby incurred by you calculated at the rate of 2 annas for each day of my absence and also to repay the amount I owe you with interest thereon. I have for this purpose mortgaged, without possession, the house with the garden attached to it, which is in my enjoyment and which is situated in S. No. 14 of Mathur village, bounded on the four sides as described below, viz., west of the Cheri street, south of the garden belonging to Suppan, east of the tank bund and north of the garden belonging to Periya Tambiran, and also the 3 cents of land belonging to me in S. Nos. 453 and 454 of the village; and I agree that you may realize the amount due to you from me and from the sale-proceeds of my house and land mentioned above. I have thus executed this al-varam loan document.

Kiral CHINNA PAYYAN.

Witnesses—

M. R. Venkatanaraya Reddi Rangaswami Reddi.

Written by P. Thaniyama Pillai, karnam of Mathur village.

(4)

SAIDAPET TALUK.

Serapananjeri village No. 352.

The al-advance loan document executed on 7th August 1911 by Murugan, son of Ponnai alias Attai, Panchama caste, Vaishnavaita, padiyal by profession, and residing at the cheri attached to village No. 352 Serapananjeri, Sriperumbudūr sub-district of the Chingleput district, in favour of Kuppu Raja, son of Seshachala Raja, Kshatriya caste, Vaishnavaita, landlord, and residing at the abovementioned Serapananjeri village. I have this day received from you a loan of Rs. 21 for the purpose of liquidating the debt I owe to Govinda Raja of Panuappakkam village in accordance with a document already executed by me in his favour. In lieu of the interest due on the amount thus advanced, I agree to work under you as your padiyal from this day onwards and cultivate your lands receiving a monthly wage of 87 jodus of

APPENDIX C—cont.

Translations of seventeen typical "Service Agreements," etc.—cont.

paddy measured with the old Conjeeveram jodu measure and also receiving one meal from you each day. I agree to do all your work including the cultivation of your lands as dictated by you or by your heirs on all the days of the month except that I may have two days' leave in each month. Should I fail to discharge my duties regularly as stated above, the padi (wages) due to me may be deducted at the rate of $2\frac{1}{2}$ padis (measures) per day for the days I absent myself from work and in addition I agree also to make good all the loss incurred by you on the lands entrusted to my care and to repay in a lump sum the principal amount of Rs. 21 advanced to me with the interest thereon calculated at the rate of Rs. 2 per mensem for Rs. 100 from the day on which I stop work under you. If I fail to work under you or to repay the amount as stated above, I agree that necessary action may be taken against me in a court of law. I have, with my full consent, executed this al-advance loan document.

Kiral MURUGAN.

Witnesses—

Pappayya Raja.

..... in Telugu.

Written by Pana Vaidyanatha Pillai.

Endorsement of the Sub-Registrar.

Produced before the Sub-Registrar of Sriperumbudūr at 2-29 p.m. on 8th August 1911.

Kiral MURUGAN.

Accepted that I have executed this document.

Kiral Murugan, son of Ponnai alias Attai, Panchama, cultivator, Serapananjeri.

Witnesses—

Vaidynatha Pillai, son of Sornam Pillai, Karunigar, karnam, Panappakkam.

Suppu Raja, son of Chinna Krishna Raja, Kshatriya, agriculturist, Panappakkam.

Registered—No. 32, Book III, volume V, pages 357 and 358.

Registration fee paid—12 annas.

(Intld.)

10th August 1911.

9th July 1916.

(5)

Kovur village.

Advance (contract) agreement dated 12th September 1913 executed by Vaithi, son of Viraraghavan, padiyal, Panchama, of Rendangattalai, now living at Kovur in favour of Ponnambala Mudaliyar, son of Nagappa Mudaliyar, cultivator, Vellala, of Kovur village, Poonamallee sub-district, Chingleput district.

To discharge the debt due to Muttu Reddiyar and to build a house for myself I hereby take a loan of Rs. 15 from you on the abovementioned date. Till I clear off the above sum I undertake to serve as your padiyal receiving from you the usual wages for a month, viz., 5 marakals of paddy (per month) and one meal (kanji) every day. If paddy is not available with you, I agree to take in its place $3\frac{1}{2}$ marakals of ragi or other inferior grain in its place. I will not stop away from my duties without your permission. If I do so, I agree to forego my wages at the rate of 3 annas per day. In case I pay up the above sum of Rs. 15 in a lump before the expiry of the six months' time, I will inform you previously about it, have the amount credited in the agreement and then stop away with your permission. But in case I abruptly stop away even before that time without doing my contract work, I undertake to pay you interest (for the whole sum of Rs. 15) at 2 per cent per month from the date of execution of this deed and you are at liberty to have the same collected with necessary cost in a court of law. If at any time you are not agreeable to my continuing to work under you, I shall pay at once the whole amount now taken. I will also be responsible for theft or loss of any grain, etc., from the threshing floor, etc. Thus runs the contract agreement.

This mark of VAITHI.

Witnesses—

Raja Kandaswami Mudaliyar.

.....

(6)

SAIDAPET TALUK.

Kolathur village No. 386.

Advance (contract) agreement executed on 2nd June 1916, by Payandi Nayakan, son of Sa. Kandappa Nayakan, Vanniya caste, Saivite, cultivator of Kolathur village, in favour of Tirumala Achariyar, son of Vasantam Varada Achariyar, cultivator, Vaishnava Brahman, of the same village.

APPENDIX C—cont.

Translations of seventeen typical "Service Agreements," etc.—cont.

In order to construct a house for myself, I this day (2nd June 1916) take a loan of Rs. 10 as advance from you and bind myself to work under you as your padiyal (farm servant) till 30th June 1917, during which period, I shall receive from you as monthly wages 10 marakals (of 4 measures each) value Rs. 4 of paddy every month. I shall undertake to gather the sheaves of corn, at the time of harvest, on the threshing floor, be present at the threshing, and hand over to you all the produce and shall receive from you the usual *kalavasam*. I shall then leave my work with your permission. In case I fail to act as agreed above, I shall be liable for any loss which accrues on account of my default. Thus runs the advance agreement of—

PAYANDI NAYAKAN.

Witness—

S. Srinivasa Achariyar.

(7)

CHINGLEPUT TALUK.

Nandivaram village No. 6.

The padiyal cash advance agreement deed executed on 15th December 1905 by Vellavasi, son of Thaliyari Para Kullam, Paraiya by caste, Vaishnavite, padiyal profession and residing at the cheri situated in village No. 6 Nandivaram attached to Chingleput sub-district of the Chingleput district in favour of Sivalinga Mudaliyar, son of P. Muthuvelappa Mudaliyar, Senguntha caste, landlord and residing at the abovementioned Nandivaram village. In accordance with the al-advance document executed by me already on the 19th August 1904 for the amount I received from you for the celebration of my marriage, I owe you Rs. 22-8-0. The cost of paddy which I received on that day is Rs. 2-8-0 and the value of the stamp paper required for the registration of this document is Rs. 0-8-0. Thus I owe you in all an amount of Rs. 25-8-0 and in lieu of the payment of interest on this amount I agree to serve under you as padiyal and cultivate your lands regularly from this day onwards without committing any mistakes, receiving the usual padi, etc., generally given to padiyals as wages in the village. If I wish to stop working for you I should do so only at the end of the year ending with the month of Ani and only after repaying the amount advanced to me and not otherwise. In case I fail to repay the amount accordingly or if I stop work in the middle of the year without your permission I agree that you may realize from me and out of my properties, the loss incurred by you calculated at the rate of 2 annas per day for each day of my absence and also the principal amount advanced to me. Agreeing to these conditions I have executed this padiyal loan agreement deed. In line three the word "son" is interlineation and in line four the word "Veeraswamy" is scored out.

Kiral VELLAVASI.

Witnesses—

Kalathi Mudali.
Ramaswami Nayudu.
N. V. Naina Mudali.
Kiral Kuru-Raghavan.

(8)

CHINGLEPUT TALUK.

Mandayur village No. 52.

The al-advance loan document executed on 17th January 1914 by Kalan, son of Irugan of Illalore (1), Thulukkanam, son of the abovenamed Kalan (2), and Murugan (3), Paraiyas by caste, Saivites, cultivators and residing at Periyaseri attached to village No. 52, Mandayur, Tiruppur sub-district of the Chingleput district, in favour of Appakkuty Mudaliyar, son of Somu Mudaliyar, Vellala by caste, Saivite, landlord and residing at the above-mentioned Mandayur village.

In accordance with the al-advance loan document executed already on 11th June 1882 by Kalan amongst us in favour of your grandfather, the amount we owe is Rs. 26. This amount together with Rs. 15 received by us from you for the marriage of Tulukkanam, Rs. 7-8-0 borrowed subsequently from you and Rs. 1-8-0 received by us for registration expenses amounts to Rs. 50 on the whole. In lieu of the payment of the interest due on the amount thus advanced to us, we agree that Tulukkanam and Murugan among us will serve under you for a period of 12 years discharging the duties of pannai (cultivation) work as well as the kalam work (i.e., work at the harvest season) receiving the usual rate of kalavasam which prevails in the village. In case they fail to discharge their duties we agree to pay the amount advanced to us together with the loss incurred by you calculated at the rate of 2 annas per diem per head for the

APPENDIX C—cont.

Translations of seventeen typical "Service Agreements," etc.—cont.

number of days they absent themselves from duty. If we fail to pay the above amount, we bind ourselves to undergo the punishment prescribed in the Madras Breach of Contract Act. Besides this we agree also to pay back the amount out of the proceeds which may be realized by the sale of our house situated in Resurvey No. 310/1 (cents 10) corresponding to paimash No. 2340 in Maduraperiyaseri of village No. 52, Mandayur, Tiruppur sub-district of Chingleput district. The boundaries of our thatched house with the backyard attached to it are as shown below:—South of the street, north of nanja lands, west of the house of Nallanvellai, east of the vacant site. The annual estimate of padi (wages) and kalavasam (grain at harvest) for the two individuals mentioned in this al-adamanam loan document executed by us is Rs. 36 each.

Kiral KALAN.

„ TULUKKANAM.
„ MURUGAN.

Witnesses—

Vaithi Ayyaswami Mudali residing in the abovenamed village.

U. Saravana Mudali. do.

Amur Saminatha Mudali.

Written by T. U. Vedagiri Mudali.

Registered document No. 66, Book I, Volume 106, pages 338 and 339 of Tiruppur Sub-Registrar's Office.

(9)

TIRUVALLUR TALUK.

Vadamadurai village.

The al-advance loan agreement deed executed on 29th June 1915 by Chinna Ellan, son of Muttisolaigan, Panchama by caste, Vaishnavite, cultivator and residing in Chinna cheri attached to village No. 165 Vadamadurai in favour of Jayaram Nayudu, son of Devayya Nayudu of Perumbudu village, Kamma caste, Vaishnavite, landlord and residing in the said Vadamadurai village, Tiruvallur taluk of the Chingleput district. I have this day borrowed from you a sum of Rs. 25 in cash for celebrating the marriage of Chinniraman (one of my sons) on the condition that he should work under you as a padiyal and cultivate your lands regularly from this day onwards. In lieu of interest on this amount I agree that he (Chinniraman) should continue to do work under you receiving 4 marakals of paddy per mensem and 1 meal each day from you. If he fails to discharge his duties regularly and stops working I agree that you may realize from me and out of the proceeds of my house hypothecated to you on this account, the amount I owe you with interest thereon calculated at the rate of Re. 1 for Rs. 100 per mensem from the date on which he stops away from work. Agreeing to these conditions I have executed this al-advance loan document.

The properties hypothecated are:—The two thatched houses built of mud wall and the backyard attached thereto which are situated in the southern row of Chinnaseri of Vadamadurai village and which are bounded on the north by the house of Thoppaigan, on the east by the house of Harichandran, on the south by the street and on the west by the house belonging to Balan and others.

Kiral CHINNA ELLAN.

Witnesses—

Ponnambala Mudali.

Kiral Murugan.

K. Bashyagar Nayudu.

Written by Tiruvengadaswami Nayudu.

Registered document No. 3205, dated 14th October 1915.

(10)

TIRUVALLUR TALUK.

Velliyur village.

The al-muthal advance (service) agreement deed executed on 12th September 1915, by Ponnann, son of Madattan Parai Venkatesan (1) and Parai Molachigan, son of Parai Maya-muthumonon of Thamarapakkam (2), residing in the cheri attached to Velliyur village, Tiruvallur taluk of the Chingleput district, in favour of Kosathayi Chettiyar residing in the said Velliyur village. We have this day borrowed from you a sum of Rs. 30 in cash for liquidating the debt we owed to S. Desu Nayudu and R. Gopalu Nayudu residing in Melkandigai attached to the said Velliyur village, on the condition that the said Molachigan will serve under you as a padiyal from this day onwards. In case he fails to discharge his duties regularly and stops work we agree to make good the loss which you would thereby incur, at the rate of 2 annas

APPENDIX C—cont.

Translations of seventeen typical "Service Agreements," etc.—cont.

for each day of his absence and also to repay the amount advanced to us with interest thereon calculated at the rate of Rs. 2 for Rs. 100 per mensem from the date of the execution of this document. In case we fail to pay the sum as stated above you may realize the same from us and out of the proceeds of our movable properties according to law. If in the middle of the cultivation season, the said Molachigan stops work and hides himself from your sight, Ponnann (one of us) will work under you in his place. The said Molachigan should receive from you one kanjee meal daily and 5 marakals of paddy as his monthly wage; if Molachigan wants to leave your service altogether he should do so only at the end of Ani in any year.

Kiral PARAI MARI PONNAN.
 „ MOLACHIGAN of Tamarapakkam.

Witnesses—

Chinnappa Nayakkan.
 Govindarasa Pillai.
 T. Doraiswami Nayakar.
 Written by K. Sambandan Pillai of the Velliur village.

(11)

CONJEEVERAM TALUK.

Venpakkam village.

The al-advance loan document executed on 15th August 1914 by Manikkam, son of Mottai of Panrutti, Panchama, Vaishnavite, padiyal by profession and residing at the cheri attached to Venpakkam village, Wallajabad sub-district of the Chingleput district, in favour of Chinna-swami Pillai, son of Raghava Pillai of Madavilagam, and the adopted son of Veera Pillai, Karunigar caste, Vaishnavite, landlord, karnam by profession and residing at the said Venpakkam village. The amount which I owe you is as follows:—(1) out of the total sum borrowed by my uncle Etti from Ramaswami Nayudu of Venpakkam for celebrating my marriage and that of my younger brother Ponnann, the amount which was spent on my behalf and which the village panchayat directed me to repay is Rs. 16-8-0; and I have received this amount from you in cash for making repayment to the above said Ramaswami Nayudu; (2) The amount which I borrowed from you for liquidating the debt which I owed to Ramaswami Nayudu of Venpakkam and for repaying my other family debts is Rs. 6-8-0; (3) the sum which brother Ponnann borrowed from you in cash and which I have agreed to repay is Rs. 2; (4) The amount which I have borrowed this day from you on behalf of my younger brother Chinna-payyan as decided by the village panchayat is Rs. 3; (5) the cost of the stamp paper is 8 annas. Thus I owe you in all a sum of Rs. 28-8-0 as per the five items enumerated above. In lieu of interest on this sum which I owe you I agree to serve under you as padiyal and cultivate your lands regularly, receiving my padi (wages) for twelve months in each year. If I absent myself for more than the one day allowable each month as a holiday, I agree to pay a penalty calculated at the rate of 2 annas for each day of my absence. I agree not to stop working under you except at the end of the year (ending with the month of Ani) and until I repay the principal amount I owe you and if I fail to repay the amount as stated above I agree that interest may be levied on the sum due at the rate of Rs. 2 for Rs. 100 per mensem from the date on which I stop work under you. In case I stop work in the middle of the year I agree to repay the amount I owe you with the interest thereon calculated at the rate of 1 anna on the rupee per mensem from the date on which I stop work under you. Agreeing to those conditions I have executed this al-advance loan document.

Kiral MANIKKAM.

(12)

TIRUVALLUR TALUK.

Kilanur village.

The al-muthal loan agreement deed executed on 11th July 1915 by Munian alias Sappai (1), Anaikutti (2) and Natesan (3), sons of Parai Raman, Paraiyas by caste, Vaishnavites, cultivators and residing in the cheri attached to Kilanur village, Tiruvallur taluk of the Chingleput district, in favour of Jatera Sangama Nayudu, son of Rangappa Nayudu, Kamma caste, Vaishnavite, landlord and residing in the said Kilanur village. We have this day received from you an advance of Rs. 17-8-0 in cash on the condition that Natesan, one of us, will serve under you as a padiyal and discharge his duties to your satisfaction receiving one meal daily from you, 5 marakals of grain each month as his monthly wage, one cloth worth Re. 1 and Re. 1 in cash annually as his annual income. He will continue to do his duties regularly, availing

APPENDIX C—cont.

Translations of seventeen typical "Service Agreements," etc.—cont.

himself of one holiday in each month. If he absents himself for more than one day in a month we agree that two padis (measures) of grain for each day of his absence may be deducted from his monthly wages as a penalty for his absence. As we have received the said amount of Rs. 17-8-0 this day, we agree that Natesan will serve under you as padiyal from this day onwards. In case the said Natesan fails to discharge his duties and stops work under you at the close of the cultivation season, we agree to repay at once the amount advanced to us, failing which we agree to repay the amount with interest thereon calculated at the rate of Rs. 2 for Rs. 100 per mensem from the date on which he stops work under you till the day of payment. If he stops work in the middle of the cultivation season, we agree that you may realize from us all the loss which you will thereby incur. Agreeing to these conditions we have executed this al-muthal loan agreement deed.

Kiral MUNIAN alias SAPPAL.
 „ ANAIKUTTI.
 „ NATESAN.

Witnesses—

K. K. Ragunathi Pillai.
 Namasivaya Pillai.
 Kannappa Asari.
 Written by Karnam Muthuswami Pillai.

(13)

CONJEEVERAM TALUK.

Vallappakkam village No. 107.

The service and mortgage agreement deed executed on 1st August 1912 by Sundaram, son of Vetti Mari, Panchama caste, coolie profession and residing at the cheri attached to village No. 107 Vallappakkam, Wallajabad subdistrict of the Chingleput district, in favour of Venkatachella Mudaliyar, son of Chinna Veeraswami Mudaliyar, Vellala, Saivite, trader in cereals and residing at the above-mentioned Vallappakkam village. I have this day received from you a sum of Rs. 8 (Rupees eight) for the purpose of liquidating the debt I owe to Vela Mudaliyar of Wallajabad and for the purpose of building a house for myself at Vallappakkam and in turn I agree to serve under you as your padiyal and cultivate your lands receiving 10 jodus of paddy per mensem and I bind myself that I should not go for work elsewhere causing loss to you till the amount advanced to me is repaid. In case I leave your service abruptly, I agree to pay in a lump sum all the loss incurred by you and if I continue to serve under you even after liquidating the debt, I agree to render my service for the year ending with Ani as is usual in the village and not to leave you in the middle of the year. If at any time during the period of my service I stop work without your permission or if I shirk work hiding myself from your sight, I bind myself to undergo the penalty prescribed in section 2 of Act XIII of 1859. I have executed this al-adamanam agreement deed with my full consent agreeing to the conditions stated therein.

Kiral SUNDARAM.

Witnesses—

Muniswami Mudali.
 Muthu Thiruvengkata Mudali, village munsif.
 Written by Rajabadar Mudaliyar, Kizh Ottivakkam.
 Compared with the original and found correct.

(14)

MADURANTAKAM TALUK.

Kinar village No. 340.

The al-advance loan document executed on 3rd September 1915 by Parai Chinna Payyan, son of Timmoor Ponnann, residing at the cheri attached to village No. 343 Kinar, Madurantakam subdistrict of the Chingleput district, in favour of Chella Perumal Mudaliyar, son of Govinda Mudaliyar, residing at the above-mentioned Kinar village. I have this day received from you an advance of Rs. 9 (Rupees nine) for liquidating the debt of Rs. 8-8-0 I owe to Vedachella Mudaliyar and for meeting the expense of 8 annas incurred for executing this document. As I have received the above sum of Rs. 9 as an advance I agree that my son Ekambaram will serve under you and cultivate your lands regularly from this day receiving 2 marakals of paddy as his monthly padi (wages) and one meal daily from you and also receiving the annual siraipanam (slave money) of 4 annas. If he stops working under you at the end of any complete year ending with Ani, I shall release him from your service by repaying the amount of Rs. 9 advanced to me and the excess padi (wages) if any received by him over his proper

Translations of seventeen typical "Service Agreements," etc.—cont.

dues. Should he fail to discharge his duties regularly as stated above and stop work abruptly in the middle of the year, thereby causing loss to you, I agree that the loss so incurred by you on the lands entrusted to his care, also the amount advanced to me and the excess wages due from him may be realized from me and from my properties with interest thereon. Agreeing to these conditions I have executed this al-advance loan document.

Kiral PARAI CHINNA PAYYAN.

Witnesses—

Visvanatha Mudaliyar.
Velu Mudaliyar, Avadi.
Written by Vaidyanathan.

(15)

MADURANTAKAM TALUK.

Sanur village.

The agreement deed executed on 11th June 1911 by Chinna Payyan alias Valakkan, son of Mottai Ammal, residing at Sanur village attached to Madurantakam subdistrict of the Chingleput district, in favour of Manikka Mudaliyar, son of S. Thiruvengkata Mudaliyar, residing at the above-mentioned Sanur village. I have this day received from you an advance of Rs. 27-8-0 and in turn I agree to serve under you and cultivate your lands regularly from this day onwards doing all the work as occasion necessitates receiving as my wages 12 marakals of paddy per mensem measured with the marakal which is now in use in the village and receiving also one bowl of ragi conjee (கோப்பைக்கூழ்) daily from the 1st of Adi till the 30th of Margali and three marakals of paddy each month instead of the daily conjee from the 1st of Thai till the 30th Ani. If I absent myself more than one day in a month I agree that from the padi (wages) due to me for each month a deduction may be made at the rate of two annas for each day of absence. I should also receive from you the usual siraipanam (slave money) of 10 annas annually. In case I leave your service altogether I agree to repay the amount advanced to me at the end of any year ending with the month of Ani, thus cancelling this agreement deed. Should I fail to abide by the provisions contained in this deed or in case you incur loss on account of my wilful neglect of duty I agree to undergo the punishment which may be inflicted by a criminal court for breach of contract in accordance with Act XIII of 1859. Further, I hold myself responsible for all the loss which you would incur on the lands entrusted to my care. Agreeing to these conditions I have executed this agreement deed. This document was read over to me and accepted by me as correct.

Kiral CHINNA PAYYAN alias VALAKKAN.

Witnesses—

Vijiaranga Mudali, Sanur.
Kiral Murugan.
(Not legible.)
Written by S. K. Narayanaswami Mudaliyar.

(16)

Pulikoradu village No. 214.

The personal service agreement deed executed on 14th January 1915 corresponding to the Tamil second Thai of Kurothi year by Tholuvan, son of Parai Ponnai (1) and Kuppan, son of the above-named Tholuvan (2), Pariahs by caste, Saivites, padiyals by profession and residing in the cheri attached to village No. 214 Pulikoradu, Madurantakam subdistrict of the Chingleput district, in favour of Musal Nayudu, son of Muttu Nayudu of Mutler, Kamma by caste, Vaishnavite, landlord and residing at the above-mentioned Pulikoradu village. We have received this day from you a loan of Rs. 19 in advance on condition that Kuppan, one of us, should serve under you as your padiyal and cultivate your lands receiving the usual padi (wages) paid in the village, viz., 16 marakals of varagu per mensem, conjee once daily and Rs. 3 as his annual wages. We agree to repay the amount advanced to us by receiving 12 annas only, out of the annual wages due to Kuppan (the balance remaining with you as part repayment of the amount advanced). As you have promised also to give such further advances to us as you think proper to meet the urgent expenses of Kuppan during the period of his service under you we agree to repay also the loan so advanced to us by his continuing to work under you as padiyal in the manner stated above. If he (Kuppan) fails to act accordingly we agree that you may take action against us for breach of contract of service according to the provisions of Act XIII of 1859. If even after that we fail to work under you or in case we stop work under any pretext while the money due by us still remains unpaid we agree that besides the punishment which we may be subjected to by the order of a criminal court, you

Translations of seventeen typical "Service Agreements," etc.—cont.

may realize the amount advanced to us with the interest thereon from the date on which we stop work, by taking action against us and our properties in a civil court. Agreeing to these conditions we have executed this service agreement deed.

Kiral THOLUVAN.
,, KUPPAN.

Witnesses—

Venkataswami Nayudu, Pulikoradu village.
Arunachella Chetti alias Raja.
Ponnuswami Kavundan of Theruvilacherry.
Puli-Subba Nayudu.
Madala Chinnaswami Nayudu of Pakkam.
Written by A. Vedachella Pillai, Karnam, Pulikoradu village.

(17)

CONJEEVERAM TALUK.

Angampakkam village.

The al-advance loan document executed on 26th August 1914 by Vavuttan, son of Mandi, Pariah by caste, Saivite, padiyal profession and residing at the cheri attached to village No. 237 Angampakkam, Wallajah subdistrict of the Chingleput district, in favour of Krishnaswami Mudaliar, son of Varadappa Mudaliar, Vellalar, Saivite, agriculturists and residing at the above-mentioned Angampakkam village. I have this day received from you an advance loan of Rs. 25 to enable me to repay the amount I borrowed for my marriage from Arumugam Mudaliar. In lieu of the interest due on the amount thus advanced to me I agree to serve under you and to cultivate your lands receiving the usual padi (wages), kalavasam (grain given at harvest) and siraipanam (slave money), etc., from you according to the custom of the village. If you incur any loss on account of my neglect of duty I agree to pay back the loss so incurred to you. After the expiry of twelve years if I leave your service or if you are in need of the money then, I agree to repay the amount of Rs. 25 advanced to me at the end of any year at the end of the month of Ani. With my full consent and agreeing to the conditions stated herein I have executed this al-advance-agreement.

Kiral VAVUTTAN.

Witness—

Endorsement of the Sub-Registrar.

Document No. 21, registered on 31st August 1914, book V, Volume V, page 21. Registration fee paid, As. 6.

Sub-Registrar.

Particulars of the regulated and non-regulated emigrants and immigrants of the Presidency for the years 1900—1915.

Years.	Regulated emigrants.		Non-regulated emigrants.	
	Emigrants.	Immigrants.	Emigrants.	Immigrants.
1900	1,801	600	370,734	236,950
1901	10,176	618	280,406	235,548
1902	5,879	1,251	208,671	229,169
1903	3,731	1,630	269,810	250,287
1904	7,167	1,484	294,702	252,248
1905	9,611	1,755	393,092	288,293
1906	8,873	2,697	366,417	294,919
1907	6,759	2,664	328,311	284,431
1908	2,190	3,107	379,411	295,029
1909	2,735	3,000	356,872	300,712
1910	5,979	2,743	416,802	323,350
1911	6,256	1,936	405,207	293,351
1912	2,546	1,820	413,766	324,368
1913	2,266	1,533	450,567	357,696
1914	854	2,104	281,935	333,166
1915	1,852	3,497	386,835	277,363
Total 16 years ..	93,674	32,339	5,603,537	4,576,880
Average per year ..	5,855	2,021	350,221	286,055

APPENDIX.

APPENDIX E.

Statement giving particulars of indentured emigrants from Chingleput district.

	1915		1910		1905		1900		1895		1890	
	Total emigrants.	Panchamas.	Total emigrants.	Panchamas.	Total emigrants.	Panchamas.	Total emigrants.	Panchamas.	Total emigrants.	Panchamas.	Total emigrants.	Panchamas.
1. Chingleput ..	35	18	88	47	431	258	156	66	57	9	231	82
2. Conjeeveram ..	37	14	82	29	168	51	560	141	78	13	169	30
3. Tiruvallur ..	19	8	52	13	246	91	409	128	24	8	92	18
4. Madurantakam ..	32	10	176	78	747	366	298	122	75	14	326	178
5. Saidapet ..	21	4	64	24	137	71	172	102	55	18	410	175
6. Ponneri ..	5	..	54	38	313	88	87	17	21	5	36	9
Total ..	149	54	516	229	2,042	925	1,682	576	310	67	1,264	492

APPENDIX.

APPENDIX F.

Taluk.	(2)	Mirasi villages.										Non-mirasi villages.										
		Parayar holdings.					Total holdings.					Parayar holdings.					Total holdings.					
		Pattas.	Extent.	Assessment.	Pattas.	Extent.	Assessment.	Pattas.	Extent.	Assessment.	Pattas.	Extent.	Assessment.	Pattas.	Extent.	Assessment.	Pattas.	Extent.	Assessment.	Pattas.	Extent.	Assessment.
(1)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)
Chingleput ..	232	2,140	3,928.21	Rs. A. 8,690 1	25,692	94,673.08	Rs. A. 2,66,315 12	4.18	3.40	5	48	61.84	181 11	1,004	2,868.80	10,213 3	Rs. A. 10,213 3	2.15	1.77	..	..	
Conjeeveram ..	174	1,463	2,399.99	5,566 13	21,213	75,915.65	2,46,093 9	3.17	2.26	21	266	441.75	934 6	3,175	13,547.26	42,645 8	3.26	2.30	..	..		
Tiruvallur ..	144	2,623	4,859.40	12,648 6	22,183	84,467.84	2,44,906 5	5.75	5.16	25	206	222.79	371 9	2,721	7,553.60	16,496 9	2.94	2.25	..	..		
Madurantakam ..	339	2,766	5,306.08	12,180 11	40,326	166,451.08	4,49,987 15	3.18	2.70	15	147	299.95	599 0	2,092	7,952.86	25,619 5	3.77	2.33	..	..		
Saidapet ..	282	2,815	5,869.77	13,764 6	34,074	133,332.52	3,97,874 15	4.39	3.45	19	646	1,538.75	4,491 6	3,284	11,084.56	34,558 13	138	13.0	..	..		
Ponneri ..	127	2,135	3,664.59	11,425 11	17,081	63,829.22	2,02,657 0	5.74	5.63	100	2,153	3,138.34	4,943 5	20,513	67,207 80	1,25,974 7	4.67	3.92	..	..		
Total ..	1,298	13,998	26,058.04	64,276 0	160,569	618,869.39	17,96,832 8	4.2	3.6	185	3,466	5,703.42	11,574 5	32,794	110,214.98	2,55,537 14	5.2	4.5	..	..		
Total of mirasi and non-mirasi villages.	1,483	17,464	31,761.46	75,850 5	193,363	729,084.37	20,52,370 6	4.3	3.7	..	..	..	..	..	..	..	..	..	..	..	..	

Pattas shown in columns (3) and (12) include single and joint pattas and inam T.D's. All pattas in which even one Panchama name appears were classed as Pariah pattas. The figures are for fasli 1326.

APPENDIX VIII

[Vide answer to question No. 62 asked by the Hon'ble Rao Bahadur M. Ramachandra Rao Pantulu at the meeting of the Legislative Council held on the 12th February 1918, page 173 supra.]

Statement of secondary schools with the amounts of grants in aid of their Provident funds for 1917-18.

	RS.
1. Onslow Institution, Chatrapur	104
2. Surangi Raja's Incomplete Secondary School, Ichchapur ..	88
3. Hindu High School, Masulipatam	602
4. A.B.M. High School, Ongole	193
5. A.E.L.M. College, Guntur	1,150
6. A.E.L.M. Sylvanus Stall Girls' High School, Guntur ..	163
7. Coles Memorial High School, Kurnool	214
8. London Mission High School, Gooty	182
9. H.E.L.M. High School, Tirupati	243
10. Hope High School, Madanapalle	27
11. O.E.L.M. Secondary School, Puttur	80
12. St. Gabriel's High School, Georgetown, Madras ..	275
13. Kellet High School, Triplicane, Madras	367
14. Harris High School, Rayapetta	229
15. Muthialpet High School, Madras	801
16. Hindu Theological High School, Madras	396
17. Pachaiyappa's High School, Madras	819
18. Wesley College, Rayapetta, Madras	463
19. Govinda Nayakar's Incomplete Secondary School, Madras ..	331
20. U.F.C.M. Boarding Girls' High School, Rayapuram ..	118
21. C.S.M. Girls' school, Kilpauk	119
22. U.F.C.M. Girls' Day School, Georgetown	121
23. London Mission Bentinck Girls' High School, Georgetown ..	95
24. C.R.C. Secondary School, Perambur	359
25. Wesleyan Mission High School, Tiruvallur	162
26. U.F.C.M. High School, Chingleput	187
27. U.F.C.M. High School, Conjeeveram	346
28. D. Ramaswami Chetti's Incomplete Secondary School, Big Conjeeveram.	38
29. Voorhee's College, Vellore	186
30. C.S.M. Incomplete Secondary School, Arkonam	64
31. Pachaiyappa's High School, Chidambaram	373
32. Wesleyan Mission High School, Negapatam	228
33. High School, Tirukattupalli	336
34. Central High School, Tiruvadi	84
35. Banadurai Secondary School, Kumbakonam	142
36. Raja's High School, Ramnad	211
37. A.M. High School, Pasumalai	118
38. High School, Gopalasamudram	171
39. Coimbatore College	355
40. Diamond Jubilee High School, Gobichettipalayam	237
41. London Mission High School, Coimbatore	367
42. Kanara High School, Mangalore	368
43. Rozario Incomplete Secondary School, Mangalore	59
44. Ganapati	120
45. Hindu High School, Triplicane, Madras *	about 700
46. Pachaiyappa's High School, Big Conjeeveram †	501
Total	12,892

* Grant not yet sanctioned pending statement of management's contribution, last year's grant, Rs. 699.

† Grant not yet sanctioned.

APPENDIX IX.

[Vide answer to question No. 67 asked by the Hon'ble Mr. Gordon Fraser at the meeting of the Legislative Council held on the 12th February 1918, page 174 supra.]

List of holders of Auditors' certificates granted by the Government of Madras in accordance with the rules made under section 144 (2) of the Indian Companies Act, 1913.

	Permanent.
Number and name.	Address.
1. M.R.Ry. Pandit Vidya Sagar Pandya.	Secretary, Indian Bank, Limited, Madras.
2. Mr. F. H. Oakley	No. 15, Armenian Street, Madras.
3. M.R.Ry. Rao Bahadur A. Krishna-swami Rao.	No. 3, Nagappier Street, Tiruvettiswaranpet, Mount Road, Madras.
4. Mr. A. Salanson	No. 27, Broadway, Madras.
5. M.R.Ry. D. R. Balaji Rao	No. 36, Singarachari Street, Triplicane, Madras.
6. Mr. L. Drysdale	Officer in charge, Basel Mission Industrials, Calicut.
7. M.R.Ry. G. Narasimham	No. 5, Mount Road, Madras.
8. " M. K. Rajagopala Achari ..	Post Box No. 1001, Kilpauk, Madras.
9. " T. S. Rangaswami Ayyar ..	Public Accountant and Auditor, Tiruvanaikoil, Trichinopoly.
10. " T. Gopalaswami Ayyar ..	Retired Deputy Collector, Sanskrit College Street, Mylapore, Madras.
11. Mr. J. Boxall	Secretary, Messrs. Dymes & Co., Limited, Madras.
12. Mr. J. H. Thonger	Managing Director, Messrs. Spencer & Co., Limited, Madras.
13. Mr. J. B. S. Bunch	Secretary, Messrs. Addison & Co., Limited, Madras.
	Temporary.
1. M.R.Ry. P. R. Lakshman Ram Ayyar.	No. 107, Viraraghava Mudali Street, Triplicane, Madras.
2. " T. S. Viswanatha Rao ..	No. 18, Arisikara Street, Mylapore, Madras.
3. " K. V. Venkataramana Ayyar.	Assistant Master, M. H. School, Karur.
4. " M. Narayan Singh	No. 24, Kelava Chetti Street, Chintadripet, Madras.
5. " K. V. Ramaswami Ayyar ..	Secretary, Sri Krishna Vilas Nidhi, Limited, Coimbatore.
6. " J. C. Subbaya Nayudu ..	Pensioner, No. 6/87, Oopanakara Street, Coimbatore.
7. " G. Venkatachalam Chetti ..	Government Pensioner, Bellary.
8. " B. L. Narasimhaswami ..	Commercial Instructor, Raja's College, Parlakimedi.
9. " U. Ananda Rao	Superintendent, Bank of Madras, No. 19, Museum Street, Bangalore.
10. Mr. C. Barbosa	Accountant, Messrs. Madura Company, Limited, Calicut.
11. Mr. D. Ross	Accountant, Sports View, Ootacamund.
12. M.R.Ry. J. V. A. Rajendram ..	Head Clerk and Chief Accountant, Madras Christian College, No. 20, Murugappa Mudali Street, Purasawakam, Madras.
13. " N. Ramachandra Ayyar ..	Accountant and Head Clerk, Magnesite Syndicate, Limited, Suramangalam.
14. " T. C. Ranganatha Rao ..	Public Accountant, Srirangam Post Office, Trichinopoly.
15. " P. Shanmugam Mudaliyar ..	No. 18, Muthu Mudaliyar Street, Royapettah, Madras.
16. Mr. J. A. Hart	Government Pensioner, Bungalow No. 30, Officers' Lines, Pallavaram.
17. M.R.Ry. B. R. Sivappa Chetti ..	Manager, Public Fund, Limited, Adoni.
18. " T. M. Sankaranarayana Pillai.	Agent, Empire of India Life Assurance Company, Limited, Tachanallur, Tinnevely Bridge.
19. " N. Bhagavan Sarma	Accountant and Auditor, Maharanipet, Vizianagram.
20. " K. Krishna Rao	Public Accountant and Auditor, Messrs. Innes & Co., Cocanada.
21. " S. N. Krishna Ayyangar ..	Manager, Trichur Timber Saw Mills, Trichur.

List of holders of Auditors' certificates granted by the Government of Madras in accordance with the rules made under section 144 (2) of the Indian Companies Act, 1913—cont.

Temporary—cont.

Number and name.	Address.
22. M.R.Ry. N. S. Ramaswami Ayyar ..	Public Accountant and Auditor, Court View, Coimbatore.
23. „ K. A. Sankara Ayyar ..	Accountant and Auditor and Headmaster of Dubash Kader's Commercial School, No. 1315, New Street, Madras.
24. „ M. R. Balasubrahmanya Ayyar ..	Public Accountant and Auditor, No. 82, Pattamangalam Street, Mayavaram.
25. „ W. J. Siromani ..	Assistant Accountant, Messrs. T. Stanes & Co., Limited, "Stanes College," Coimbatore.
26. „ P. Venkatadri Ayyar ..	Commercial Instructor, Native High School, Palghat.
27. „ V. Shangaran ..	Import Head Clerk, Messrs. Pierce Leslie & Co., Limited, Calicut.
28. „ M. S. Krishna Rao ..	No. 2, Coelho Street, Mangalore.
29. Mr. E. A. Gillon ..	Manager, Messrs. Oakley Bowden & Co., Madras.
30. Mr. F. S. G. Bayly ..	Auditor, Kaity P.O., The Nilgiris.
31. M.R.Ry. S. Anantapadmanabha Ayyar ..	Commercial Instructor, Madura College, Madura.
32. „ G. Somasundram Ayyar ..	Commercial Instructor, St. Peter's High School, Tanjore.
33. „ G. Sitarama Chetti ..	Merchant, Bellary.
34. „ D. V. Hanumanta Rao ..	Honorary Chairman, Municipal Council, Bozwala.
35. „ T. S. Subrahmanya Ayyar ..	Native High School, Kumbakonam.
36. „ K. R. Subrahmanyam Pillai ..	No. 11, Swami Chetti Street, Komaleswaranpet, Madras.
37. „ G. Srinivasa Rao ..	Retired District Registrar, c/o Joint Sub-Registrar, Bellary.
38. „ S. R. Subrahmanya Ayyar ..	Headmaster, Technical Institute, Tuticorin.
39. „ V. Krishnaswami Ayyangar ..	Retired Superintendent, Accountant-General's Office, No. 23, Tholasingaperumal Covil Street, Triplicane.
40. „ C. Tiruvengkatachari ..	Government Pensioner, West Chitra Street, Srirangam.
41. „ K. Narayanan ..	Commercial Auditor with the Comptroller of Mysore, No. 32, Second Cross Road, Basavanagudi, Bangalore City.
42. „ C. M. Sivaprakasam ..	No. 60, Krishnappa Nayak Tank Street, Madras.
43. „ Rajam Ramachandran ..	Senior Audit clerk to Messrs. Oakley Bowden & Co., No. 15, Armenian Street, Madras.

APPENDIX X.

[Vide answer to question No. 81 asked by the Hon'ble Mr. P. Siva Rao at the meeting of the Legislative Council held on the 12th February 1918, page 176 supra.]

G.O. Mis. No. 424, Revenue, dated 31st January 1918.

READ—the following papers :—

(1)

Official Memorandum to the Board of Revenue (Land Revenue—Forest) No. 3043-C/17-1, dated 27th November 1917.

A copy of question No. 218 regarding the Molagavalli reserved forest in the Alur taluk of the Bellary district, asked at the meeting of the Legislative Council held on 20th November 1917 and a copy of the answer given thereto are forwarded to the Board of Revenue for early report.

(2)

Proceedings of the Board of Revenue (Land Revenue) Forest No. 271, Routine, dated 23rd January 1918.

Read—the following papers :—

(i)

Memorandum—from Government, Revenue Department.

No.—3043-C/17-1.

Dated—the 27th November 1917.

(ii)

Board's Reference thereon No. 2476-Gt.-17-1, dated 6th December 1917.

(iii)

Letter—from the Collector of Bellary.

To—the Board of Revenue (Land Revenue).

Dated—the 23rd December 1917.

No.—D. Dis. 4907.

In reply to the Board's Reference No. 2476-Gt.-17-1, dated 6th December 1917, I have the honour to report that the Molagavalli reserve was disafforested in 1915. It was proposed for the formation of a settlement for depressed classes and the scheme was approved by Government. The scheme is presenting considerable difficulties, like all attempted conversions of labourers into small landholders, absence of capital being the main drawback.

2. A statement showing the area of the reserve, the area already allotted to Malas and Madigas and other particulars required to answer the queries of the Honourable Member is attached. A little over half the area has already been allotted and the balance, excluding 133.66 acres of village-site and vankas, will, in all probability, be assigned to some more Malas and Madigas before the next cultivation season.

3. No part of the reserve is specially reserved for grazing. Nor was it used by a large number of the cattle of Molagavalli village. The reserve is said to have been used by the cattle of Molagavalli, Joharapuram and some village of Kurnool district; about 400—600 in number. The cattle of Molagavalli are all practically stall-fed as is the case generally in all black-cotton soil villages. I am averse to reserving cultivable land of good or fair quality for grazing and have reported as much in another connexion.

There is no question that villages similarly situated do without grazing areas nor could I reserve an extent sufficient to materially benefit the cattle of any village without abandoning the experiment.

There is no forest panchayat in Molagavalli.

ENCLOSURE

Particulars of the reserve.

	ACS.
(1) Total extent of the Molagavalli reserve	1,434-00
Deduct—	
(2) (a) area covered by vankas	82-57
(b) area set apart for the village-site	51-09
Total	133-66
(3) Balance available	1,300-34
(4) Area assigned to depressed classes	777-67
(5) Balance remaining unassigned	522-67

Note.—Of this balance 193-47 acres have been subdivided into small plots ready for assignment.

(6) Area specially set apart for grazing	Nil.
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Particulars of holding, cattle, etc., in the village of Molagavalli.

	RS.	A.	P.
Holding 8,970-38 acres, assessment	14,356	13	0
Beriz of the village for fasli 1326	7,836	11	2
Number of cattle according to report in—			
June 1916	1,226		
Population	4,669		

Resolution—Forest No. 271, Routine, dated 25rd January 1918.

Submitted to Government.

2. The Board concurs in the opinion expressed by the Collector that it is undesirable to reserve any portion of the land in question for grazing purposes.

Order—Mis. No. 424, Revenue, dated 31st January 1918.

Recorded.

(True extract)

A. R. KNAIP,
Acting Secretary to Government.

To the Board of Revenue (Land Revenue—Forests).

APPENDIX XI.

[Vide answer to question No. 104 asked by the Hon'ble Rao Bahadur S. R. M. Annamalai Chettiyar at the meeting of the Legislative Council held on the 12th February 1918, page 180 supra.]

Groundnut Decorticators.

There are several types of groundnut decorticators which are suitable for village conditions. They are all constructed on much the same principle and there is not much to choose between them. It is generally a question of price *versus* outturn. The percentage of broken nuts does not vary so much with the type of machine as with the care with which it is fed and driven.

2. The most popular machine is the 'Sangli' manufactured by Messrs. Dandekar Bros. at Sangli in the Bombay Presidency. Details of it are given below :—

Size.	Pre-war price.	Horse-power required.	Capacity claimed, in bags of 164 lb. of unshelled nuts per day of 10 hours.
	RS.		
A	200	3	67
B	250	4	84
C	300	5	100

Tests carried out by the Agricultural department on these machines show that they are on the whole satisfactory and that the actual outturn in practice is well over that claimed.

3. Messrs. Oakes & Co., Madras, manufacture a machine which is practically identical with the 'Sangli'.

4. Messrs. Best & Co., Madras, manufacture the 'Gaudart' patent machine. It is in use in the South Arcot district; details are given below :—

Size.	Pre-war price.	Horse-power required.	Capacity claimed, in bags of 164 lb. of unshelled nuts per day of 10 hours.
	RS.		
A	350	2½	110
B	650	4-5	250 to 300
C	1,150	8-9	500

A trial of one of these machines was made by the Agricultural department in 1916; there was engine trouble, and the capacity claimed was not reached. It is believed that these machines have since been improved.

5 Lastly there is the 'Gaebele' patent machine, which is used to some extent in Pondicherry. It costs Rs. 600, takes 5 horse-power and deals with some 250 bags per day of 10 hours.

6. The Agricultural department has not undertaken sufficient detailed tests to enable it to state definitely which is the machine 'best suited to village conditions'. Probably no one machine will suit all conditions. The 'Sangli' type is cheap in initial cost and efficient when comparatively small quantities of groundnuts are being dealt with. For larger quantities one of the other types would probably be cheaper in the long run. The Director of Industries proposes to carry out detailed trials of the several types of machines on the market.

APPENDIX XII.

[Vide answer to question No. 131 asked by the Hon'ble Mr. K. Chidambaranatha Mudaliyar and also vide answer to question No. 137 asked by the Hon'ble Mr. T. Ranga Achariyar at the meeting of the Legislative Council held on the 12th February 1918, pages 184 and 185 supra.]

G.O. No. 3559, Revenue, dated 10th November 1917

READ—the following papers :—

I

G.O. No. 3031, Revenue, dated 29th December 1916.

ABSTRACT.—Directing M.R.Ry. K. S. Srinivasa Achariyar Avargal, Deputy Collector on Special duty, to proceed to Tanjore before taking up his work in the Guntur district and to submit proposals for providing land for the Panchamas of the district.

II

Reference from the Board of Revenue (Land Revenue), No. 1025-Gt./17-2, dated 20th June 1917.

The Hon'ble Mr. LL. E. BUCKLEY, I.C.S.,

Commissioner of Revenue Settlement, Survey, Land records and Agriculture.

The Hon'ble Mr. M. E. COUCHMAN, I.C.S.,

Commissioner of Land Revenue and Forests.

The Hon'ble Mr. M. AZIZ-UD-DIN, Khan Bahadur, C.I.E., I.S.O.,

Commissioner of Land Revenue.

Read—the following papers :—

(i)

Letter—from M.R.Ry. K. S. SRINIVASA ACHARIYAR AVARGAL, M.A., B.L., Deputy Collector on Special duty

To—the Secretary to Government, Revenue Department (through the Collector of Tanjore).

Dated—the 12th March 1917.

In G.O. No. 3031, Revenue, dated 29th December 1916, I was ordered to examine the subject of providing the Panchamas of Tanjore with house-sites and land and consider whether any need existed for special legislation to help them.

2. Leaving aside the purely non-deltaic taluks of Pattukkottai and Arantangi I visited 34 villages in the remaining 9 delta taluks and had personal interviews with many landholders and many hundreds of Panchamas.

3. The problem of provision of house-sites for the Panchamas in this district is different from that in other delta districts in that (1) it is not one of relieving congestion in the already existing hamlets of the Panchamas and (2) it is closely intertwined with that of their economic condition. I shall deal with these two points in some detail as an understanding of them will lead to some very useful conclusions.

4. In most delta districts the Panchamas live huddled together in small huts in a portion of the village-site surrounded by wet cultivation which often extends right up to their doors. This village-site is Government poramboke land allotted to them under house-site rules and permitted to be held by them as private property, so long as it is used for the purpose for which it was granted. As wet cultivation increased and as the Panchamas multiplied, the sites available were not enough for the influx of additional labourers and increase of population. The result was the occupation of all kind of waste lands and porambokes and the increase of congestion.

5. In Tanjore district the land-owning classes are not usually the actual cultivators of the soil. The former either lease their lands to tenants called *Purakkudis*—whether Sudras or Panchamas—or cultivate them themselves with the help of their Panchama farm-servants. But even where the Sudras cultivate the lands the bulk

of the actual cultivation work is done by the Panchamas, male and female. While some Sudras and low caste Hindus may attend to agricultural operations, it is still in the main true that very important work, such as transplantation, weeding harvesting and threshing is universally done only by the outcaste Panchamas. They are thus indispensable to the land-owning classes who employ all the means in their power to keep them to the cultivation of the soil.

6. The first noteworthy point in connexion with the housing of the Panchamas is that, in the great majority of cases, they live in sites which are the property of the landholders. In a few cases no doubt they have sites of their own and in a fairly large number they claim ownership of their sites. They possess sites and land of their own by virtue of hereditary right in a few villages—such as Puthur vattam of Tirutturaippundi taluk and Alangudi of Negapatam taluk—where Panchamas were formerly landholders. Theoretically they are not, as has sometimes been asserted, debarred from the purchase of land and, in isolated cases here and there, one comes across industrious Panchamas, returned emigrants, *Purakkudis* leasing lands and even *Pannai-als* liberally treated by their masters, specially when not addicted to excessive drinking, who have all acquired lands and house-sites by purchase.

7. Oftentimes the Panchamas claim ownership of the sites on which they live. This is specially the case where the influence of Christian Missionaries is a predominant factor in their lives. In a good many villages, the Panchamas honestly believe that, as they have had uninterrupted possession of the sites, this is tantamount to ownership. This attitude is resented by the landholder who takes typical cases to the Civil Court and generally succeeds in evicting them from the house-sites. The general principle by which the Civil Courts seem to be guided in these *manaikat* suits is that laid down by the Madras High Court in I.L.R., 27 Madras, 517, that there is a judicially recognized custom in Tanjore district by which *Purakkudis* or artisans are allowed to occupy *manaikats* belonging to *mirasidars* free of rent, so long as they cultivate the land of the *mirasidars* or render them services in other ways.

8. This being so, the oldest available *paimash* accounts are referred to to determine whether the sites are registered in the names of the Panchamas and, if so, whether in their own right or as farm servants or cultivators under particular landholders. It is only in those rare cases where they are found registered in the Panchamas' name in their own right and the present occupants can trace their title to their predecessors of the *paimash* days that the Civil Courts decree in their favour. Success in civil suits becomes difficult even where there is a *prima facie* good case, as, being poor and illiterate, the Panchamas are unequal to the contest with the rich and resourceful landholders who can command the best legal help and put obstacles in the way of their getting evidence.

9. Recourse to the Civil Courts is however the last weapon in the hands of the landholders. The possibility and fear of eviction is enough to keep the Panchamas in subjection and obedience. Landholders generally fortify the title by taking stamped and registered rent deeds from the Panchamas, reserving a nominal rent the payment of which is never insisted on. These are usually taken from Panchamas who are fresh accessions to the village and not from those who have been living hereditarily on the land and refuse to execute them, even when they openly acknowledge their masters' right to the sites. In passing, I may mention a curious device resorted to by some landholders to keep alive their title to the house-sites in the Panchama hamlet. This is to borrow small sums of money from the Panchama himself on the security of the site in which the latter lives, thus making the Panchama-mortgagee recognise the right of the mortgagor-landholder to the site mortgaged.

10. I stated that, except in the small number of cases in which the Panchama owns his site or the somewhat larger number in which he claims the site as his own, generally, the Panchamas live on the land of the landholder and acknowledge it to be such. These houses of the Panchamas are situated in *jari* house-site poramboke or in *patta* land, dry or wet. The poramboke sites which are exempt from assessment are recognized to be owned by the land owners themselves, not by the Panchama occupants, while the *patta* lands are so *a fortiori*. It is perhaps because the landholders are anxious to keep their title to the sites clear and unclouded that they never apply

in this district—unlike other districts—for the conversion into village-site poramboke of cist-paying dry or wet land on which houses are built for the Panchama labourers.

11. There are some prominent points connected with this ownership of the house-site by the landholder. It is a recognized duty that he should provide dwelling accommodation for his Panchama labourers and, of late, the latter have had so many attractions drawing them away from the cultivation of the land that the former in sheer selfishness are learning to ameliorate the conditions of life of the Panchamas. They have shown a readiness to find living accommodation for the Panchamas by renting it for them from some neighbouring landholder with a spare site by setting apart his dry land conveniently situated for the purpose, or by even raising the level of his wet land. Not only is the site provided, but also materials for the construction of the katchahut, such as is usually put by the Panchama and also straw every year required for keeping the roof in repair. A certain amount of backyard is also usually attached to the hut, on which the Panchama raises a kitchen garden (vegetable, chillies or plantain) or a crop of ragi or turmeric for which, if irrigated, the charges are borne by the landholders. If the site is in a dry land and there is a somewhat extensive backyard, it is cultivated by the Panchama at a nominal pagudi or rent. Fruit-bearing trees situated in the backyard are, when not numerous, usually enjoyed by the occupants. When they are numerous, however the Panchama will be allowed to enjoy one or two gratis and take the rest on lease.

12. The Panchama has correlative duties. He has to give the manure collected in his hut to the owner of the site, either free or for a small consideration. He has to labour for a certain number of days free for him (*amji*) and, if he is a daily labourer he has to work under him whenever called on to do so, for a wage which will be less than the market wage. Where the sites belong to a temple service has to be rendered on occasions of festival and a small cash rental is also paid, of about two rupees per year for a five-cents site.

13. The two great holds which the landholder has over his farm servants are this ownership of the house-site and the indebtedness in which they are kept by him (*Suwanthai*). This latter I shall discuss presently when on the question of the economic condition of the Panchamas. Before proceeding further however, it has to be borne in mind that the problem of providing house-sites is not one peculiar to the Panchamas. It may be stated that as a general rule all house-sites in a village wherever situated whether in the Paracheri or in the Sudra quarters—are owned by the land-owning classes and that the landless labourers do not own any of the sites in which they live. The only difference is that the caste labourers, being more thrifty and less addicted to drink, have, in a large majority of cases, acquired sites of their own by purchase. The problem however is common to both the classes and any remedy that may be suggested for the case of the Panchama will apply to the caste labourer also.

14. The fact that the site does not belong to the labourer is a frequently articulated grievance on public platforms and in conferences of the depressed classes. There can be no doubt that it is a real grievance. The labourer who has no permanent stake in the village, who is liable to be turned out of the house he lives in, and who has nothing to look forward to has no inducement to save. He sinks into a helpless condition which reacts on his moral character. He becomes reckless of the future, thriftless and seeks his only consolation in the toddy shop where he drowns his miseries in deep potations. His houseless condition also reacts on his wage-earning capacity. We have already seen that the Panchama is bound to give his labour free for a certain number of days to the owner of the site whereon he lives and also work for him when called on to do so at less than the daily market wages. I had a complaint from certain Panchamas who were prevented from engaging themselves as drummers, because their master, the landholder, thought that their prolonged absence would be detrimental to his cultivation.

15. At the same time, we cannot ignore the fact that evictions from house-sites are very rare and that in most villages individual Panchama families have been living in their old house-sites from generation to generation. There is no doubt

that generally very kindly feelings exist between the Panchama and his master who is quite aware that it is to his own interest to treat the former sympathetically. Except where his sensibilities have been roused by contact with Christian Missionary influence or by emigration, the Panchama is usually content with his lot which, where he has an ordinarily kind master, is not unhappy after all.

16. This takes us on to the economic condition of the Panchamas—an inquiry which was conducted by Mr. Gray who toured in this district at about the same time as myself and whose report will contain much more detailed information than I need give here for my purposes. Those of the Panchamas who engage in agriculture—and that is nearly the whole population—are either farm-servants (*Pannai-als*), Purakkudis cultivating land on cowle, whether for a share of the produce or for a lump payment in grain, or daily labourers. The first class predominates and it is the general opinion of the Panchamas that the lot of the farm-servants is happier than that of the remaining two classes, because he has a certainty of employment all round the year and even where, as under the smaller landholder, this is not so, he may always rely on him for an advance of money or grain under all circumstances.

17. When stress is laid on public platforms on the abnormally low wages of the Tanjore Panchama, it is very often the case that various items of his income are lost sight of. It is no doubt true that a farm-servant gets a daily wage of $\frac{1}{2}$ to 1 marakkal of paddy (1 marakkal one-sixth of a rupee) and that his wife will during the transplantation season get only half a marakkal for about two months when working for the master, though when working for any other landholders he will get 1 to $1\frac{1}{2}$ marakkals a day. In the first place, on all occasions when the work is unusually hard, the Panchama gets a small tip for the toddy shop. There are special and higher wages for certain kinds of work such as harvesting, threshing, storing of straw, digging fields for improving them and channel-digging. During the harvest season, the daily income will be not less than two marakkals and may even amount to three. Besides this, he takes some unthreshed sheaves of corn and is given one or two marakkals of paddy on each of the first and last days of harvest. He also gets, as a special perquisite, one-ninth to one-twelfth of the seed-paddy sown. On the total outturn of the paddy harvested, he is entitled to a *kalavadi* of half marakkal per kalam (i.e., one-twenty-fourth of the total outturn) and also another item of களவரி, சாட்டுவரி or சிந்துமணி variously called which varies in different villages but may on the average be taken to be one-fourth marakkal per kalam.

18. He has other amenities. It is a recognised duty of the landholder to see that his Panchama is married and to advance the necessary funds and that not only for a first but for subsequent marriages, in case he should become a widower. Not only is a lump amount advanced for the marriage but various other items are given as presents on the occasion:—Tali for the bride, a new cloth for the bride-groom, paddy for certain relations of the bride, payment to the drummer and such like. On the occasion of the birth of a son or a daughter in his house he gets a present in cash (half to one rupee) and in kind (one to two marakkals of paddy), the higher amount signalling the birth of a son and the lower a daughter. On festive occasions certain mamul presents are given:—for *Pongal*, paddy, fruits coconut, a new pot and some cash and for *Dipavali*, oil to bathe, paddy and dainty eatables as well as a new cloth. If there is illness in his house, payment to the *vaidyan* is made by the master who will occasionally give old paddy for dieting the patient. If a death takes place, bamboos for carrying the corpse to the cremation-ground, firewood for the cremation and a lump amount for funeral expenses are always given. There is not a phase in the life of the Panchama when he does not look up to his master as his natural prop and support.

19. This is perhaps the appropriate place to dwell on the chronic indebtedness of the Panchama. Under the system of *Suwanthai* which is universally prevalent, the land-holder advances lump amounts on the occasion of his first joining service, of his marriage or of purchase of bulls for cultivation. A bond is executed at the time but no interest is ever charged in consideration of the fact that the borrower serves under the lender as *Pannai-al* or *Purakkudi*. The Panchamas frankly admit that they seldom repay this debt which they do not feel a burden and in fact the land-holders rarely expect repayment. They rather prefer to view it as a sort of

permanent retaining-fee which is not repaid unless the Panchama changes masters, when the new master will take the liability on himself. The debt is ipso facto extinguished when the borrower dies or becomes useless as a labourer, but the son should, of course, take the father's place as a farm servant, although as soon as he does so, he becomes entitled to all the rights of borrowing enjoyed by the father. Some landholders get the father's debt renewed by the son or incorporated in the bond executed by him but this is not often the case. While smaller debts contracted by the *pannai-al* may be recovered by deductions from the *kalavadi* earned by him at the end of the harvest season, it is very rarely that the Suwanthai is so recovered. The same is the case with the Purakkudi who takes an advance for the purchase of bulls to cultivate his master's land. Although sometimes small portions of it may be recovered in years when a large quantity of *waram* paddy is earned, ordinarily the debt remains permanent and is repaid only when the Panchama ceases to cultivate the lands. This system has its darker aspect. Its moral effects on the Panchama's character must indeed be disastrous. This weight of debt hangs like a mill-stone round his neck which no effort of his could shake off. He becomes callous and indifferent and loses all sense of independence or self-reliance. The moment he earns anything more than a living wage the landholder is down upon him demanding that some portion of the Suwanthai should be paid up. All inducement to thrift is lost and he lives a reckless hand-to-mouth life, with not even a glimpse of a possibly better ordered life.

20. I have already stated that the bulk of the Panchamas are farm servants but that a fairly large number are also cultivators of lands on lease or for a fixed grain payment. But though lands may be leased on guthagai, it is usually the case that when the outturn becomes disappointing only *waram* is paid. The *waram* in the district varies from one-fifth to the cultivator in parts of Kumbakonam and Nannilam taluks to one-third or even two-fifths in Tirutturaippundi taluk. The prevailing rate in most parts of the district is however one-fourth. In many places the *waramdar* also gets a *kalavadi* which may be a little less than that earned by the farm-servant. In some places he takes away the entire straw, while in others a small quantity is given to the lessor carrying from five bundles a *veli* (= $6\frac{2}{3}$ rd acres) to one-third or even half the quantity. Before division of the produce besides the expenses of the harvesting, some other items are taken by the landholder which may amount to 8 kalams per hundred of outturn. Under this come supervision charges, contribution for Vinayaka-chaturthi celebration in some villages and in one instance at least for the betel-leaf expenses of the landholder.

21. The position of the daily labourer is somewhat precarious as he is not certain of employment all round the year, except when he lives in the vicinity of a town or some industrial centre. His wages are however often high being never less than 4 annas a day and frequently rising from 6 to 8 annas. They oftentimes get employment in rice mills, on road works and on works executed by the Public Works Department. Large owners of land have to engage daily labourers to supplement their farm-hands and the wages often become high when the supply of labour falls short of requirements. Sometimes labour is temporarily imported at a cost of even 10 to 12 annas a day by rich landholders anxious to get through their agricultural operations as quickly as possible.

22. My general impression of the economic condition of the Panchamas is that, while their standard of living is very low, this is not so much due to their wages being inadequate as to their want of education, lack of even an elementary idea of sanitation, and habits of drink. As a wage-earner, he is not worse off than the caste cooly and in some respects he is even better situated since his position is secured by serving under a landholder who takes it upon himself to render all help to the Panchama. Indeed he is so much coddled and his wants all round are so largely attended to by the master who treats him more like a dumb beast than a human being, that the Panchama has little self-reliance or self-respect. This sort of help-less dependent condition of the Panchama is largely to be explained by this system under which the mirasidar looks upon him as a necessary appendage who must be clothed, fed, married (that he may propagate more Panchamas of the same type) and his other wants attended to.

23. Some general inferences may be drawn from this review of the housing condition of the Panchamas when taken with their economic condition:—

(1) Congestion does not as a rule exist in the Panchama quarters. Everywhere there are backyards attached to the huts on which some sort of cultivation is made.

(2) Houses are provided by the mirasidars who own even the *jari* poramboke house-sites and the Panchamas are generally content to live in them. Where need for expansion arises, the land-holders are generally-speaking ready to provide additional sites to be occupied at their pleasure.

(3) This however is not a desirable state of affairs and our endeavour should be to secure to them the ownership of the sites on which they live, so that they may not be evicted except through a Court of Law.

(4) There is no available waste land at the disposal of Government fit for building purposes in the delta villages, the only available land being owned by the land-holders and built upon by their Panchama servants.

(5) It has been suggested that, though the ownership of the sites may vest in the land-holders, the occupancy rights in them may be secured to the occupying Panchamas by an Act of legislature similar to that by which tenants in estates were under the Estates Land Act conferred similar rights over ryoti land in their occupation. These house-sites are however valuable pieces of property bought and sold by the land-holders. Cultivated land to the ownership of which house-sites are attached command higher prices than land without the house-sites attached to them. It is doubtful therefore if the State could by a stroke of the Legislative pen expropriate the whole class of land-holders of these valuable pieces of property. The measure which is virtually one of forfeiture would be impolitic, unjustifiable and unpopular.

(6) Where the Panchamas are so largely content to let things alone it would be unstatesmanlike to interfere. It may no doubt be a moral duty on the part of social organizations to educate them and create in them the craving for owning their house-sites. But where such feeling does not exist, it would be mischievous to interfere and create a friction where none exists.

(7) The only practical measure is to help to acquire village-sites for the Panchamas of a *cheri* the majority of whom desire such a step, the same being done for caste labourers who are in a similar plight.

(8) The provision of pathways connecting the detached plots of *cheri* with a road or the main village is even more urgent than the acquisition of the sites, as in the rainy season these stand out like islands surrounded by water and in the cultivation season there is no approach to them except along narrow bunds.

24. We thus arrive at the conclusion that, in the matter of the provision of house-sites for the Panchamas, no immediate action on a large scale is called for at present, as no widespread discontent exists. It follows however that, where such a feeling does exist, it would be wise on the part of the Government to welcome it, and take action to help the Panchamas to acquire sites.

25. My idea is that, where the majority of the Panchamas living in a hamlet are dissatisfied with the existing conditions and wish to become owners of the sites, the Government should interfere. I say we should interfere only in such cases for two reasons—(i) because we do not want to create unnecessary friction between master and servant where the relationship is smooth and (ii) because the business must be put on a sound financial basis and we cannot therefore force it on the Panchamas, unless they are prepared to make financial sacrifices. There are various circumstances under which they will require our help. In the first place, the existing hamlet may, by reason of its proximity to a river, be liable to erosion or danger from floods and the Panchamas will then have to be planted in a fresh place. As a proof of the proprietary ownership which the land-holders assume they have over the Panchamas, I may mention that in a *cheri* so situated the occupants of which applied to contribute towards the cost of acquisition of fresh land for them, the land-holders requested that the fresh land may be acquired at their cost and registered in their name so that the Panchamas may continue to occupy the new *cheri* on the same terms as they did the old. This sort of thing should of course be resisted and

the Panchamas advised to purchase in their own names. Then again Panchamas who have been ordered to be evicted by due process of law or who feel the irksomeness of tenancy under an unkind master or whose relationship with the landholder has become so strained that they no longer serve under him, may be similarly helped. There is one class of cases which deserves to be prominently mentioned: and that is where friction arises between land-holder and Panchama, owing to the tactlessness or mischief of local agents who put them to all sorts of hardship which estrange their feelings and give rise to misunderstandings which ripen into civil suits, eviction and other coercive processes. I think also that action should be taken in all cases where the majority of the Panchamas desire acquisition of their house-sites, for whatever reason it may be.

26. It is sometimes stated that the housing of the labourers should be at the cost of the land-holders who profit by the labour and that the general tax-payer should not be made to contribute for such housing. This is true in the sense that it is the local authority such as the District Board that should find the funds and take the initiative in the matter. The problem of housing the landless labourers is pre-eminently a local matter and no self-respecting local board realising the gravity of the situation and the seriousness of the problem could refuse to take action in urgent cases. The members thereof largely represent the landed interest and, if they took the initiative, it would disarm foolish and unreasoning opposition on the part of many land-holders. For, it must be recognised that there is widespread opposition to any scheme by which the labouring classes are to become the owners of their house-sites. They apprehend that the Panchamas would become independent, disobedient and unwilling to work on the land, would go away to work in near towns for money wages and would change masters frequently. The real fear at the back of their minds is that the Panchama with a site which he could call his own may come to demand higher wages for his labour. These short-sighted land-holders forget that a labourer with a certain amount of independence will prove a better workman, possessing higher physical efficiency and character. They cannot see that, when he possesses a stake in his village and comes to have a certain amount of self-respect, there will be furnished a powerful motive for refraining from emigration; and are probably unaware that the dire consequences which they foresee have not befallen the other delta districts in which the labouring population live in sites of their own.

27. It would not be difficult to work out the details of the scheme herein outlined. The Panchamas in whose favour action is to be taken on these lines, should, as a preliminary step, be made to contribute a lump amount equivalent to 20 per cent of the estimated cost of acquisition. If this were not laid down as a condition precedent, there would be no way of differentiating the cases of the really earnest Panchamas from those of others who may, after the sites are acquired for them, fail to meet the recurring liability of periodical payments till the cost of the land is recovered. I would suggest that the occupier of a five-cents plot be made to pay down a preliminary deposit of Rs. 10, on the assumption that its market value would be about Rs. 50. A five-cents minimum may be insisted on in Tanjore where generally speaking Panchama house-sites which contain a backyard with a small kitchen garden are not of the type found in some other districts. The deposits being collected acquisition of the cheri sites may be made under the Land Acquisition Act out of the deposit amount and the funds provided by the District Board for the purpose. In cases where an extension is desirable owing to the congested state of the hamlet, this opportunity may be taken to acquire a further plot in continuation. Streets and lanes should, if necessary, be relaid so as to conform with the modern ideas of sanitation and power taken to vest them and other communal land in the local board. The payment of the balance of the cost price of the site plus interest may be spread over a period of twenty years recovery being made in two half-yearly instalments—the transplantation and harvest seasons—or in one annual instalment after the harvest when the labourer gets his lump payment of *kalavadi*. To provide against the possible cases of default of payment of instalments or death or emigration of individual Panchamas, it would be advisable to make the whole body of the applicants severally and jointly responsible for the whole amount.

28. The principle of joint and several liability which I want to be introduced in dealing with Panchama applicants is one recognized and enforced in Co-operative Societies on the basis of unlimited liability and it may be thought that rather than ask the district board to find the funds, such societies may be started for the purpose in view. I am however doubtful if they would succeed in attracting capital immediately. Deposits on any appreciable scale these Panchama societies will not attract, so that they must look to some financing bank for the funds required for the acquisition. Ex-hypothesi, the assets of these Panchamas will be a small negligible item and it is hard to see how banks could be persuaded to advance loans to such societies, even if the rule of eightfold security should be relaxed.

29. It will be seen that my proposals do not involve any sudden or wholesale interference with the existing state of things. That is in most cases in a satisfactory condition and it is from a Governmental point of view undesirable to take any violent action. It is no doubt the social duty of the higher classes to stimulate a longing in the Panchama for his own betterment and create that discontent which is the root of all progress, just as it is the administrative duty of the Government to read the signs aright and help the Panchama in his attempt at social uplift. No Government or Governmental measure can go very much ahead of the times.

30. In the order deputed me to this work, I was asked to submit proposals for providing the Panchamas with land also. There are no lands at the disposal of Government fit for assignment in the villages of the delta taluks and I understand this reference to mean that I am to suggest whether it would be feasible to acquire cultivable land and give the Panchama families small holdings for cultivation. They live scattered about in the midst of wet land and, if they are to be benefited at all, they should be given the chance of acquiring small plots of wet land near their own houses. These however are bound to be very costly lands which considering their present market value would hardly pay 4 per cent interest on the capital invested, let alone the repayment of the principal. The provision of small holdings therefore appears to me to be beyond the pale of practicability.

31. Such a provision will seem to be all the less necessary when it is considered that the system of *manyam* or *pattaikal* so largely prevalent in the district is akin to it. Under this the Pannai-al in most parts of the district (except in parts of Tanjore and Negapatam taluks) is given a *kollai* or *manyam* of 8 to 25 or 30 cents of dry and wet land but mostly wet, the cultivation of which is at the expense of the land-holder, but the produce of which is taken by the farm-servant. Very often this plot adjoins the Panchama's house, but, where the land-holder has no land near, it may be situated at some distance. The Panchama cultivates it intensively throwing thereon all the available manure, with the result that, when the landholder finds the plot considerably improved, he takes it back and shifts the *manyam*. Sometimes seed-bed land is given, with the result that transplantation becomes late and when there is difficulty for water the turn of the Panchama's plot would of course come last. He generally manages to grow two crops thereon, or a mixed crop, one a short and the other a six months' crop. Even *Purakkudis* cultivating lands on lease are similarly given *manyams* on the same terms. Where *manyams* are not given, it is sometimes the practice to make a lump grain payment in lieu thereof. This system under which the cultivators of the soil were made to feel a close personal interest in the cultivation by being given a plot of land to cultivate for themselves with all the advantages of inalienability attached to it, is a proof of the wisdom and foresight of the old Tanjore mirasidars, though their modern descendants sometimes deny to the Panchamas the benefit of the harvested crops of the *manyams* on the ground that they were either disobedient or negligent in their duties.

32. My recommendations briefly stated are—

- (1) that it is impracticable to provide cultivable lands for the Panchamas;
- (2) that provision of house-sites by acquiring existing hamlets and allotting them among the present occupants should be taken up in cases where the demand exists, whether among the Panchamas or caste labourers;
- (3) that the fact that the Government is willing to put the machinery of the Land Acquisition Act into force to acquire the house-sites for the labouring classes

should be widely made known among them, by means of a notification in the district gazette which should be explained to them by the revenue inspectors, tahsildars and other superior officers. I presume that the acquisition of house-sites from the land-holders for the purpose of creating proprietary rights over them in the Panchama occupants is a public purpose under the Land Acquisition Act, that it is covered by section 3 (f) and that no amendment of the law is necessary;

(4) that where acquisition is started, extension of existing *cheris* where necessary and provision of pathways should be taken up also;

(5) that power should be taken to relay the streets and lanes which must vest in the local board;

(6) that the Panchamas who demand the acquisition should be made to pay down 20 per cent at least of the cost at once, the balance being recovered with interest at 6 per cent in a period of twenty years; and

(7) that the District Board should move in the matter and find the necessary funds.

33. It would of course be impossible to say whether there would be immediate or wide response to such a notification by the Government. At any rate, I am confident that the response would not be so large that the district officials themselves cannot tackle the business without the assistance of a special staff.

(ii)

Endorsement of J. R. HUGGINS, Esq., I.C.S., Acting Collector of Tanjore, D. D. No. 1401/Rev., dated 14th April 1917.

Forwarded.

2. I think there is considerably more discontent among the Panchamas regarding the question of house-sites than the Deputy Collector thinks there is. During the jamabandi of the Shiyali taluk I had a large number of complaints from Panchamas. Their complaints generally were that the mirasidars were trying to compel them to execute muchilikas for the house-sites. The complaints are probably largely true as there have been several cases in which suits have been decided against the mirasidars on the ground of adverse possession for over twelve years. This has alarmed the mirasidars and I have no doubt some of them are trying to obtain an acknowledgment of their title. That the feeling on the matter is sometimes very bitter is exemplified by a recent murder case in which the Agent of a temple or mutt was murdered after filing suits in regard to house-sites.

The proposals of the Deputy Collector are that we should not move in the matter unless the Panchamas themselves ask for it. This is sound enough but I have no doubt that once we move in one or two cases Panchamas in other villages will awake to the situation and will urge acquisition in their case also.

The proposal is that in cases where a necessity for action exists, we should acquire the paracheries, but before doing so we should demand a deposit and recover the rest of the purchase money with 6 per cent interest in instalments spread over twenty years. In the first place where the paracheries are in nattam it would be necessary to enquire into the title of the mirasidar to the site. It is at least doubtful whether the mirasidar has any title at all to such sites, though in the case of what is called jari nattam he probably has. In the second place, I doubt whether it is practicable to recover from the Panchamas the cost of the lands. They are in many cases hopelessly poor and the price of land is high. In my opinion the demand for a deposit would wreck the scheme at once.

I agree with the Deputy Collector that in the deltaic tracts it is impossible to get land for cultivation for the Panchamas, but I think it would be possible in the non-deltaic parts of the district. In fact in one case we did assign land for houses and cultivation to Panchamas in a portion of the Tanjore taluk. But though land is undoubtedly available in the non-deltaic portion it is of no use to the Panchamas in the deltaic portions as they would not willingly leave their villages and as it would not be desirable for them to do so as it would seriously affect the labour question in the deltaic tracts.

Reference—No. 1025-Gt./17-2, dated 20th June 1917.

Submitted to Government.

2. The question of providing the Panchamas with house-sites and lands is one of far-reaching importance, and, while it is clear that action is called for, great caution will be necessary to prevent a sudden dislocation of the whole economic position of the agricultural classes. The Board would, therefore, recommend that final orders may be deferred till Mr. Gray's report has been received and examined by Government. In the meantime the Board considers that the proposals of the Special Deputy Collector may be approved. The extent to which the labourers respond to the offer will serve as a useful guide for further measures.

3. The question of co-operation, which the Special Deputy Collector has dismissed somewhat summarily, deserves further investigation. It may, in this connexion, be considered whether the District Board can find or borrow the money for financing societies.

4. The acting Fourth Member of the Board is not a party to the resolution and has recorded a minute of dissent.

H. R. PATE,
Secretary.

To the Secretary to Government, Revenue Department, with Collector's letter and the Special Deputy Collector's report in original.

III

Official Memorandum No. 681-A/17-3, Revenue, dated 2nd July 1917.

With reference to paragraph 4 of its Reference No. 1025-Gt./17-2, dated 20th June 1917, the Board of Revenue is requested to submit a copy of the minute of dissent recorded by the Hon'ble Mr. M. Aziz-ud-din, Khan Bahadur, on the question of providing house-sites and land for the Panchamas in the Tanjore district.

A. R. KNAPP,
Acting Secretary to Government.

To the Board of Revenue (Land Revenue).

IV

Reference from the Board of Revenue (Land Revenue), No. 1025-Gt./17-3, dated 9th July 1917.

The Hon'ble Mr. M. Aziz-ud-din, Khan Bahadur, C.I.E., I.S.O.,
Commissioner of Land Revenue.

Read—the following paper:—

*Memorandum—from Government, Revenue Department.
No.—681-A/17-3.
Dated—the 2nd July 1917.*

Reference—No. 1025-Gt./17-3, dated 9th July 1917.

A copy of the minute of dissent recorded by the Hon'ble Mr. M. Aziz-ud-din, Khan Bahadur, on the question of providing house-sites and land for Panchamas in the Tanjore district is submitted to Government, with reference to their memorandum read above.

H. R. PATE,
Secretary.

To the Secretary to Government, Revenue Department, with one enclosure.

ENCLOSURE.

Minute of dissent of the Hon'ble Mr. M. Aziz-ud-din, Khan Bahadur, C.I.E., I.S.O.

I have no local knowledge of the Cauvery delta. But the condition of the Panchamas in the South Arcot district, especially in the Chidambaram taluk, is almost similar to that of the Panchamas in the Tanjore district. Most of these are attached to landholders locally

known as mirasidars, who do their utmost to see that the loans are not repaid and the indebted pannai-als continue perpetually in their service. The fact is that the pannai-als are as much required for the mirasidars, as the mirasidars are required for the pannai-als. Although the pannai-al system is almost akin to slavery, yet under existing circumstances its subversion to any considerable extent seems uncalled for. During the recent cyclone in South Arcot, the pannai-als were protected and fed by the mirasidars and were it not for this protection most of them would have seriously suffered and many of them perished. Supposing we make the pannai-als independent of the mirasidars, the question arises whether we have anything better available in villages to give them instead. The answer can only be in the negative. It has in this connexion to be borne in mind that the pannai-als are not the whole-time servants of the mirasidars, but they are free to add to their pannai-al allowances such wages as they may be able to earn by working under other temporary employers whenever possible.

In some places house-sites and even thatched houses have been provided for the pannai-als by the mirasidars and in some others their houses have been built upon Government sites. It seems to me that it would be impolitic to interfere with the existing state of affairs and to transfer to Government generally the responsibility of housing the pannai-als which now rests on the mirasidars. If there are any special cases where there is undesirable congestion in any Panchama cheri, steps may be taken to remove the congestion by acquiring land, if possible, at the expense of the mirasidar, and if not, at the expense of Government.

Regarding the education of the Panchama, I think that that should be left to the local bodies who are primarily responsible for the educational advancement of the depressed classes.

I agree to the consideration of the subject being deferred till Mr. Gray's report is received.

Order—No. 3559, Revenue, dated 10th November 1917.

The Government have considered the proposals of M.R.Ry. K. S. Srinivasa Achariyar regarding the provision of

Miscellaneous

house-sites and land for the Panchamas of the Tanjore district and accept his recommendation that an endeavour should be made to secure to them, as well as to other labourers, the ownership of the sites of the houses in which they live. They agree with the Deputy Collector that the most satisfactory method of attaining the object will be to acquire the sites under the Land Acquisition Act and to hand them over to the applicants on payment. The opportunity should also be taken to provide pathways to 'cheris' which may be surrounded by cultivation.

2. The Government have decided to place a Deputy Collector on special duty in the Revenue Department for a period of six months from 1st January 1918 for the above purpose. It will be his first duty to examine the problems on the spot and to formulate his proposals for dealing with them. The Government do not wish to tie his hands by the issue of any hard and fast instructions, but the following tentative conclusions on points raised by M.R.Ry. Srinivasa Achariyar are provisionally accepted.

3. *Paragraph 27 of the report.*—The Government agree that as a general rule five cents should be the minimum size of a plot assigned under the scheme. In cases however in which applicants are satisfied with a three or four cents plot and are not prepared to pay for a larger area, the area actually applied for may be acquired and assigned.

The proposal that the whole body of the applicants of a village should be made severally and jointly responsible for the whole amount due from them is also approved.

Paragraph 32 (1) of the report.—The Government agree that it is impracticable to provide cultivable lands for Panchamas in the delta taluks of the district.

Paragraph 32 (5).—The duty of making streets and lanes devolves on the local boards in whom they will vest. The cost of the land required for streets and lanes however should be distributed over the entire area of house-sites so that each site-owner may contribute towards it.

Paragraph 32 (6).—The Government approve as a provisional measure the suggestion that applicants for sites should pay an initial deposit of 20 per cent of the cost of acquisition and that the payment of the balance of the cost price of the

site may be spread over a period of twenty years, recovery being effected in half-yearly or yearly instalments according to the convenience of the grantees. The rate of interest should be 7 per cent.

4. When land has been acquired and is made over for house-sites, a condition that the site shall not be alienated for ten years from the date of the grant should be inserted in the patta.

5. The people may be left to build their own houses unless a co-operative society or societies can be formed for this purpose.

(1) Paragraph 3 of G.O. No. 690, dated 17th March 1915.

(2) G.O. No. 2491, dated 10th November 1915.

(3) G.O. No. 2852, dated 20th December 1915.

(4) G.O. No. 219, dated 1st February 1916.

(5) G.O. No. 510, dated 6th March 1916.

(6) G.O. No. 1468, dated 28th June 1916.

(7) G.O. No. 1584, dated 11th July 1916.

(8) G.O. No. 2255, dated 2nd October 1916.

(9) G.O. No. 2287, dated 4th October 1916.

6. Copies of the Government Orders noted in the margin are furnished to the Special Deputy Collector for his information.

7. The Board of Revenue is requested to submit proposals for the entertainment of any special staff which the deputy collector may require and to forward a re-appropriation statement to meet the extra cost during the current year.

(True extract)

A. R. KNAPP,
Acting Secretary to Government.

To the Board of Revenue (Land Revenue), with copies of the Government orders for transmission to the Special Deputy Collector.

„ the Local and Municipal Department.

„ the Home (Miscellaneous) Department.

„ the Financial Department.

„ M.R.Ry. K. S. Srinivasa Achariyar Avargal, (M.A., B.L., Deputy Collector, General duty, Guntur district.

Editors' Table.

APPENDIX XIII.

[Vide answer to question No. 136 (a) asked by the Hon'ble Mr. T. Ranga Achariyar at the meeting of the Legislative Council held on the 12th February 1918, page 185 supra.]

G.O. No. 485, Educational, dated 5th May 1915.

The auditing of the accounts of companies registered under the Life Assurance Companies Act, 1912, the Provident Insurance Societies Act, 1912, and the Indian Companies Act, 1913, by qualified auditors, having been made compulsory by the provisions of those Acts, the Government have had, for some time past, under consideration, the question of making suitable provision for the training of auditors in this Presidency. Three alternative courses are open, namely—

- (i) the development of the School of Commerce at Calicut;
- (ii) the transfer of that school to Madras and its further development at the latter place;
- (iii) the establishment of a wholly new institution in Madras.

2. The first course has been objected to on the grounds that Calicut is remote from the Commercial centre of the Presidency and from the east coast districts and that a school at Calicut will not give adequate facilities for the training of the Tamil auditors required for auditing the accounts of joint stock companies, a great majority of which are kept either in English or in Tamil. Against the transfer of the Calicut school to Madras it has been urged that the school has lately been provided with good buildings and that the mercantile community of the west coast would feel the want of a commercial school on that coast. In view of these objections the Government will be prepared to consider the question of establishing a college of higher accountancy and auditing in Madras which would fully serve the needs of the Presidency. The Director of Public Instruction will accordingly be requested to submit detailed proposals in this regard.

(True extract)

P. RAJAGOPALA ACHARIYAR,
Secretary to Government.

APPENDIX XIV.

[Vide answer to question No. 136 (b) & (c) asked by the Hon'ble Mr. T. Ranga Achariyar at the meeting of the Legislative Council held on the 12th February 1918, page 185 supra.]

G.O. No. 813, Home (Education), dated 16th June 1917.

READ—the following papers:—

I

Letter—from the Hon'ble Mr. J. H. STONE, M.A., C.I.E., F.R.H.S., Director of Public Instruction.

To—the Secretary to Government, Educational Department.

Dated—the 8th May 1916.

No.—Ref. on Our. 3855 of 1915.

I have the honour to submit herewith the draft scheme for the establishment of a college of higher accountancy and auditing in Madras, called for in G.O. No. 485, Educational, dated the 5th May 1915.

The delay in doing this is partly accounted for by my absence from India and partly by the necessity under which I found myself of consulting the Registrar of Joint Stock Companies. Mr. Schmidt has been good enough to furnish me with a valuable note on the whole subject of the expansion of the profession of accountancy and auditing, a copy of which is annexed. It does not seem necessary to further delay the submission of my scheme, but his suggestion that the publication of the details of the whole Bombay scheme which may be expected in July should be awaited, is clearly a good one.

2. I have ventured to call the proposed institution a Commercial Institute rather than a College; because the latter word suggests in this Presidency affiliation to the University. Should the University develop a Faculty of Commerce, the Institute if it secured affiliation would become a College of Commerce.

3. In the staff I propose I have made provision for instruction being given in the more elementary commercial subjects. Whether these should be taken up from the outset is a matter for consideration. I think a complete Government Commercial Institute is much wanted in Madras, if only to set a standard of instruction and attainment in commercial subjects, the present standard being, I believe, unduly low. If these subjects are provided for, students might be prepared for the Government technical examinations in them. I have not proposed to use these examinations in the higher subjects, and it will be a matter for future consideration whether these subjects should not be deleted from the Technical Examination Scheme and attendance at the Institute made the only means of entrance into the profession of accountancy and auditing.

4. Mr. Schmidt rightly lays great stress on practical training or apprenticeship. I rather incline to the view that this might be concurrent with the course of instruction, the Institute's classes being held to some extent out of business hours or perhaps on a half-time system. These are questions for the settlement of which the advice of the Council is essential and it appears to me if only for this reason the constitution of the Council, or the appointment of a committee which would subsequently be the Council, is the first step to take in the establishment of the Institute.

ENCLOSURES

(1)

Draft scheme for an Institute of Commerce to be established with a special view to the training of Auditors and Accountants in Madras.

1. *Object.*—The Institute is intended primarily to afford facilities for the training of persons who will be qualified to audit the accounts of companies registered under the Life Assurance Companies Act, 1912, the Provident Insurance Societies Act, 1912, and the Indian Companies Act, 1913.

2. *Location.*—It will be located in Georgetown as being the chief business centre of Madras.

Accommodation.—This will include a library and common rooms for staff and students.

3. *Control.*—Subject to the control of the Government, the Institute will be under the Director of Public Instruction, who will be assisted by an Advisory Council consisting of the Collector of Madras as President, the Principal of the Institute as Secretary, the Registrar of the Joint Stock Companies, the Deputy Accountant-General, and members nominated by Government from among the Chartered Accountants, Bankers, and Merchants of Madras, in such a way as to secure due representation of such commercial organizations as the Chamber of Commerce.

4. *Standards of instruction.*—These should be two, that for senior and junior auditors respectively, corresponding in the main with the unrestricted and restricted certificates issued by the Government. For the functions which each class of auditors may be expected to discharge reference is solicited to Mr. Schmidt's note, paragraph 8.

5. *Courses of instruction.*—The course will be for senior auditors four years, but in the case of candidates educated up to not less than the intermediate standard and in special cases it may be reduced to three years by the Director of Public Instruction on the recommendation of the Advisory Council. The course for junior auditors will be three years, or in the case of students of not less than the intermediate examination standard of general education, two years. The courses will include for all students who need it, instruction in English Composition and Précis-writing and in Elementary Mathematics. For senior auditors it will be in the subjects and to the standard of examination of the College of Commerce of Bombay. That for junior auditors will be more restricted in scope and may have to include instruction in Indian methods of keeping accounts. In this connexion I would invite reference to Mr. Schmidt's note, paragraph 5.

6. *Qualifications for admission.*—Candidates for admission into the Institute should be holders of completed Secondary School Leaving Certificate, or those who have passed the High School Examination for Europeans, and such others as may in the opinion of the Committee possess sufficient general knowledge to be benefited by the instruction imparted in the Institute.

7. *Examinations.*—The final examination for senior auditors will be either that held by the College of Commerce, Bombay, or a special examination of the same standard conducted by the Commissioner for Government Examinations under a scheme to be drawn up by the Director of Public Instruction in consultation with the Advisory Council and approved by Government. For junior auditors a similar scheme will be drawn up.

Annual and such other periodical examinations as prove necessary will be held by the staff of the Institute, and the first year annual examination will include for such students as have undergone instruction in them, English and Mathematics.

8. *Hours of work.*—The hours of work will be fixed by the Director of Public Instruction in consultation with the Advisory Council.

9. *Staff.*—The staff will consist of a—

Principal	...	...	...	...	...	Rs.
Law Assistant	...	...	...	...	...	750
Book-keeping and Commercial Assistant	...	...	...	...	...	250
Typewriting and Shorthand Assistant	...	...	...	...	...	200
	...	...	...	...	...	100

besides clerical and menial establishments. Provision might be made for English and Mathematical instruction by part-time appointments from the staffs of other educational institutions. The salary of such would depend on the amount of work necessary.

10. *Fees.*—A fee of Rs. 96 per annum for the Junior Auditor course, and of Rs. 120 for the Senior Auditor course, payable in two terminal instalments in advance, will be charged. Fees for elementary courses if such are instituted can be fixed later.

11. *Holidays and vacations.*—The Institute shall be closed for the Midsummer and Christmas vacations for such periods as may be fixed by Government from time to time on the advice of the Advisory Council, and the other holidays shall be the same as those allowed by Government under the Negotiable Instruments Act.

12. *Registers.*—The registers ordinarily maintained in Government colleges will be kept and such others as may be prescribed by the Council with reference to the special character of the institution.

(2)

Note on the Draft Scheme for an Institute of Accountancy.

My remarks are confined to paragraphs (1) to (6) of the draft scheme.

2. *Paragraph (1)—Object.*—As a verbal amendment, seeing that companies are not registered under the Indian Life Assurance Companies Act, 1912, this paragraph might be recast as shown below:—

“The Institute is intended primarily to afford facilities for the training of persons who will be qualified to audit the accounts of Life Assurance Companies falling within the scope of

the Indian Life Assurance Companies, 1912, of companies registered under the Indian Companies Act, 1913, and of societies registered under the Provident Insurance Societies Act, 1912.”

3. *Paragraph (2)—Location.*—There can be no doubt as to Georgetown being the most suitable locality for the Institute, especially in connexion with the question of practical training.

4. *Paragraph (3)—Courses of study.*—In order to gauge the standard of the qualifications expected of the auditors to be trained by the proposed Institute it will be useful to set out—

(i) the statutory provisions which make compulsory the auditing of accounts by qualified auditors, and

(ii) the scope of the certificates now issued by the Government entitling the holders thereof to act as auditors of companies and societies

(i) (a) *The Indian Companies Act, 1913.*—Section 144 (2) requires the Local Government to make rules providing for the grant of auditors' certificates and prescribing the conditions and restrictions on and subject to which such certificates may be granted. “The holder of such a certificate shall be entitled to act as an auditor of companies throughout British India unless such certificate restricts or limits the exercise of the right.”

(b) *The Provident Insurance Societies Act, 1912.*—Section 24 (2) (e) requires the making of a rule by the Local Government prescribing the qualifications of auditors of Provident Insurance Societies.

(c) *The Indian Life Assurance Companies Act, 1912.*—Section 39 (2) (a) requires the making of rules by the Governor-General in Council prescribing the qualifications of auditors of Life Assurance Companies.

(ii) The Local Government now issues under section 144 (2) of the Companies Act of 1913 two classes of certificates, viz., “restricted” and “unrestricted” and the rules framed by the authorities concerned under the three Acts mentioned above attach the following privileges to each of these two classes of certificates.

The “restricted” certificate entitles the holder to act as an auditor within the limits of the jurisdiction of the Government by which it is granted—here, the Presidency of Madras—of:—

(i) companies incorporated under the Indian Companies Act, 1913,

(ii) Provident Insurance Societies registered under the Provident Insurance Societies Act, 1912, and

(iii) such of the companies falling within the purview of the Indian Life Assurance Companies Act, 1912, as are mutual life assurance companies, i.e., life assurance companies not having a share capital.

These certificates further restrict the languages the accounts in which the auditor may audit.

“Unrestricted certificates,” on the other hand, entitle the holder to audit the accounts of any company, in any language, and in any part of British India. Such a certificate embraces the accounts of life assurance companies in virtue of the rules issued by the Governor-General in Council under section 39 (2) (a) of the Indian Life Assurance Companies Act, which include amongst those entitled to audit such accounts—

“the holder of a certificate granted by any Local Government under section 144, sub-section (1) of the Indian Companies Act, 1913 (VII of 1913), entitling him to act as an Auditor of Companies under the said Act:

“Provided that such certificate does not restrict or limit to any part of British India the right of the holder to act as an auditor.”

To the unrestricted class are admitted only applicants of high qualifications whose natural field of operation is the better class of companies and provident insurance societies keeping their field of operation in English and on the European system. Restricted certificates are granted to auditors of sufficient qualifications, but of inferior standing, the expenses of whose audit should not press too heavily on the smaller companies.

5. In the second place may be set out the views of the Government of India in the matter the establishment of a school for auditors. In paragraphs 6 and 7 of the letter from the Department of Commerce and Industry, No. 5392-5455-3, dated the 9th July 1913 (G.O. No. 260, Judicial, dated 4th February 1914), they suggested that it might be convenient if the examination of the College of Commerce of Bombay were held also in centres outside that city and that of the College of Commerce of Bombay were recognized for the presentation of candidates if institutions in other presidencies and provinces were recognized for the presentation of candidates at the examination which could be held at important commercial centres; but they were also open to the view that Local Governments might prefer to conduct their own examinations, also open to the view that Local Governments might prefer to ensure a uniform standard in the different provinces for the purposes of the Indian Life Assurance Companies Act, 1912, the prescription of qualifications of auditors under which rests with the Governor-General in Council.

Seeing that the unrestricted certificate gives the holder a free run over the whole of India, in the interests on uniformity, and as a starting ground for an Incorporated Association of Accountants in India—these are early days to think of the latter—it would be better to have the same examinations for the whole of India for testing the competency of candidates for auditors' certificates. But whether this is decided upon or not, there must be training institutes

in each presidency and province—at all events we must have one here. The course of study to be prescribed in the proposed institute should, in any event, in order to secure the uniform standard desired by the Government of India, be on the lines of the Bombay course. From a letter, dated the 18th February 1916, received from the Secretary to the Accountancy Diploma Board, Bombay (copy annexed), it will be seen that the standard of the Bombay examination will be the same as that laid down for the final examination of chartered and incorporated accountants and that candidates will be examined in (1) Accountancy and Auditing and (2) Indian Mercantile Law.

The subjects prescribed for the final examinations of these two English institutes and those for the Advanced Technical Examination in Madras are set out below :—

Subjects.		
Society of Incorporated Accountants and Auditors.	Institute of Chartered Accountants.	Madras Technical Examinations.
1. Advanced Accounting ...	1. Book-keeping and Accounts.	Book-keeping Advanced— 1. Method and Principle of Single Entry and Double Entry. 2. Maintenance and Preparation of Books of Account required for the business of Joint Stock Companies, Life Insurance Companies, Bankers and other special kinds of business.
2. Partnership and Executorship Accounts and Law relating to partners and executors.	2. Partnership and Executorship Accounts.	.....
3. Auditing ...	3. Auditing ...	Book-keeping Advanced— 3. Methods and Principles of Auditing accounts and Duties of Auditor.
4. Rights and Duties of Liquidators, Trustees and Receivers.	4. Rights and Duties of Liquidators, Trustees and Receivers.	.....
5. Joint Stock Company and Bankruptcy Law.	5. Principles of the Law of Bankruptcy and of the Law relating to Joint Stock Companies.	5. (Theory and Practice of Commerce and Banking)— 1. Portions of the Indian Companies Act, 1913. 2. Indian Insolvent Debtors Act.
6. Mercantile Law	6. Principles of Mercantile Law.	6. (Theory and Practice of Commerce and Banking)— Bill of Lading, Charter Parties, Marine Insurance, Portions of the Indian Sea Customs Act, Indian Contract Act, Indian Limitation Act, Leading Provisions of the Indian Negotiable Instruments Act, Law and Practice relating to cheques, Promissory Notes, Bills of exchange and their Negotiation, and Metallic and Paper Currencies of England and India.
7. Law of Arbitrations and Awards.	7. Law of Arbitrations and Awards.	7.
8. General Commercial Knowledge.	8.	8. (Commercial Geography Advanced)— Commercial Geography of the World and History of Commerce. the Co-operative Societies Act, and portions of the Indian Stamp Act.

It will be seen that in order to bring the higher course of study up to the standard of the Bombay examination the curriculum and the consequent examination should include items 2, 4 and 7. They should also include the whole of—
the Indian Companies Act,
the Provident Insurance Societies Act,
the Indian Life Assurance Companies Act,

A knowledge of all these is necessary for an auditor, if he is to perform his duties efficiently. Directors and members of companies are generally peculiarly innocent of any knowledge of Company law and this knowledge is, I have found, not very extensive even among some of their legal advisers.

The details would, however, be for settlement hereafter.

6. *Paragraph (4)—Control.*—In Bombay the composition of the corresponding council, viz., the Accountancy Diploma Board, is as shown below :—

Chairman.

- (1) The Director of Public Instruction.

Members.

- (2) The Principal of the College of Commerce.
(3) The Secretary and Treasurer of the Bank of Bombay.
(4) A senior Chartered Accountant.
(5) A senior Incorporated Accountant.
(6) & (7) Two experts in Mercantile Law—one of the members of the Board being appointed by Government from time to time to officiate as Secretary.

The Advisory Council in Madras should in any case include (1), (2) and (3) and, I think, also the Registrar of Joint Stock Companies who comes in close contact with practising auditors. I do not think the Deputy Accountant-General is necessary, as he does not deal with commercial accounts. Otherwise the draft is sufficiently wide to ensure a representative council.

7. *Paragraph (5)—Qualifications for admission.*—The holding of a completed Secondary School-Leaving Certificate should be fixed as the *minimum* qualification for candidates who propose to finish their course with the junior audit examination and the F.A. or the Intermediate examination in arts as that for those who propose to continue for the senior examination.

No age limit appears to be necessary.

8. *Paragraph (6)—Courses of instruction.*—Looking to the peculiarity of this Presidency in possessing a number of registered nidhis or mutual loan associations (about 200 at present) of which the majority keep their accounts in the vernacular, have a limited field of operation and follow a simple system of accounting, and to the fact that the employment of auditors with high qualifications would involve undue expense in their cases, it is indispensable that two classes of certified auditors should be recognized, viz., the 'junior' and 'senior'.

In Bombay the proposal has been made—I have not been able to ascertain whether it has been accepted—that a senior auditor shall be authorized to act as the sole auditor of a joint stock company or in conjunction with any other recognized auditor, and a junior auditor as the auditor of a joint stock company in conjunction with another recognized auditor, whether junior or senior, but not as the sole auditor.

The distinctions are good, but in order to provide for the needs of the nidhis to which I have already referred and of those Provident Insurance Societies which are not registered under the Indian Companies Act—the accounts of the latter are also comparatively simple—I would permit a junior auditor also to act within the presidency or province from the Government of which he obtains his licence, as the sole auditor of such Provident Insurance Societies and of banking and loan companies registered under the Indian Companies Act whose paid-up capital does not exceed Rs. 50,000. I append a statement showing the distribution of existing companies according to paid-up capital which indicates how this rule would act.

9. Under the rules at present in force the 'restricted certificate' restricts the languages the accounts in which may be audited. The question of vernacular languages does not enter into the proposed senior and junior examinations, but since several companies, more especially nidhis, keep their accounts in the vernacular, it will be necessary to restrict the work of, at all events, the junior auditors to the vernaculars with which they are acquainted. This matter may be left to the decision of each Local Government by whom licences are granted. In respect of senior auditors, seeing that no restriction as regards language has hitherto been imposed on the holders of unrestricted certificates (on this point a reference may be made to paragraphs 2 and 3 of the letter from the Government of Madras, No. 261, Judicial, dated the 4th February 1914, and paragraph 7 of the letter from the Government of India, Department of Commerce and Industry, No. 1206-6, dated the 24th idem) this immunity may be continued as looking to the probable standing of this class it may fairly be expected that in dealing with vernacular accounts they would engage the assistance of a qualified auditor acquainted with the language.

Junior auditors will know sufficient English to conduct the audit of accounts in that language. As regards vernaculars their acquaintance might be admitted so far as concerns the vernaculars which they took up for their school course or any other vernacular in which they passed a recognized test.

10. The next point is as regards the length of the college course. Four years for the senior course and two years for the junior seems to be sufficient; but I would make an exception in the case of auditors who at present hold temporary certificates under section 141 (2) of the Indian Companies Act, 1913 (there are now 59 of them). These might be exempted from the requirements of possessing the prescribed general educational qualifications and of undergoing

the training for the junior or senior audit course but should be required to sit for the examination either in the junior or senior grade within a period of three years from the date of its institution. A similar exemption might be granted to persons who already hold the local diploma certificate in commerce.

11. Last, but not least, comes the question of a provision for the practical training of these two classes of auditors, which in my opinion is an essential. The practical training or apprenticeship might be served either before or after passing the examinations and candidates might be allowed to undergo it simultaneously with their theoretical training during the vacation of the Institute and during leisure hours of the day.

A relaxation would have to be made in the case of existing holders of auditor's certificate who pass the junior or senior examination since they will all possess experience.

As regards others, the period of practical training might be limited to two years of apprenticeship under a qualified auditor being defined as a member of any of the bodies exempted from a certificate with reference to section 144 (1) of the Indian Companies Act, 1913, or a senior auditor.

As in the case of apprenticeship under High Court Vakils, it may be provided that this apprenticeship under a qualified auditor need not necessarily be served under one master and that the auditor under whom the apprenticeship is served must himself have had three years' practical experience and be actually practising as an auditor during the whole period of the apprenticeship.

It is understood that the Government of Bombay have under consideration the question of a three years' apprenticeship with a respectable firm following on the period of theoretical training, but it is not clear how they would define 'a respectable firm.'

12. The details of the whole of the Bombay scheme will, I believe, be ready by July next and it might be useful to await their publication before issuing final orders here.

1st April 1916.

C. M. SCHMIDT,
Registrar of Joint Stock Companies.

II

Order—No. 1131, Home (Education), dated 27th October 1916.

With reference to the question of establishing a College of Higher Accountancy and auditing in Madras which would serve the needs of this Presidency, the Governor in their Order No. 485, Educational, dated the 5th May 1915, requested the Director of Public Instruction to submit detailed proposals. The Director of Public Instruction has in reply submitted a draft scheme for the establishment of an Institute of Commerce in Madras. In the meanwhile the Government of India have referred to this Government for opinion the scheme of the Government of Bombay for the utilization of the Sydenham College of Commerce and Economics as a central examining body for conducting examinations at various centres in India and for awarding diplomas in Accountancy.

2. His Excellency the Governor in Council has now resolved to appoint a committee consisting of the following gentlemen to consider and advise on the schemes referred to above:—

The Director of Public Instruction, *Chairman*.
The Registrar of Joint Stock Companies.
Pandit Vidya Sagar Pandya of the Indian Bank, Madras.
Mr. Ian Frazer of Messrs. Frazer and Ross, Chartered Accountants, Madras.
M.R.Ry. Rao Bahadur M. A. Parthasarathi Ayyangar Avargal, B.A., B.L.,
Head Cashier, Bank of Madras, Madras.

3. The Director of Public Instruction should arrange for the meeting of the committee and forward to the Government a copy of its proceedings with his own remarks thereon, at an early date.

(True extract)

P. RAJAGOPALA ACHARIYAR,
Secretary to Government.

III

Letter—from the Hon'ble Mr. J. H. STONE, M.A., F.R.E.S., C.I.E., Director of Public Instruction.

To—the Secretary to Government, Home (Education) Department.

Dated—Madras, the 2nd March 1917.

No.—R.C. 3855/15.

With reference to paragraph 3 of G.O. No. 1131, Home (Education), dated 27th October 1916, I have the honour to state that a meeting of the committee appointed by Government to consider the scheme for the establishment of a college of higher accountancy and auditing in Madras met in my office under my presidency on the 16th December last at which the draft scheme submitted to Government with my letter R.C. No. 3855/1915, dated 8th May 1916, was fully discussed and to submit herewith a copy of the proceedings of the meeting.

2. It will be observed from the above proceedings that the committee are of opinion that the Sydenham College of Commerce and Economics, Bombay, should be utilized as a central examining body for diplomas in Accountancy provided that the diplomas are awarded by the Government of India, and that Madras is represented on the Accountancy Diploma Board. They are further strongly of opinion that there should be in India only one such Examining Board which may conveniently be "the Bombay Board." The modifications suggested by the committee and by Mr. C. M. Schmidt in a separate letter No. 5-Camp, dated 16th January 1917, are embodied in the accompanying draft scheme which I have prepared.

3. The main changes are noted on below:—

Paragraph 3.—It is proposed to add to the Advisory Council the Director of Public Instruction as President and to substitute the "Chambers of Commerce" for the "Deputy Accountant-General." M.R.Ry. Vidya Sagar Pandya Avargal seems to be under the impression that it was the intention of the conference to include the "Director of Industries" either in place of the "Deputy Accountant-General" or in place of or in addition to the "Collector of Madras." I think that he is wrong in thinking that the conference wished to make this a definite recommendation, but it is a point that might well be considered when the council comes to be constituted.

Paragraph 4.—The standard of instruction is to be that of the Bombay Accountancy Diploma. The committee did not accept Mr. Schmidt's proposal that there should be two standards of instruction (a) for senior and (b) for junior auditors as it was held that the recognition of two grades of auditors would restrict unduly the field of the senior class, and Mr. Schmidt finally agreed to the omission of the provision for such distinction as the whole question of the status of nidhis in regard to which junior auditors would be mainly required is under consideration and if these societies are removed, as it is proposed that they should be, from the purview of the Indian Companies Act, 1913, the rules under the Nidhis Act to be framed if passed could provide for the requisite qualification of their auditors.

Paragraph 9.—The constitution of the staff is given in this paragraph. Particulars of the clerical and menial establishments will be furnished when Government orders on the draft scheme have been received.

ENCLOSURES

(1)

Proceedings of the Committee on the proposed Institute of Commerce in Madras.

The committee considered the draft scheme of the Director of Public Instruction submitted to Government with his letter Ref. on Cur. No. 3855/1915, dated 8th May 1916, and consider that it may be adopted with the modification stated below.

They are also of opinion that the Sydenham College of Commerce and Economics, Bombay, may be utilized as a central examining body for diplomas in Accountancy provided that the diplomas are awarded by the Government of India and that Madras is represented on the Accountancy Diploma Board. They are further strongly of opinion that there should be in India only one such examining board which may conveniently be the Bombay Board.

The following modifications in the draft scheme include those made necessary by adopting the Bombay examination. The paragraphs are those of the draft scheme:—

1. *Object.*—Substitute "The institute is intended primarily to afford facilities for the training of persons who will be qualified to audit the accounts of Life Assurance Companies

falling within the scope of the Indian Life Assurance Companies Act, 1912, of companies registered under the Indian Companies Act, 1913, and of societies registered under the Provident Insurance Societies Act, 1912."

2. *Control*.—Add to Council Director of Public Instruction, President, omit Deputy Accountant-General and read Chambers of Commerce.

3. *Standard of instruction*.—Substitute "that the Bombay Accountancy Diploma."

4. *Courses of instruction*.—Substitute "this will be for students of the Matriculation standard three years and for those of the Intermediate in Arts Standard two years. The course will include for all students who need it instruction in English composition and précis writing and in elementary mathematics, and these subjects will be a main part of the first year's work of the students of the Matriculation standard. Students who need it will also receive a grounding in general commercial subjects."

5. The course in the college will be preceded or followed by apprenticeship for three years to either (1) a practising accountant belonging to any of the institutions and associations mentioned in the notification of the Government of India, Department of Commerce and Industry, No. 1626-6, dated 14th March 1914, (2) the holder of an auditor's certificate under the Indian Companies Act of 1913 recognized for this purpose by the council of the institute.

During the term of apprenticeship the council will call for such reports of the progress of the apprentices as they may consider necessary and the grant of the diploma will be subject to these being satisfactory.

6. *Qualifications for admission*.—Insert after "should be" "at least Matriculates or." Add "Persons may also be admitted to the institute under rules framed by the council, who do not intend qualifying for the diploma."

7. *Examinations*.—(Substitute for first paragraph): "The final examination will be that held by the Accountancy Diploma Board, Bombay. There will be an examination at the end of the first year of the three-year course success in which will be a condition of promotion to the second-year class."

8. *Hours of work*.—Add "The classes of the institute will be held so far as proves practicable out of business hours."

9. *Staff*.—Substitute "The staff will consist of—

	Rs.
Principal, Indian Educational Service, on initial pay of ...	750
Law Assistant	250
Book-keeping and Commercial Assistant	200—10—250
Type-writing and Shorthand	100—10—150
English Assistant	100—10—150
Mathematics Assistant	100—10—150

10. *Fees*.—These will be for the first year of the three-year course, those charged in the Presidency College for the first University year, for the two-year course and the second and third years of the three-year course, those charged in the Presidency College for the third and fourth University year complete courses.

Add "10 (a). *Attendance*.—To be eligible for admission to the examination students must have attended three-fourths of the working days in each year which must not be fewer than 150."

(2)

Draft scheme for the proposed Institute of Commerce to be established with a special view to the training of auditors and accountants in Madras.

Object.—The institute is intended primarily to afford facilities for the training of persons who will be qualified to audit the accounts of Life Assurance Companies falling within the scope of the Indian Life Assurance Companies Act, 1912, of companies registered under the Indian Companies Act, 1913, and of societies registered under the Provident Insurance Societies Act, 1912.

2. *Location*.—It will be located in Georgetown as being the chief business centre of Madras.

Accommodation.—This will include a library and common rooms for staff and students.

3. *Control*.—Subject to the control of the Government, the institute will be under the Director of Public Instruction who will be assisted by an Advisory Council consisting of the Director of Public Instruction as President, the Principal of the institute as Secretary; the Collector of Madras, the Registrar of Joint Stock Companies and members nominated by the Government from among the chartered accountants, bankers and merchants of Madras in such a way as to secure due representation of such commercial organizations as the Chambers of Commerce.

4. *Standard of instruction*.—This shall be the same as that of the Bombay Accountancy diploma.

5. *Courses of instruction*.—This will be for students of the Matriculation standard three years and for those of the Intermediate in Arts standard two years. The course will include for all students who need it instruction in English Composition and Précis-writing and in Elementary Mathematics and these subjects will be a main part of the first year's work of the students of the Matriculation standard. Students who need it will also receive a grounding in general commercial subject.

The course in the college will be preceded or followed by apprenticeship for three years to either (1) a practising accountant belonging to any of the institutions and associations mentioned in the notification of the Government of India, Department of Commerce and Industry, No. 1626-6, dated 14th March 1914, (2) the holder of an auditor's certificate under the Indian Companies Act of 1913 recognized for this purpose by the council of the institute.

During the term of apprenticeship the council will call for such reports of the progress of the apprentices as they may consider necessary and the grant of the diploma will be subject to these being satisfactory.

6. *Qualifications for admission*.—Candidates for admission into the institute should be at least Matriculates or holders of Completed Secondary School-Leaving Certificates or those who have passed the High School examinations for Europeans and such others as may in the opinion of the committee possess sufficient knowledge to be benefited by the instruction imparted in the institute. Persons who do not intend qualifying for the diploma may also be admitted to the institute under rules framed by the council.

7. *Examinations*.—The final examination will be that held by the Accountancy Diploma Board, Bombay. There will be an examination at the end of the first year of the three-year course success in which will be a condition of promotion to the second-year class.

Annual and such other periodical examinations as prove necessary will be held by the staff of the institute and the first year annual examination will include for such students as have undergone instruction in them English and Mathematics.

8. *Hours of work*.—The hours of work will be fixed by the Director of Public Instruction in consultation with the advisory council. The classes of the institute will be held so far as proves practicable out of business hours.

9. *Staff*.—The staff will consist of—

	Rs.
Principal, Indian Educational Service, on initial pay of ...	750
Law Assistant	250
Book-keeping and Commercial Assistant	200—10—250
Type-writing and Shorthand	100—10—150
English Assistant	100—10—150
Mathematics Assistant	100—10—150

besides clerical and menial establishments.

10. *Fees*.—These will be for the first year of the three-year course those charged in the Presidency College for the first University year, for the two-year course and the second and third years of the three-year course those charged in the Presidency College for the third and fourth University year complete courses.

10. (a) *Attendance*.—To be eligible for admission to the examination students must have attended three-fourths of the working days in each year which must not be fewer than 150.

11. *Holidays and vacations*.—The institute shall be closed for the midsummer and Christmas vacations for such periods as may be fixed by Government from time to time on the advice of the advisory council and the other holidays shall be the same as those allowed by Government under the Negotiable Instruments Act.

12. *Registers*.—The registers ordinarily maintained in Government Colleges will be kept and such others as may be prescribed by the council with reference to the special character of the institution.

Order—No. 813, Home (Education), dated 6th June 1917.

With his letter read above the Director of Public Instruction submits the recommendations of the committee constituted in G.O. No. 1131, Home (Education), dated the 27th October 1916, to consider the draft scheme for the establishment of an Institute of Commerce in Madras with a view to the training of public accountants and auditors. The Government are generally inclined to approve of the scheme as modified with reference to the conclusions of the committee and to give effect to it as soon as it is suitable to do so.

2. The Director of Public Instruction is informed that the Government have also decided to recognize the Sydenham College of Commerce and Economics as a central examining body for conducting examinations at various centres in India and for awarding diplomas in accountancy subject to certain conditions. The Director is requested to elaborate his proposals in respect of the scheme for the Institute of Commerce in Madras on the above lines and submit them to Government.

(True extract)

R. RAMACHANDRA RAO,
Secretary to Government.

To the Director of Public Instruction.
„ Registrar of Joint Stock Companies } with a copy of the scheme.
„ Home (Judicial) Department }

APPENDIX XV.

[Vide answer to question No. 139 asked by the Hon'ble Mr. T. Ranga Achariyar at the meeting of the Legislative Council held on the 12th February 1918, page 186 supra.]

G.O. Mis. No. 2061, Revenue, dated 10th September 1915.

The Government consider that there are not sufficient grounds for the retention of the Meyyur reserve in the Chingleput district under the control of the Forest Department. It is not a fuel plantation and is not needed for carrying out experiments in the combination of casuarina with trees of other species. The proper course therefore is to disafforest the reserve and transfer it to the Revenue Department for registration as a Government tope and lease under Board's Standing Order No. 18.

2. The petitioners will be referred to the Board of Revenue for orders on their memorial to Government, dated 24th May 1915.

(True extract)

L. DAVIDSON,
Secretary to Government.

COMMUNICATIONS TO THE COUNCIL; AMENDMENT OF THE RULES FOR THE CONDUCT OF BUSINESS AT MEETINGS OF THE COUNCIL; MAPPILLA SUCCESSION BILL. 261

12TH FEBRUARY 1918.] (*The Secretary; Mr. M. Ramachandra Rao; the President; Mr. Ahmad Tambi Marakkayar.*)

COMMUNICATIONS TO THE COUNCIL.

The SECRETARY reported the receipt of the following communications to the Council:—

Regarding the Bill to amend the Madras Village Courts Act, 1888.

- (i) From M.R.Ry. C. Chamundi Kavundan, Nattarampalli, Tiruppattur taluk, North Arcot district, dated the 22nd November 1917.
- (ii) From the Secretary to the Bhimavaram Taluk Association, Kistna district, dated the 20th November 1917.
- (iii) From the residents of certain villages of Tadpatri taluk, Anantapur district, dated December 1917.
- (iv) From the ryots of the Rayadrug taluk, Bellary district, dated the 2nd February 1918.

Regarding the Bill further to amend the Madras Irrigation Cess Act, 1865.

- (i) From the Secretary to the District Association, Vizagapatam, dated the 1st February 1918.
- (ii) Telegram from the President of a public meeting held at Dharakota, dated the 6th February 1918.
- (iii) From the President of a public meeting held at Chodavaram, Vizagapatam district, dated the 5th February 1918.
- (iv) From the Secretary to the District Association, Vizagapatam, dated the 5th February 1918.
- (v) From the President of a public meeting held at Salur, dated the 5th February 1918.
- (vi) From the President, Taluk Association, Yellamanchili, Vizagapatam district, dated the 5th February 1918.
- (vii) From the President of a public meeting held at Peddapuram, dated the 6th February 1918.
- (viii) From the President of a public meeting held at Rajam, Vizagapatam district, dated the 6th February 1918.
- (ix) From the Vice-President, Madras Landholders' Association, dated the 8th February 1918.
- (x) Telegram from the President of a public meeting held at Anakapalle, dated the 8th February 1918.

AMENDMENT OF THE RULES FOR THE CONDUCT OF BUSINESS AT MEETINGS OF THE COUNCIL.

The next item on the agenda was the following amendment of the rules for the conduct of business at meetings of the Council, of which notice had been given by the Hon'ble Rao Bahadur M. Ramachandra Rao Pantulu:—

- (i) For rule 7 the following shall be substituted:—
“7. (a) The Secretary shall, at least ten clear days before the date fixed for each meeting, send to every member a preliminary list of the business to be brought forward at such meeting.”
- (b) After sending such preliminary list the Secretary shall, at least three clear days before the date fixed for such meeting, send to the Madras address of every member a printed statement corrected up to date of the business to be transacted at such meeting.”
- (ii) In rule 34, for the word “six” the word “fourteen” shall be substituted; and in the same rule, for the word “fifteen” the word “twenty-one” shall be substituted.

His Excellency the PRESIDENT:—“I think the honourable gentleman has been asked to postpone the motion and he has consented to do it, I think.”

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—“Yes.”

His Excellency the PRESIDENT:—“I may say, for the information of the Council, that we are entirely agreeable to make any arrangement for the convenience of the Council. We shall be glad to have an opportunity of further examining the point, so that we might be sure that our advice to the Council will be towards the solution of the question.”

With the permission of His Excellency the President, the consideration of the motion was deferred.

MAPPILLA SUCCESSION BILL.

The Hon'ble Mr. AHMAD TAMBI MARAKKAYAR, in introducing a Bill to amend and define the law of intestate succession among Mappillas governed by the Marumakkattayam or the Aliyasantana law of inheritance and moving that it be read in Council, said:—“Your Excellency, I beg to introduce the ‘Mappilla Succession Bill’, to amend and define the law of intestate succession among Mappillas governed by the Marumakkattayam or the Aliyasantana

(Mr. Ahmad Tumbi Marakkayar; Mr. Yaqub Hasan; [12TH FEBRUARY 1918. Mr. Gillman; Mr. Sadasiva Bhat; Mr. Ramanuja Achariyar.]

law of inheritance. This Bill has been brought into existence at the request of the Mappillas who prefer to follow the Muhammadan Law. It purely concerns a sect of people of this Presidency, who are unanimous in their approval of the measure.

"A motion was originally made for leave to introduce this Bill, and it was agreed to, on 23rd November 1915. Subsequently, to make some slight alterations in the wording of the Bill, it was withdrawn; and leave for introducing a revised Bill was again obtained on the 6th February 1917.

"The Bill was published in April last; and so far, no objections have been raised against its introduction; but it has been approved of on all hands. I, therefore, beg to move that this Bill be read in Council."

The Hon'ble Mr. Yaqub Hasan:—"Your Excellency, I have much pleasure in seconding this motion. I do not think it is necessary to say much on this Bill, as I understand that the Government are willing to allow this Bill to be passed into law. When His Excellency visited Malabar, some time ago, a representation was made to him on the subject, and if I am right, Your Excellency was pleased to say that you would give your support in this matter. This is a step in the right direction, for, no doubt, the Mappillas are suffering under a great disability. They naturally desire to be brought into line with the other Muhammadans of India as far as the law of succession is concerned. I hope this Council will pass the Bill in the usual course."

The Hon'ble Mr. H. F. W. Gillman:—"Government accept this motion, Your Excellency. The information they have is that the Bill is acceptable to the people whom it is intended to govern and any criticism that may be offered may be very well attended to in the Select Committee."

The motion was then put and agreed to.

The Hon'ble Mr. Ahmad Tumbi Marakkayar:—"I beg to move that the Bill be referred to a Select Committee for report consisting of the following members:—

The Hon'ble Mr. H. F. W. Gillman,	The Hon'ble Yaqub Hasan Sahib Bahadur,
the Advocate-General,	Mr. T. Ranga Achariyar,
Mr. A. R. Knapp,	Mr. K. Sadasiva Bhat,
Muhammad Aziz-ud-din	and myself.
Husain Sahib Bahadur, Khan Bahadur,	

The Hon'ble Mr. K. Sadasiva Bhat:—"I beg to second that motion."

The motion was then agreed to.

The Secretary then read the title of the Bill.

The motion that the Bill be referred to a Select Committee and that the Select Committee be constituted as above, was put and agreed to.

Resolutions on matters of general public interest.

RESOLUTION RE CORRESPONDENCE REGARDING THE STRENGTH OF THE MADRAS HIGH COURT.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Your Excellency, the resolution which I have the honour to move runs thus:—

'I. This Council recommends to His Excellency the Governor in Council that the full correspondence with the Government of India and the Secretary of State over the fixing of the permanent strength of the Madras High Court at ten and the further continuance of the temporary judges be laid on the table.'

"Your Excellency, I move this resolution for several reasons. The Reform Despatch of Viscount Morley has for its central object the association of the people's representatives effectively in the work of actual every day administration. This association was to be brought about by giving them liberal opportunities of criticism and discussion and of initiating advice and suggestions to Government. The representatives of the people were expected to take a more effective part in shaping the policy of the Government and to exert a real influence on the actual work of administration. (So Lord Minto said.) The power of appointing temporary Judges to the High Court was conferred on the Governor-General in Council in 1911; between 1912 and 1918 it has been exercised on more than eight occasions. On every one of those occasions notice of questions and resolutions was given; but there was no attempt on the part of the Government to take the non-officials into their confidence. Their action is quite opposed to the noble aim of Lord Morley.

"Again in the debate on the Resolution which I moved in May 1914 the Hon'ble Sir Alexander Cardew observed: 'There are now actually eight permanent Judges and there are also at present two temporary Judges, while after the 1st July there will be two more temporary Judges. These four temporary Judges are required to overtake the arrears which have grown up in past years. The fact that they are temporary shows that the Government have not at

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present committed themselves to the necessity of appointing more than eight Judges.' Yet in July 1917 the permanent strength of the High Court was raised to ten. The necessity for this increase from the official point of view is worth knowing.

"In the next place, we wish to understand how the permanent strength of the High Court came to be fixed at ten. By this change the interests of Indians have been injuriously affected. Under a worn-out statute of 1861 enacted under different and now obsolete conditions certain proportions of barristers and civilians were fixed in respect of the strength of the High Court. When the strength is eight only, two Indians—under the term, I include Indian barristers, only one of whom has been sitting on our High Court Bench—may sit on the High Court Bench. If it be raised to nine, one more Indian may be appointed. But when the number of Judges is fixed at ten, only two Indians may remain. This anomaly must have been present before your Excellency's Government, the Imperial Government and the Secretary of State. And your Excellency's Government must also have been aware of the various announcements that have been made from time to time in respect of the greater association of Indians in the administration of their country and of the recognition of the Indian's great aptitude for judicial offices.

"I draw special attention to Her Majesty's proclamation of 1858, 'our subjects of whatever race or creed be freely and impartially admitted to offices in our service the duties of which they may be qualified by their education, ability and integrity duly to discharge,' and to the announcement made in 1912 in the House of Commons when the Royal Commission on Public Service was appointed that the problem was to give educated Indians the fullest opportunity in the Government of their own country to exercise the advantages which they have acquired by training and by education. As to the aptitude of Indians for judicial work the Public Service Commission of 1888 said that the experiment of appointing persons other than civilians and barristers as High Court Judges had proved a success and that an advance must be made in the direction of appointing more of them to the High Court Bench. Since 1861 the profession of law has steadily and rapidly grown both in number and efficiency. In the province of Madras, the indigenous element of the profession has become so strong that the predominance of English barristers has entirely disappeared. The High Courts Act of 1861 providing for the claims of erudite barristers and experienced civilians, thought little then of the claims of a third class—the Indian lawyer—who combines the erudition of the one and the experience of the other, and it is this combination that makes the Indian a more valuable Judge and enables him to despatch his work more quickly. We had therefore reason to expect that the proportion of Indian Judges would be increased. Yet they are worse off now than they were before. It will be interesting to know how far these solemn announcements and admitted facts were kept in mind in the final decision fixing the strength of the High Court at ten.

"Lastly we wish to know why the permanent strength has been fixed at ten while the temporary Judges are still continued. If their continuance was necessary, why was not the permanent strength raised to nine only and three temporary Judges continued.

"In these circumstances I move that the correspondence between the Secretary of State, the Government of India and the Local Government from 1912 up to date be published. The correspondence having come to an end, no valid reason can exist for their being kept confidential.

"Last August the announcement was made that the goal in India was Responsible Government, i.e., Government responsible to the people of India. May I hope that in furtherance of this objective, Government will accept this resolution and publish the correspondence, in order that any dissatisfaction that may have been engendered in people's minds may be allayed and in order that the people and their representatives may know what further action is necessary to safeguard Indian interests.

"I therefore place this resolution before the Council."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU:—"Your Excellency, I beg to second this resolution. When the amending Indian High Courts Act of 1911 was passed strengthening the constitution of the High Courts and enabling Judges to be appointed to the number of 20, and when power was also conferred thereby upon the Government of India to appoint additional Judges from time to time for a period not exceeding two years, it would have been satisfactory if the whole question about the recruitment of the High Court had been taken into consideration. Though certain defects in the Indian High Courts Act of 1861 were tried to be remedied, the provisions of the old obsolete Regulation of 1861 which prejudicially affect Indian lawyers, were not abrogated or modified in any particular whatever. It is this difficulty that has given rise to the present resolution and to the request made time after time before this Council that the question of the strengthening of the High Court ought to be carefully examined and placed before this Council. The request embodied in this resolution is a very simple one; and now that the correspondence originally started had been concluded, the rules preventing matters that the correspondence being forbidden from disclosure, would not apply at present, and the request can therefore be granted.

"We find from the history of the Proceedings of this Council, that at least from the year 1915 repeated attempts have been made for the purpose of eliciting information regarding the proposals under consideration, and for the purpose of requesting Government to take this Council into confidence; but all these attempts have been in vain. I find it was at a meeting of 25th May 1915 that the question was put as to the publication of the correspondence then going on between the Government and the High Court and the Government of India and the reply given to my Hon'ble Friend Mr. Ramanuja Achariyar was that at that stage no useful purpose would

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be served by publishing that correspondence. It was asked whether this Council would be taken into confidence before the proposals would be formulated and it was replied that there was no necessity for deviating from the ordinary procedure. Again, at a later stage, a similar question was put again, and the reply given on the 6th of February 1917, was that the matter was still under consideration, and that it was not necessary then to publish the correspondence that was going on regarding that subject. I find that at the budget meeting last year, my Hon'ble Friend Mr. Ranga Achariyar wanted to know whether the Council would be given an opportunity of discussing the proposals regarding the strength of the High Court and the Hon'ble Mr. Gillman asked notice of that question. When we come to April, we were then informed that it was not considered desirable to publish the correspondence at that time. Naturally, everyone expected that a stage would come when this correspondence would be published, the words 'at present' having been used in the reply given by the Government. When we come to November 1917, a similar request was made in a similar question and the reply was that the Government did not think it necessary. This is the reply given to questions in regard to the publication, and this is the way in which the Council is being taken into confidence and being given opportunities for discussing the question. I would therefore specially urge that there should be no objection whatever to the publication of these papers so as to enable people to understand how the matter stands and what weighed with the authorities in the final decision being arrived at, for fixing the number at ten. There might be very proper reasons, but we are not in a position to know what the reasons are. What strikes any one who is not acquainted with the correspondence is, when Indians had an opportunity of having two Judges, when the strength was eight, should they be placed in the same position when the strength is ten? What the reasons are, the public are not in a position to know; and it is necessary both in the interests of the Government and of the public that the correspondence should be published, so as to enable the public to know what the exact reasons are."

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, the question of the permanent strength of the High Court has been freely ventilated in the papers; and from the articles which have appeared on the subject, it is clear, I think, that the public are fully aware that the recommendations of this Government in the matter were not accepted. With the support of the High Court, we recommended that the number of permanent Judges should be increased to twelve; but the Government of India did not feel justified at the moment in recommending any increase beyond ten though they were satisfied that two temporary Judges would have to be retained for the present in order to work off the existing arrears. That recommendation, I may say, was not made either with the approval or on the recommendation of this Government. It was taken by the Government of India on their own motion. Now it is the general rule, which can be broken only with the consent of the Government of India, that, when there is difference of opinion between the Imperial and Local Governments, papers shall not be published without the approval of the former. We have not applied for the papers being published, because we did not regard this case as closed."

"We are fully aware of the objections to the permanent strength of ten from the Indian standpoint and we are also fully alive to the great undesirability of repeated appointments of temporary Judges. But we are waiting to watch the trend of business in the High Court in order to consider when a further recommendation might be made either to adopt our original proposal or some other one. There is no use at present in approaching the Government of India on this subject until we have some fresh information to give them. Under these circumstances, Your Excellency, Government are unable to accept this motion."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"My Lord, the Hon'ble Mr. Gillman's statement as regards the strength of the High Court is so far as it goes satisfactory, but the point raised in this resolution is as regards the publication of the papers. All that I heard stood from the statement made that the Secretary of State had finally stated that for the time being, the permanent strength should be fixed at ten; and under these circumstances, the matter having come to an end, I do not see any reason why the papers should not be published. If necessary, the permission of the Government of India and the Secretary of State might be obtained for such a course. That is the point which my Hon'ble Friend Mr. Ramanuja Achariyar wishes to press upon the attention of the Government. We wish to have as much information as possible as regards the reasons which actuated the Government of India and the Secretary of State to have taken a course against the express recommendations of Your Excellency's Government and of the High Court of Judicature at Madras; and if necessary, we want to bring pressure to bear upon the authorities to adopt the view adopted by Your Excellency's Government in this matter. It is, from that point of view, absolutely necessary to publish these papers. In regard to another subject, namely, the question of the Department of Industries, there was a long correspondence with the Secretary of State which, when it was closed, was published by Your Excellency's Government after representations made in this Council. I would, therefore, suggest that Your Excellency's Government should move both the Government of India and the Secretary of State to publish this correspondence and I do not see why it should be kept unpublished. When the matter is still under correspondence, there might be considerations why the correspondence should be withheld. But so far as I can see, it must be held that the whole subject must now be considered closed."

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The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Your Excellency, we have been kept in the dark from 1912 and it is proposed to keep us still in the dark for another year, for the temporary judges will work till the end of the year, and then this Government must see what is being done and probably another year will elapse. I think we have a right to know what has gone on in these years. If this Government are not competent to publish the correspondence, I agree with my Hon'ble friend Mr. Ramachandra Rao that this Government should apply to the Government of India for permission to publish the correspondence. If the correspondence is not to be published, what is the meaning of our association with Government? We are not in a position to give them advice, we are not in a position to make any suggestion as to how these things are to be done. When the thing is closed, we are not even permitted to see those papers. Under these circumstances, I do not understand what is meant by our association with Government. In all important matters, we are not given any information. In petty matters, large numbers of papers are circulated which are of no value."

The resolution was then put and lost.

RESOLUTION *RE* COMMITTEE TO CONSIDER THE QUESTION OF ARREARS IN THE MADRAS HIGH COURT.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Your Excellency, I beg to move the following resolution:—

'II. This Council recommends to His Excellency the Governor in Council that it is necessary to move the Government of India to appoint a committee of officials and non-officials to examine the real state of arrears in the Madras High Court before another exercise of the power under section 101 (2) (i) of the Government of India Act, 1915, is invoked.'

"Your Excellency,—In May 1914 I moved a resolution asking for a committee to inquire into the arrears of the High Court and suggested various remedies for dealing with them. After discussion, at the request of Government I withdrew the resolution in the hope that proper inquiry would be held. Since then nothing has been done except to justify the addition of temporary judges and to continue them from time to time."

"In January 1912 two judges were appointed for two years. In February 1914 they were continued for two years more. In July 1915 two more judges were added for six months, and in January 1915 their services were continued for another year. In 1916 all the four temporary judges were continued for one year. In January 1917 the same thing was done first for six months and then for another six months. In November 1917 two of them were made permanent and the remaining two temporary judges were continued first for one month and then to the end of the current calendar year."

"One may fairly ask whether the arrears were carefully considered by Government on each occasion. In the first place what is meant by arrears. Cases are not ready to be taken up for various reasons; time is required for service of notice, for translation, for printing and for bringing legal representatives on the record, for appointment of guardians, etc. It is only when cases are ready and there is no judge to attend to them, that they become arrears. This is the proper definition of the term. As Sir Rufus Isaacs, Attorney-General, now Lord Reading, L.C.J., said: 'The state of things must be such in the courts that when a case was ready for trial there should be a judge ready to hear it.'"

"The existence of arrears having been determined, the next question for consideration is whether they are due to temporary causes, such as heavy political trials occupying the time of the judges like Ashe Murder trial and the Midnapur case—in this case the proper course will be to appoint only temporary judges—or due to permanent causes as the normal growth of litigation. On this point opinion appears to have been divided. In May 1914, Sir Alexander Cardew thought that only temporary judges were required to wipe off the arrears of past years. Towards the end of the same year the Secretary of State for India stated in Parliament: "In the Madras High Court there were two temporary judges from 1912 to 1914, since which date there have been four. The judges hope that by the end of this year the arrears will be much diminished." In 1915 the Government Order published by Government gives the impression that the arrears were due to permanent causes."

"As to the nature of the addition to the strength of the High Court—temporary or permanent—reference may be made to the discussions in Parliament during the consideration of the High Court's Amendment Bill. It was stated that the experiment of appointing temporary judges was to get over the temporary evil and delay which might be caused by the length of State trials. To work off such temporary arrears, it would not be necessary to appoint new permanent judges. On the other hand it is not proper to strain a power given for temporary purposes by repeated extensions. If the original exigency threatens to become permanent, the remedy should be permanent. The same view was recently expressed by our own High Court, in connexion with the objection taken to the continuance of temporary judges beyond the period of two years. The learned judges observed: 'The object of the measure was to provide for occasions when the permanent strength of the High Court was unable to cope with

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the work for disposal and the work is not sufficient to justify the appointment of another permanent judge. It follows that when even one permanent judge could be appointed, recourse should not be had to temporary judges. Applying this test, the appointment of temporary judges appears to be objectionable. The work done by temporary judges from 1912 represents the work of a permanent judge for 18 years: This certainly proves that there has been neither a proper calculation of arrears nor a determination of their nature. I may add that the judicial life of a High Court Judge is only 11 years.

"I am not competent to go into the question of the legality of continuing the same gentlemen as temporary judges beyond the period of two years for which they were originally appointed. To my lay mind the course hitherto pursued appears to be an encroachment on the prerogative of His Majesty and is calculated to alter the complexion of the High Court as an impartial tribunal above the possible influence of the executive.

"Even on this point opinion seems divided. One of the learned Judges of our High Court is reported to have observed: 'The original intention of the appointment of judges by His Majesty is departed from by the amendment. Does this mean that the power of appointing High Court Judges has been delegated absolutely to the Governor-General in Council?' But in England in answer to a question in Parliament it was stated that there has been no deviation from the policy laid down by Parliament.

"On the evils of temporary additions to the High Court made by the Executive Government much need not be stated. The policy of the British Parliament in erecting the High Courts in India was explained by Sir John Edge, late Chief Justice of Allahabad and now a member of the Judicial Committee thus:—

"The object and intention of the Imperial Parliament could not, in our opinion, have been to place in the hands of the Governor-General in Council or Governor in Council or the Lieutenant-Governor of these provinces a power which would, subject to His Majesty's being moved through the Secretary of State for India to appoint, enable the Executive in India by making acting appointments on the happening of vacancies and by making successive appointments on the happening of the same vacancy, in time to constitute a High Court of one Barrister Judge acting as Chief Justice, and of acting judges, that is, of persons who could at the will of the Executive be removed from their acting appointments in the High Court.' This is the policy as judicially interpreted and it was recently declared that this policy has not been departed from. To recognize an unlimited power in the Governor-General in Council to appoint the same persons or others eternally for periods of two years and to act upon it is certainly opposed to this policy. It lowers the dignity of the High Court which has built up the constitution of this country and is loved and revered by the people. It has been their only bulwark at a time when the legislature has been made a hand-maid of the Executive and required to pass such laws as are placed before it by that Executive. To convert also the High Court into a creature of the Executive by filling it with temporary judges to be confirmed or replaced at the sweet will and pleasure of the Executive is highly improper and should be protested against in the most emphatic manner possible.

"On the policy of temporary judges, Mr. Chamberlain said in 1915 that he was aware of the disadvantages of making temporary appointments to a High Court. Our own Chief Justice expressed his awareness of the great dissatisfaction with which the appointment of temporary judges is viewed. The Hon'ble Mr. T. Ranga Achariyar voiced the same feeling in the profession as early as 1915. On all hands temporary tenure is condemned by students of a progressive constitution. A sacred constitutional principle in the administration of justice reared and cherished at great cost by the British constitution has been violated by making the tenure of judgeship precarious and temporary depending on the will of the Executive on the spot. The gravity of the situation will become clear when it is remembered that in India, the Executive has to figure before such judges as parties litigant and, in the words of a late Judge, 'are no worse or no better than the ordinary litigant.' In England during the worst periods of constitution making, the struggle raged round the independence of courts. The low estimate in which temporary judges are held in England will be realized when we know that such judges are called 'Journeyman judges' and judges on approval who have to submit to the undignified ordeal of 'showing their paces.' The precarious tenure could not be without its effect on the mind of individual judges themselves. Hence the use of this temporary expedient fraught with such great danger to the constitution should be very sparingly used.

"It is observed, from a consideration of statistics which by the way are not always safe guides, that the increase of work has not kept pace with the increase in judges.

"Applying the same test as the one which Sir Alexander Cardew applied in 1914, and leaving out of account miscellaneous petitions, the work may be said to have grown from 1903 by 50 per cent.

"It is generally felt that the proper selection of High Court Judges worthy to discharge the duties of their high office is greatly hampered by the continuance of a time-worn statute.

"There is also a general impression that within the last twenty or twenty-five years there has been a distinct falling off in the quality of district judges. Whether this is due to the growing strength of a learned Bar or to their difficulty in mastering the greater complexities of law, or whether it is due to their not being recruited from the Bar it is needless to consider. As regards the subordinate judiciary, though their recruitment is properly made, their prospects are so gloomy that many of them do not take sufficient interest in their work. Owing to this unsatisfactory state the appellate and revisional work increases.

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"For these reasons I endorse what a member of the legal profession in England said: 'The need is not for "more" Judges, but for "other" Judges. Every solicitor realises that the delay, expense and uncertainty incident to legal proceedings is in the majority of cases due to the fact that so many judicial offices are filled by men who are not equal to their responsibilities.'

"I have tried to show that a policy of drift or makeshift has been the course pursued in the appointment and continuance of the temporary Judges to the Madras High Court. The committee that I propose will have to deal with the following points:—

- (1) What is meant by an 'arrear.'
- (2) What is the quantity of such arrears.
- (3) Whether the arrears are due to permanent or temporary causes.
- (4) Whether the arrears are due apart from natural rise also to deterioration in efficiency of the subordinate Judges, especially the District Judges and of the Judges of the High Court.
- (5) Whether such deterioration in the High Court is due to the existence of an old statute which has run out its usefulness and also to the introduction of the appointment of temporary judges.
- (6) Whether there are means of keeping down arrears without having recourse to the dangerous expedient of appointing temporary judges not approved of in any well-regulated constitution and by adopting the various suggestions that I have made, i.e., Saturday sittings, curtailment of long vacation, dispensing with translation and printing in many cases, the enlargement of the jurisdiction of the City Civil Court."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Your Excellency, I beg to second this motion. After the very exhaustive speech made by the Honourable Mover, it is hardly necessary for me to dilate upon the merits of this resolution. I request Your Excellency to permit me to point out, on behalf of the profession, that we feel that it is an absolutely indefensible measure to have recourse to appointing temporary Judges to the highest court in the land. Whatever remedy has to be adopted for clearing the arrears must be one of a permanent nature, and recourse should not be had to this device of appointing temporary Judges. The way in which these temporary Judges have been appointed has somewhat taken our breath away when some of these appointments were announced. For instance, last year, when Mr. K. Srinivasa Ayyangar was appointed up to the end of December 1916, and when he would not take it up, Mr. C. Krishnan was appointed, even though the original appointment was for six months, up to the 15th of October. How that sudden change occurred in the case of one appointment when the other appointment was made for six months, I could not understand. Again, only last month, in the month of December, the appointment was announced for one month, and again, in another two weeks, it was announced for one year. I dare say there are very good and excellent reasons behind these announcements; but we are entirely in the dark as to the meaning of these announcements.

"We also feel that the Government have not investigated the question in the way in which it ought to be investigated and I dare say they will be able to investigate it with the assistance of practitioners who practise in the High Court. The figures given to you as regards the pendency and institution and disposal of cases merely give you the numbers, but they do not tell you the nature of the cases. I asked in one of these meetings for particulars as to the numbers given, as to whether they comprised batches of cases, cases that were disposed of without notice to the other side, and as to various other matters which should be considered in considering the relevancy of the numbers given here. As regards miscellaneous petitions, which are included in the list handed over to us, numbering in thousands, that they should find a place at all in considering this question, whether any one with any sense of the practice in the High Court would think that is a relevant matter to be considered in considering the permanent strength of the High Court, passes my comprehension. Therefore, it is a matter in which the Government will find assistance in a committee composed of people who have got the knowledge of the inner working of the High Court.

"Again, there are certain matters in connexion with the figures disclosed to us to-day. I find in 1916-17, there is a sudden fall in disposal both in first appeals and second appeals. In 1915-16, when you had the same number of Judges—12 Judges—as in 1916-17 there were 578 suits disposed of, 538 first appeals and 3,402 second appeals disposed of. I find that in 1917 there is a sudden fall to 405 in the suits disposed of and to 2,519 in the second appeals disposed of. All these things have to be investigated with the assistance of people who know these matters and the committee, such as the one suggested, will be able to give useful information in the matter of these appointments. We feel that whereas the mufassal Judiciary are not able to get their just recognition at the hands of the Government in the matter of pay and prospects, the High Court have the peculiar advantage of having their strength increased just as they request. Their request is too readily granted, and we feel, speaking for the profession—at least, most of them with whom I have had a talk—that the strength of the High Court does not need to be enhanced at present. From the figures furnished to us to-day at page 31 of the papers handed to us, there is a great deal of truth in what the Hon'ble Mr. Ramanuja Achariyar has told us to-day as to the number not being a satisfactory test. For instance, a statement is asked for showing the number of first appeals instituted before the 1st of July 1916 and of second appeals instituted before the 1st of January 1917 and pending in the High Court, Madras, on the 1st of January 1918 and how many of them were ready

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for 1st January 1918. As regards first appeals, instituted up to 1st of January 1918, you will find they are at page 31 out of a grand total of 115 from the mufassal, 89 first appeals were not ready for hearing and only 26 were ready for hearing. That is a matter for reflection to see that you could have any number of Judges, but you cannot force the hands of parties. They have to be brought on record and the law allows six months for that. Therefore, I wish to point out that there are such matters and I would not tire the Council by going into details. A committee like this can do it with special satisfaction. The Hon'ble Mr. Gillman admitted appointments of Judges. It is an exceptional power and should be exercised in exceptional cases. The question as to whether such a state of things exists, as to necessitate the application of the remedy of temporary Judges, is one which requires very careful consideration. I do not think the Government would lose anything by having a committee such as the one suggested. The member in charge naturally has no knowledge of the inner working of the High Court and he will find it a very great use to him if a committee be appointed to consider the matter. I appeal to the Government that no question of prestige should stand in the way of these matters. We are here, after all, to co-operate with the Government and I ask for co-operation from the Government."

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, in replying to this resolution, I would first observe that the recommendations made by this Government to the Government of India on the subject of the strength of the High Court have been based on a very careful examination of the High Court's file in consultation with the Honourable the Judges. We have been furnished with information about institutions and disposals for many years past; we know how arrears stand at present, and we have an accurate idea of the outturn of work that may reasonably be expected from each Judge. I am afraid, Your Excellency, I must deal with these matters in some detail, because after all, the best way of replying to this motion for a special inquiry is to show that it is really not necessary.

"Honourable Members have been furnished with a statement of institutions and disposals for 18 years ending with 1917, which I would commend to their attention. It will be seen from the statement that there was a steady and appreciable rise in institutions up to 1914, the year of the war, and that subsequently there has been a slight decrease to the extent of two or three hundred items in the last three years. The outstanding feature in the statement of disposals is the extraordinary amount of work that was got through in 1915 and 1916; but the High Court have warned us that the Judges in those years worked under exceptionally high pressure and that the same standard of outturn cannot be expected in future. The drop of 2,000 disposals in 1917 goes to confirm this statement.

"In drawing conclusions from these figures I will take the years since 1908 onwards and divide them into three periods with reference to the strength of the High Court.

"In the four years 1908 to 1911, when there were eight Judges, the average institutions were 8,979 and the disposals per Judge 1,140. In 1912-13 when there were ten Judges, the average institutions were 11,164 (a large increase) and the average disposal per Judge was 1,025. In the last four years ending with 1917 when there were twelve Judges, the average institutions have been 11,934—again, an increase—and the disposals per Judge 1,092.

"So, Honourable Members will see that the average disposal per Judge is fairly constant, being somewhere round about 1,100 items per annum. There can be no doubt that our Judges are working at full pressure and I would like to mention by way of comparison the work that has been performed in the Calcutta and Bombay High Courts. I believe that the comparison on general grounds is favourable to Madras, in that there is no City Civil Court in the Presidency. As compared with our outturn of 1,100, the figures which our City Civil Court performs. In Calcutta is 500 and in Bombay 700.

"The reason for the increase to twelve Judges in 1914 was that ten were found to be insufficient to dispose of work even to the amount of institutions, let alone the arrears. The figures are these: in 1912 institutions were 10,833, disposals 10,211, and arrears 9,442; in 1913 institutions were 11,496 disposals, 10,300 and arrears 10,638.

"Since then, the arrears have been sensibly diminished owing to the remarkable disposals in 1915-16 so that they now stand at 7,016.

"It has, however, been said with truth by the Hon'ble Mr. Ramanuja Achariyar and the Hon'ble Mr. Ranga Achariyar that there must always be arrears of work in the High Court as suits and appeals cannot be decided as soon as instituted; and it may be urged that this figure of 7,016 represents only normal arrears. In meeting this argument, I will take into consideration, what I believe are, the three most important items of the High Court's Appellate work, namely, first and second appeals and civil revision petitions.

"I will quote to you what the High Court has stated on the point. They have informed Government that 'The Honourable the Judges will not be satisfied that the work of the Court is dealt with as expeditiously as it should be until the pendency of the main classes of work is reduced in the case of first appeals to 400 representing a duration of one year, second appeals to 2,000 representing a duration of nine months and civil revision petitions to 500 representing a duration of six months.' As compared with those figures, I will tell you the arrears as they stand at the end of 1917—first appeals were 624, second appeals 2,342 and civil revision petitions 1,006.

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"The general conclusions that the Government have drawn from the foregoing facts are that the outturn in 1915 and 1916 was abnormal and that it is not likely to be repeated, that the High Court with its present strength can do little more than keep pace with institutions and that any reduction in the number of judges will result in increase in arrears, even if institutions remain as they are. Neither the High Court, nor the Government expect that institutions will remain as they are, because, in the last four years, there has been, as all Honourable Members know, a very considerable increase in the number of temporary courts from which appeals lie to the High Court.

"I am in entire agreement with the Honourable Mover and the Honourable Seconder in deprecating temporary judges and I certainly say on behalf of Government that they would wish that the whole cadre of the High Court should be permanent; but when we are faced with work that twelve judges can only cope with and when sanction for twelve permanent judges has not been given, there is no alternative for the Government, but to continue to ask for temporary judges to deal with the litigation before the court. The term of the present temporary judges will expire at the end of this year, and before then, Government will again consider the position with the assistance of the High Court and decide whether or not a reduction will be possible in the temporary judges during the year 1919. For this examination, the Government do not feel that they require the services of a special committee such as has been suggested and they do not propose to make this suggestion to the High Court. We have collected all the statistics that we consider necessary and we have always found the High Court most ready to furnish us with any information that we require. I shall be glad to have any further suggestions as to the lacunae in the information that we are in possession of; and I shall certainly consider them in dealing with the question when it next comes up. Under these circumstances, Your Excellency, the Government are not prepared to accept the motion."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"Your Excellency, my Honourable Friend, Mr. Ranga Achariyar has made a specific statement in regard to the feeling of the Bar in this matter. I would like to know whether any representations have come to the Government and whether the High Court have ever consulted the members of the Bar as to the arrears and the causes of the arrears. I have heard the Hon'ble Mr. Gillman's speech as regards statistics with very great interest. I must repeat what Your Excellency has stated on a previous occasion as regards the inconclusive character of statistics. Of course, so far as statistics go, there is no doubt that our judges are as hard-working as any others. Nor is it the intention of any body to say that our judges are not doing their work properly; but there are many cases where accumulation of arrears has resulted from defects of procedure, defects of law, and from the arrangement of sittings, from the arrangement for the disposal of work; and as I have already more than once brought to the notice of Honourable Members of this Council, it would be very profitable if the Hon'ble Mr. Gillman would be good enough to peruse the report of the Royal Commission regarding the causes of delay in the King's Bench Division which was made two years ago. The question at that time was, whether there should be two more judges in the High Court of Judicature in England. There were 16 originally and it was proposed to raise the strength from 16 to 18. His Majesty's Government appointed a Commission consisting of retired judges, distinguished members of the Bar, solicitors, business-men, lawyers and others and they all came together and made various suggestions. The summary of their recommendations as regards how the disposal of business may be accelerated is a most interesting study to those who wish to place this question on a satisfactory basis.

"My Lord, the question, therefore, is not one of mere statistics. So far as I know, the difficulties in constituting a commission of this kind are apparent to all of us and that is the reason why my Honourable Friend has taken care to say that the Government of India must be asked to constitute a committee of this kind. Therefore, my Lord, I am not sure that the question is one which could be disposed of purely on mere statistics. There are other considerations. As I said, there are different heads of inquiry, namely, the selection of judges, the qualification of judges, the arrangement of work, the curtailment of long vacations, the arrangement of Saturday sittings, the arrangement of criminal work, etc., would have to be gone into. If some inquiry is to be made, it seems to me that it should proceed on lines which would elicit clearly and fully the opinion of the Bar as regards the state of arrears and the causes for the accumulation of work. I am quite willing to concede that a portion of the arrears is due to the normal growth of litigation in this Presidency. There is no doubt that litigation is growing, and probably will grow; but there are also other causes why these arrears have accumulated. Therefore, whether the Government appoint a committee or not, I would request the Hon'ble Mr. Gillman to ask the High Court to institute an inquiry by themselves, before which the members of the Bar may be able to place their views. Such a course has not been adopted so far as I know in formulating these proposals for additional Judges."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, the reply by the Hon'ble Mr. Gillman almost amounts to this; that all the questions that have been raised by the Honourable Mover and the seconder have been considered by the High Court and the Government and therefore no further inquiry is necessary. I do not know whether that is a proper answer at all. We, members here, who know something of this work of the High Court and the mufassal courts also do feel a difficulty in comprehending the arguments that have been advanced by the Hon'ble Mr. Gillman. The High Court have certainly made a statement that

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has been read to us and the statistics printed are before us. In spite of that, I for one, cannot understand, either the conclusions arrived at or the comparisons instituted, between disposals in this High Court and the other High Courts of Bombay and Calcutta. My Lord, that itself would require a committee to consider whether the disposals of complicated suits in Calcutta may be compared to the disposal of suits in Madras. It is not impossible to have a few cases which might compare favourably or perhaps be even more complicated suits than suits elsewhere. But taking the average of cases, or say, more than 50 per cent of the cases, one will have to arrive at a conclusion on the average disposals which this High Court has been able to make all these years. As has been pointed out, it comes to 1,100 items of papers for each judge of this High Court during all these years. One thing must be said, my Lord, that the increase of institutions during the years after 1913 have been also connected with certain difficulties that have arisen in connexion with particular communities like the Nattukottai Chettis in Ramnad and other sub-courts where peculiar circumstances contributed to the advance of litigation in numbers. It might well be placed before a committee of the kind proposed that all these cases did not deserve notice as being complicated. In the case of most of these cases, the reasons for the want of disposal may not be at all on account of the complexity of the suits, but because the people were in various parts of India and in the colonies and they had to be served with notices and for various other reasons, there were arrears. Disposals may have been made immediately if the difficulties had been got over. The argument that was advanced that the work during 1915-16 was something extraordinary and could not be kept up later, was rather against the position taken up by the Government than for it. On the other hand, I would say that the cases ready were disposed of in 1915-16 and there was a fall nearly of 2,000 in disposals, simply because this could not be disposed of further during that year. If the cases had been ready, they would have been disposed of. It did not mean that the judges did not work as they did in 1915-16; because they were temporary judges and nobody would have wished to shirk work under those circumstances. The clear conclusion is that the fall in 1917 was owing to the one fact that the ordinary arrears would be only much more limited and whether they will or no, they could not have cases to dispose of. I have no doubt that even if all the twelve judges are continued for 1918, the disposal would be much less than in 1917, because the cases could not be further ready in 1918. That is one aspect of the question that has to be taken into consideration.

Again, as I understood, if disposals in Bombay and Calcutta were 500 and 700, how was it that for many long years Madras was able to dispose of 1,100 per judge? Is it to be said that all the time since this High Court was started, judges in Madras worked inordinately and unlike human beings? I do not think there is any reason to suppose that. Conditions in Madras are totally different from conditions in Bengal and other parts. The ryotwari tracts of Madras give rise to second appeals which are all very much of a petty value, and there are not many persons who would pay thousands to barristers, or who would like, as in the case of estates of 100 years, to put forward all sorts of pleas before courts. As was pointed out, most of these numbers making up heavy totals might well be left out of consideration—miscellaneous petitions, both criminal and civil and many other civil revision petitions.

As regards the pendency, one point that was noted was that the average pendency of civil revision petitions must be 500 and that it was 1,040 in the beginning of 1918 and therefore recommendation was made for twelve judges. I cannot understand that view. It may be that in 500 civil revision petitions there may be 5 per cent which may take some time, but in the case of other petitions, it may not be so. All these are questions which cannot be disposed of by statements made on one side and opposed by statements on the other side, nor could statistics collected give any real help in the matter. On the other hand, the fact that I have pointed out of 13,000 and odd cases in 1916, but in 1917 there was a sudden fall to 11,000 and odd. That shows clearly that there is no use continuing that number. That must be the inference that is drawn. The whole question will have to be completely sifted and I do not think this kind of correspondence between the High Court and the Government can settle the question. It cannot be possible for the High Court to condemn itself, nor for the Government to find fault with the High Court. I should certainly consider, my Lord, that it would be very proper to constitute a committee of this kind which is not foreign to the action on the part of the State in such matters. When it is a question of having a certain strength in the highest court in the land, that is certainly a question which requires to be considered in all its aspects. Without meaning anything in disparagement of the statements made by the High Court I must respectfully submit that all the aspects of the question might not have been considered by the judges of the High Court, sitting by themselves, on the administrative side. Respectable members of the Bar, retired judges and other gentlemen suggested by the Hon'ble Mr. Ramachandra Rao in the course of his observations might be chosen. It is nothing to be felt as a detraction from the position of the High Court or the Government. I think the committee that is recommended may well be accepted by the Government."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—" Your Excellency, I am sorry that the Hon'ble Mr. Gillman has not understood me. Whether it is his fault or mine, I do not know; whether I did not read my speech fully and clearly, I do not know. I have condemned the action of Government. Government have not ascertained what the arrears are. The first thing is to know definitely what are arrears. The number of suits on the rolls on any date is said to constitute arrears; but those are not arrears. Those suits which are ready and for

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which there are not judges must be said to be arrears. Again, there may be temporary arrears and permanent arrears. For temporary arrears, we ought to have temporary judges and for permanent arrears we ought to have permanent judges. If this were the first occasion, I can very well understand the Government being unwilling to accept this resolution; but this point has been raised from 1912 and on eight occasions the question was considered by the Government and yet this unsatisfactory system continues. That is a strong condemnation of the method of examination conducted by the Government and this itself is sufficient to show that the question must be examined by a committee in which the Government have no part."

The Hon'ble Mr. H. F. W. GILLMAN :—" Your Excellency, the Government have no reason to think that the High Court are not in touch with the Bar on the subject. Indeed from the conversation which I had with some Honourable Judges I find that they have a very sensible appreciation of the general opinion held by members of the Bar towards the disposal of work, and I think it is a fact that the present disposals are generally appreciated except perhaps by a few vakils who try to take more work than they could manage. However, this is a point which has been raised and if I should have any reason to think that the opinion of the Bar is not sufficiently considered, next time when this question is being considered, I shall see that, in some way or other, they are given an opportunity to express their views.

" With reference to some Honourable Members' suggestion to the appointment of a commission similar to that which was appointed at Home, I may say that I personally would welcome such a commission not only for this Presidency but for the whole of India; but that commission ought to have a much wider scope than the mere question of disposal of work. They ought to go into the question of unnecessary requirements of our present legal procedure and see what can be curtailed. I do not see any point in the Local Government appointing a local committee to deal with matters of this description. We have already very carefully considered all the suggestions which have been made by the Hon'ble Mr. Ramanuja Achariyar in regard to getting more work out of the High Court. We placed on the Editors' Table the results of our deliberations which resulted in all those matters being negatived. Honourable Members must recognize that the High Court is heavily worked and that we cannot expect them to dispose of business at higher pressure than they are doing."

The resolution was then put and lost.

RESOLUTION RE PRINCIPLES LAID DOWN IN URLAM JUDGMENT
FOR LEVY OF WATER-CESS TO BE ADOPTED.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—" Your Excellency, I do not propose to move the resolution which stands in my name."

With the permission of His Excellency the President, the following resolution was not moved :—

III. This Council recommends that the recent judgment of the Privy Council in the Urlam case reported in 40 Mad., 886, be specially brought to the notice of all the Revenue authorities and that instructions be issued to them to levy water-cess in accordance with the principles explained therein.

RESOLUTION RE STUDENTS AND PUBLIC MEETINGS.

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" Your Excellency, Resolutions Nos. IV, V and VI are all practically to the same effect. I propose to discuss all these resolutions because they all come to the same thing."

His Excellency the PRESIDENT :—" Yes. You may do so."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" My resolution is to this effect :—

' IV. This Council recommends to His Excellency in Council that G.O. No. 559, Home (Education), dated 1st May 1917, may be cancelled.'

" Your Excellency, in starting the discussion on these resolutions which are all practically the same, I wish to eliminate the possibilities of misunderstanding my position. In the first place, the main matter of contention relates to the attendance of under-graduates at political meetings; and therefore the discussion, I take it, will be entirely confined to the question of under-graduates. Next, I hope it would be distinctly understood that it is not a political discussion that we embark upon, though unfortunately the reference to ' political propaganda ' in G.O. No. 559 makes some reference to politics necessary. I hope that the discussion will not be thought to be or made to be one of a political nature. The third safeguard that I wish to have at the outset is this. I presume it would be understood on all hands

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that every one is anxious that students should have the very best education that our institutions, whether Government or private institutions, could afford to give, that no one in this hall at any rate is anxious that their energies should be dissipated and their minds distracted by unhealthy attempts either at political propaganda of one sort or another or at religious propaganda or any other sort of propaganda. We are, all of us here, unanimous in desiring that the youth of this country should have as good an education as our institutions, whether under Government management or under private management, could impart.

“With these premises, I propose to point out how the three resolutions are practically one and the same. The first resolution, that is mine, prays that G.O. No. 559, Home (Education), dated 1st May 1917, be cancelled. The second resolution which is in the name of the Hon’ble Mr. Venkatapati Raju is to this effect:—

‘V. This Council recommends to the Governor in Council that the Government be pleased to reconsider the orders issued in G.O. No. 559, Home (Education), dated 1st May 1917, and G.O. No. 1531, Home (Education), dated 3rd December 1917, and confine to the Disciplinary Regulations, Chapter VIII (a), of the Madras Educational Rules.’

“I shall presently show how this resolution comes to the same thing. The third which stands in the name of the Hon’ble Mr. Siva Rao prays that—

‘VI. This Council recommends to His Excellency the Governor in Council that G.O. No. 559, dated 1st May 1917, and also the amending G.O. No. 1531, Home (Education), dated 3rd December, may be cancelled.’

“This resolution wishes in effect to leave the educational rules as they were in 1916 in-tact. “I may point out that there may appear to be some difference in the wording of these resolutions. I hope that will not add to the complications already inherent in the subject that we are handling. I wish to invite the attention of Honourable Members of this Council to the disciplinary regulations contained in chapter VIII-A printed at page 24 of the Madras Educational Rules. Rules I and II under the heading of ‘colleges under public management’ are the rules that require special attention. The heading is ‘Disciplinary Regulations’ and the sub-heading is ‘colleges under public management.’ There is no provision for other colleges for the very best of reasons that neither in this country nor in any other country have the Government been found to be the proper persons to issue regulations to private colleges with regard to the discipline of their own boys. With reference to colleges under public management, this is the first rule: ‘Graduates and under-graduate students on the rolls of colleges under public management are forbidden to take an active part in political agitation directed against the authority of the Government.’ Honourable Gentlemen would note these words. What is forbidden is in relation to agitation directed against the authority of the Government, that is, sedition. Therefore, the rules as they originally were, appeared to require only abstention from taking part in seditious agitation. Everyone of us must say that this is a very wholesome rule. Otherwise, our boys would be in gaol or bound over for good behaviour. There are other rules that show that it is not only seditious meetings which should be forbidden. ‘Principals may further at their discretion forbid students to engage prominently in any public movement with which it seems undesirable that persons in *statu pupillari* should be associated.’ This is the second portion. That is, the Government themselves forbid participation in sedition and Principals are expected to exercise discretion in forbidding under-graduates from engaging prominently in any public movement with which it is undesirable that they should be connected. The second rule goes further to elucidate the matter. The expression of the one is the exclusion of the other. The second rule makes it clear. ‘If students of such colleges attend political meetings and there conduct themselves in any manner which is forbidden or unbecoming, or engage in political agitation in such a way as to interfere with the corporate life and educational work of the college, the Principal of the college may suspend or expel them or refuse the grant of term certificates for a specified period and may also report their case to the University with the view of their being dealt with under Regulation 96 of the University Regulations.’ Then rule 4 which has a slight bearing on this says: ‘Principals or other constituted college or hostel authorities may frame and issue from time to time disciplinary rules of a permanent or temporary character regulating the conduct outside the college or hostel precincts, of graduate and under-graduate students on the rolls so far as such rules seem necessary (a) to secure the observance of rules (1) and (2), (b) to maintain the credit and reputation of the college or hostel.’ Rules 1 and 2 are with reference to students not taking part in seditious meetings and not engaging prominently in any public movement with which it would be undesirable that they should be associated. These are the rules as they originally were. You will see clearly that these rules are quite sufficient to empower principals or wardens of institutions framing either temporary or permanent rules and seeing to it that young men do not engage either in seditious or other undesirable forms of work. The rules nowhere forbid mere attendance. On the other hand, rule 2 implies that under-graduates might attend. There is a rule with reference to this under the heading of ‘Recognized Schools’ and with reference to them there is an absolute prohibition about their attendance at public meetings. From the educational rules, it is absolutely clear that till the year 1917

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the rules distinctly permitted under-graduates attending political meetings, provided always, of course, that if there was anything particular that was done by the students besides being present, suppose, they engage prominently in any movement, or took steps which would affect the credit and reputation of the college—in those cases, there was sufficient power in the hands of the Principal to check such wrong action on the part of the students. That was till May 1917 the state of the rules. That, I presume, is the state of disciplinary rules and regulations with reference to education in other free countries. I shall come to discuss that question presently.

“Now the question is whether G.O. No. 559 which made an alteration of the rules is a desirable Government Order. I shall first deal with the question whether G.O. No. 559 which modifies these rules is a desirable modification. I shall take up G.O. No. 559 and point out what it is. G.O. No. 559 is headed rather ominously ‘Students taking part in political movements.’ You remember what the previous rules were. They were that they should not take *active* part but here the words used are ‘taking part.’ Further down, the ominous character is fully explained. It is a very short Government Order and I propose to read it. Though I have only 22 minutes I think it absolutely essential that I should read it as there is already a great deal of confusion. ‘The attention of the Government has been drawn to the attempts which have of late been made to bring students in schools and colleges under the influence’—what sort of influence it is not stated—‘of a political propaganda. His Excellency the Governor in Council is strongly of opinion that, in the interests both of educational advance and of the youths themselves, it is unwholesome and undesirable that students shall be involved in such discussions—a very vague phrase—and he has arrived at the conclusion that the time has come when action should be taken to deal with this tendency.’ The tendency is, evidently, that of coming under the influence of a political propaganda. Then it says ‘His Excellency in Council believes that to this end the parents and guardians of the students in question can give valuable aid by using their influence against the practice of students taking part in political agitation,’—not taking *active* part, but taking any part,—‘and he trusts that they will realize the grave responsibility which lies on them in this respect. It is necessary also that the educational authorities should use their powers in the same direction. The disciplinary regulations which are contained in Chapter VIII-A of the Madras Educational Rules’—I have already read them to you—‘already contain certain directions on the subject. It has, however, been represented to His Excellency in Council that the directions in this chapter are insufficient to meet the present situation and that it is necessary to supplement them by further instructions.’ It is merely said that it is represented; fuller details are not vouchsafed to us as to in what particulars it has been found to be insufficient. It is said that it is insufficient to meet the present situation, that is, a political propaganda. Then come the instructions. ‘The Government therefore direct that no under-graduate student in any college and no pupil in any school shall be permitted to take part in public political discussions, to attend political meetings, to join any political association, or to take part in any movement with which it is, in the opinion of the educational authorities, undesirable that persons still in *statu pupillari* shall be associated.’ This is what I may refer to as being the decretal portion of the Order. There are four clauses three of which are more or less already included in Chapter VIII-A. The noticeably distinct addition is in this matter, that under-graduates are forbidden under this Government Order from attending political meetings. As for the other students, I already premised by saying that there is no question at all about them. The main point is that under-graduates are forbidden from attending political meetings. The next portion of the Government Order makes it quite clear. ‘His Excellency in Council directs that heads of colleges and schools, whether under public management or otherwise, shall strictly enforce these directions. In doing so, they should have regard not merely to the declared purpose of a meeting, but also to the speakers who will address it.’ The last line has been fruitful of much misunderstanding and misconstruction, though it is not of such importance that I should immediately deal with it.

“I wish therefore to point out what in this Government Order is the real or the basic principle of the policy underlying it. Whenever we refer to the policy of a new Government Order we mean the point of departure from the old. The first is the extension of the former rules applying only to Government colleges to private colleges. That is the first point. The second point on which I wish to lay stress is the absolute prohibition of all attendance of under-graduates at political meetings. You see, therefore, that that is the principle of the policy of this Government Order.

“Again, with reference to the policy, I shall have to read out to you the very next Government Order. I might be asked why I was reading a Government Order in so much detail which some people fancy has been superseded. I shall read the next Government Order and show the some difficulties that have been created. G.O. No. 1531, Home (Education), dated 3rd December 1917, is to this effect: ‘Representations have been made to the Government by various college authorities that while they are in complete agreement with the policy underlying G.O. No. 559, dated 1st May 1917,—you will notice that legal fictions have been extended to educational documents—namely the desirability of preventing the participation of students in politics the documents—namely the Government Order as regards the attendance of under-graduate students at terms of the Government Order and deprive principals of the discretion which rightly belongs political meetings are unduly rigid and deprive principals of the discretion which rightly belongs political meetings are unduly rigid and deprive principals of the discretion which rightly belongs efforts to understand. The policy of the original Government Order was not in forbidding participation as distinguished from attendance, but it is prevention from attendance. That was the policy; but somehow, the authorities responsible for this Government Order have

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understood it differently. Then comes the difficulty which I am now going to refer to. His Excellency the Governor in Council recognizes the force of this criticism and, while maintaining the policy of the Government Order, he has come to the conclusion that this can best be secured—the policy referred to means that students should not participate in politics—‘by entrusting its enforcement to heads of colleges’—I do not know what ‘its’ means, whether it is the enforcement of the Government Order or of the policy of the Government Order—who will exercise their discretion in the circumstances of their respective institutions. He has accordingly resolved to commit to heads of colleges this discretion believing that these authorities will loyally carry out the wishes of the Government and that in so doing, they will receive in full measure the support of parents and guardians of students. Now, my difficulty has arisen out of this Government Order. If this Government Order did not stand there, there would be less of confusion. It would be quite clear that the former Government Order made out a case for absolute prohibition of students, and in so far as that was concerned, it was an absolutely faulty Government Order. I thought it was condemned on all hands and there was very little chance of that Government Order surviving. Some of my honorable friends believed that this old Government Order had been cancelled, and that there was no bar to students attending. I note that the Government do not wish to say so,—Government have expressed no inclination to say so. On the other hand, they say that they maintain the policy of the old Government Order and they want it to be enforced loyally by the various principals so that it is only a change in the manner of enforcement. Formerly, they thought that they themselves were responsible; but now they want others to be responsible. *Qui facit per alium facit per se.*

“What is the policy that is proposed to be maintained? It appears to me that what they wish principals to do, is to find out whether in the circumstances of their institution, the policy of absolute prohibition could be safely enforced. Suppose a college consists of 25 boys and if they are forbidden to join political meetings, the college might cease to exist—then in the circumstances of that institution, they could excuse violations of the law, because its enforcement is found to be impracticable! Whether that is what is meant or anything else, I cannot make out; but I shall wait for the explanation to be given by the Government to find out what is meant.

“I shall assume that the old Government Order is practically still in force and only the penalty is excused in certain cases where principals do not take too serious a view. I shall discuss how far the old Government Order is a proper measure. I shall point out that it is mischievous in several particulars and requires not only modification but total cancellation. The first point that I wish to bring to the notice of Honourable Members of this Council is that the admitted object of all of us is to promote a pure atmosphere, and that is the very thing that is defeated by this Government Order. I am quite anxious that students should not be driven to violent political excitement. Has this Government Order achieved that end? Or has it done the reverse? We find it has done the very reverse. Students who never cared to attend political meetings, now that it is tabooed, have taken to attending political meetings. In Sir W. Fraser’s words on Wellington, we find at page 43 the following passage: ‘when I was at Eton there was the strictest sumptuary law against wearing Wellington boots. The result was that every boy possessed a pair but not being allowed to keep them at his tutor’s or Dame’s house, they were invariably left at the boot maker’s. The first thing done by every boy after he had ‘got leave’ was to go up town and to order his Wellington boots to be sent to his rooms. This was “*de rigueur*”; and I doubt whether any boy at Eton in those days went “on leave” except in “Wellingtons.” Boys are boys everywhere.

“When there is a prohibition, the object of which is not intelligible and which does not command public approval, the first impulse is to violate it. Human nature is acting in certain ways and we have to take note of these facts. By merely tabooing political meetings, in point of fact we have driven large numbers into political associations who have been formerly content with reading newspapers. That is the mischief which is done by this Government Order. This is the opinion not merely of non-officials but also of persons in educational ranks. They have told me that they noted this with great pain to be the one effect of the Government Order.

“The second point which I wish to mention is that the object of keeping young men from excitement must be understood to be avoidance of undue excitement. We cannot taboo all political meetings. A lot of violent politics is reported in newspapers and boys read newspapers. They should not be excited by that form of politics; but otherwise boys must read newspapers and they must see how the world gets on and form mature opinions. There are certain movements which affect the whole of society and during the last four or five years, these movements have been affecting the whole of India and operating in every grade and class, raising great hopes of a renovated self-governing India with her literature, arts and sciences developed in accordance with the national genius and fulfilling her high destiny of making important contributions once again to the world’s culture and civilisation. It will be outrageous to ask the young men not to know and be influenced by these and to prepare themselves for their future career. Attempts at ‘influence of a political propaganda’ are referred to in the Government Order. If these attempts intimate to them that there is a glorious future, the attempts are proper, no Government Order ought to be issued to put down those attempts. But I do not know what the attempts are that are referred to in the Government Order.

“We cannot shut out students from the various impulses which are operating in society; and if we do they will be most stunted and will have a miserable career in after life. If this Government Order prevented them from taking any part in political discussions, this Government Order is wrong and must be cancelled.

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“My third contention relates to prestige, which superficial thinkers might fancy to be lost by the cancellation now suggested. As a fact it is the retention of the Government Order that weakens and it is its cancellation that will enhance prestige. An order of Government which cannot be obeyed makes their prestige suffer. We must warn Government, in spite of their good intentions, from taking steps which would have the result of issuing orders which will be mere dead-letters. The prestige of Government is not their special property or sole concern. The public are interested in its maintenance at least as much as the Government, as the former know that a Government with prestige can carry on cheap and efficient administration which in the absence of such prestige cannot be achieved except with a costly and irritating machinery of a standing army.

“The other point is, that this new policy is mischievous in destroying the root of moral or even intellectual education. The very essence of proper education is the confidence between the pupils and the masters. We must have reverence for the teacher before we can benefit by his teaching. It is not actually what the master teaches, but the moral relation that forms the most important portion of education. What is the effect of this Government Order? We find in the case of several of these professors that they turn into police officers; it has made some to play the part of a spy or to get some boys to spy over others. Public life has been demoralized and education is deteriorating. We have laid the axe at the root of education by laying down this Government Order. Hypocrisy, servility and a number of other vices flourish. I wish to point out that friends of mine who have been to England and some English friends and persons who are acquainted with other countries tell me that there is absolutely no such thing corresponding to this in any free and civilised countries; under-graduates are not forbidden from attending political meetings. The Indian student is just like his compeer in other places. I am told some of the under-graduates there take to discussing high politics in their own way and attend all sorts of gatherings, but that their guardians, parents and wardens have the power to punish them if they did anything wrong. Let us compare conditions in India. I have been anxiously inquiring what is the reason of the promulgation of this order. Government have been informed that in the city of Madras there has been an undesirable ebullition on the part of young men and therefore this Government Order was issued. That is the historical explanation. It is not a justification, but a mere historical explanation of the Government Order from my standpoint. What strikes me is this: for a local evil it is hardly necessary to issue a Government Order which affects the whole Presidency. Supposing you find an evil prevailing in one or two places in the Presidency, have you exhausted all the remedies? Have you got in all the principals and consulted them and found out what they could do under the old rules? Absolutely nothing was done. This Government Order was got up in great haste and its immediate effect was the last evil which I am going to mention, namely, that it dwarfs and stunts the growth of boys in their University course.

“The first application of the Government Order—what was it? A number of young men were sitting at the Cuddalore Provincial Conference where a number of selected gentlemen who had no intention of supporting political violence or ebullitions on the part of students were considering questions which were to be placed before the Government. Students used to come up and fan us and bring us water and render such social services, and these students are called volunteers. Question No. 114 in May last asked whether the Government intended stopping social service of volunteers at Provincial Conferences. Government said that considerations of that sort would not affect them, but they said ‘questions of educational importance alone have guided us in this Government Order.’ That means social service and attendance for the purpose of social service is an evil. I do not know whether two years’ attendance at a college is worth more than two days attending on such eminent men as Mr. Gokhale or Pandit Madan Mohan Malaviya. My opinion is that this Government Order did not do any harm to any conference or to any political propaganda. They could take care of themselves, but they are harming the students most. The Government Order is defeating its own end. I have come very nearly to the end of my time under our rules. There is a lot of petty tyranny exercised by the last clause of the Government Order. Power is already given even under the old rules to prevent mischief by students. When this Government Order was issued, we find remarkable results. Even people like the Hon’ble Mr. Srinivasa Sastri may be called dangerous for young men to come near. Other eminent persons whom all of us honour may be considered in the wonderful wisdom near. Of certain pedagogues dangerous persons and so any contact between them and students may be forbidden. To my knowledge such ludicrous orders were passed regarding eminent persons by certain quixotic or servile teachers.

“It is sufficient for me to say that the old Government Order requires to be cancelled and not confirmed, as G.O. No. 1531 does. G.O. No. 1531 only leaves the punishment in the hands of principals. That is not sufficient. We want that the root of the matter should be gone into and the Government Order cancelled.

“With these words, I commend my resolution.”

The Hon’ble Mr. B. VENKATAPATI RAJU:—“Your Excellency, in seconding this resolution moved by the Hon’ble Mr. Narasimha Ayyar I want to avoid moving my own proposition No. V because the same points are dealt with in his resolution. The question that I propose is place for the consideration of this Council in connexion with this subject is how far the State is justified in interfering with educational discipline. I shall refer to the memorable speech of Your Excellency on the 24th of May in connexion with this Government Order on these points. Your Excellency laid down three propositions, the one is that the liberties of Indian students are not at all curtailed in India more than in any other civilized country. The second proposition

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There is absolutely no deviation, no departure in the policy laid down in the old G.O. No. 559: there has been only a transfer of the agency, if I may so call it. What bore a political flavour before now bears an educational air. But in spite of the attempts made to disguise the real purport of it, we can make out the real motive of this Government Order as a political one and not as an educational one. I may just tell you that this Government Order was passed in May 1917 with reference to the students getting under the influence of a political propaganda; in all probability, the reference was to the Home Rule propaganda that was then in the air. Other remedies could have been found for the purpose without trenching materially on the liberty of the students. Your Excellency, I still remember the words contained in the winding-up speech of the 24th of May. Your Excellency assured us that the object was purely educational and in no sense political. Your Excellency also assured us that this Government Order was conceived in the best interests of the students themselves, to create a calm and cool atmosphere for them, intended to promote their studies undiverted by any other considerations and also that it was intended to equip them better in life. Now, Your Excellency, it is hard to understand how under-graduate students, if they are prohibited from attending any political meetings whatever, could possibly be equipped for life, how they would be useful citizens and how they could make up that political training which is as necessary as any other training. It was said then that students in this country would enjoy even under the present order the same privileges which students in other countries enjoy. With due deference to Your Excellency, from the best of accounts that I have been able to gather, students in other countries, especially under-graduate students, do not suffer—I am open to correction—under the same disabilities.

“Before proceeding further, I must say that this trenches materially on the liberty of the student class. It converts the teachers into spies. It creates a system of espionage; it disturbs the harmonious relations which are so essential and which ought to prevail between students and teachers. There are also difficulties in enforcing the rules. The head of the institution will have to engage a staff to find out students attending public meetings and hunt them and then bring them up. It cannot but embitter the relations between the teachers and the pupils and I may also point out this difficulty in working it. The original Government order says that regard should be had not merely to the declared purpose of the meeting, but also to the speakers who will address it. This seems to have been intended against the speakers announcing some subject on paper in the handbills and then diverting into a political one. I submit this is a formidable responsibility to be laid on the shoulders of the teacher or the professor, that they have to judge the nature of any speaker; and at this rate the Government or the professor of a college will have to maintain a list of public speakers in the land who deal with political subjects and give a sort of character to the speakers and say, ‘so and so is supposed to deal with revolutionary subjects. He is of bad character.’ Otherwise, I fail to see the possibility of carrying this out. One teacher may have a particular prejudice against a particular speaker and he may prohibit his students; and the Government order does not lead to uniformity of practice. It would afford room to highly divergent practices and I submit it is very difficult to enforce it. I submit, Your Excellency, that the old provisions contained in the Madras Educational Rules are quite adequate to meet the evil. It refers to agitation directed against the authority of Government, which means revolutionary agitation. Now, the old Educational Rules apply to institutions under public management. Now the effect of the two Government Orders which are under consideration is to bring under them even institutions under private management. The old regulations are quite adequate to deal with the situation. For the reasons I have given it is not desirable to vest any more powers, even discretionary powers, in the hands of principals. It will lead to enormous hardship in working them out in practice.”

The Hon'ble Mr. J. H. STONE:—“Your Excellency, the Honourable Mover of this resolution spared me some trouble by going into what I may call the law in this case by examining the provisions of the Madras Educational Rules and these Government Orders on the question and showing the relation of the various documents to one another. I have very little to add to this part of the discussion except one point and that is this: he told us that the Madras Educational Rules do not apply to colleges under private management. In that, he was perfectly correct; but he has omitted to observe that these rules in chapter VIII-A have been made to apply to colleges under private management or at any rate to most of them by an entry in the Grant-in-Aid Code. Under the Grant-in-Aid Code it is a condition of the college receiving aid that it should obey the rules in chapter VIII-A.

“Coming to the more material part of the question, it is not a question of what the Government have laid down from time to time in this matter, but what the facts are in regard to the participation of students in politics and what the views of the Government are as to such participation. Government have formed their opinion, after discussing the matter with persons who may be supposed to be able to help them in forming such opinion, that the attendance of students at public meetings is undesirable. It has been truly pointed out by the Honourable Mover that the most salient part of G.O. No. 559 is the prohibition of under-graduates from attending public meetings. In publishing that order, Government certainly declared that it was their opinion that it was undesirable that under-graduates should attend public meetings. In the subsequent order there was obviously no intention of departing from that principle. That view, which is a considered view of the Government, is that it is undesirable that under-graduates should attend public meetings and that, of course, quite apart from the other ways in which they might associate themselves with political meetings such as speaking

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at public meetings, joining political associations and the like. The discussion therefore is clear-cut—whether Government should recede from that position. I am now speaking only in order to oppose the idea of the Government receding from that position.

“Coming to the arguments which have been adduced as to why Government should recede from that position, for one thing we are told that students have been driven into political excitement by this Government Order. I wonder how much political excitement the order itself would have caused and how much political excitement it would have driven students into if students had been left to themselves. Nobody who has read the newspapers can say that the students have been left to themselves in this matter. Students of Guntur, Masulipatam and Trichinopoly had meetings and protested against this Government Order. I have left out some places. In all those places we found other people than students concerned in these meetings; we found other people than college students, we found schoolboys standing up and speaking. I won't labour this point. If the students had been left to themselves we should have heard less of the excitement caused by the Government Order. Again, it is said that students can read newspapers and can be excited by newspapers just as by a public meeting. I should like to ask Honourable Members if they really believe in this, that people are influenced by what they read as much as by what they hear. If so, would not Honourable Members commit their speeches to the columns of the press, instead of speaking them in this assembly?

“Then another point, public meetings of a purely political kind are intended to appeal to the feelings of people. That is the very object of the meetings. You get a lot of people together; and people who have studied the psychology of crowds know very well the different state of feeling that is created in a number of people gathered, listening to an oration, from what is created in people sitting in their room and reading even the most declamatory writings. There is a distinct difference between attending public meetings and reading newspapers. The effect of public meetings on the immature minds of the students may be expected to be very much greater than the effect of public meetings on the minds of people of a mature age.

“As regards the political education of the students, nobody wants students not to receive political education. Nobody wants them not to read newspapers and receive such political education as may be derived from the reading of newspapers. That is absolutely at their disposal. They can also discuss political matters in their debating societies, and they can read political subjects in books which of course were written possibly in days of controversy but which now are not likely to excite but only to inform, because the heat of the controversy with which they were concerned is past. By studying politics in the past certainly a good deal of light is thrown on the study of present politics. Otherwise, why should we study history at all?

“We have been treated to some theories of college discipline although I do not think the word ‘discipline’ has been used. It has been stated that if college authorities influence the students, they must be acting wrongly. I must protest against any idea of this kind. Students are at college so that they may be kept under discipline, and not left to their own judgment—to decide what it is desirable for them to do. I do not think even if colleges tell them not to go to public meetings, and prevent them, it can be said that they are subjected to any discipline greater than what may be reasonably thought necessary.

“Then we come to the analogies. Sir Harcourt Butler said that transmarine analogies are likely to be fallacious. At home, boys very often indeed go to public meetings, but under the danger of being called into account afterwards. It is not to be supposed that attendance by under-graduates in all cases in all universities is taken as a matter of course. It is not taken as a matter of course in Cambridge or Oxford. Students often go under the danger of penalty. I was rather amused to hear the old story of Lord Islington cropping up to-day. Lord Islington was not addressing the under-graduates at Oxford. I forget at present the precise name of the function over which he presided. But he was addressing people coming up for the vacation and not members of the university. I do not know it for a fact but I make a guess that the vast majority that Lord Islington addressed were rather elderly schoolmistresses.

“I think I have almost said as much as I need say, except perhaps that I might say a few words with reference to G.O. No. 1531 which certainly does create a situation very different from that of G.O. No. 559 notwithstanding what was said by the Hon'ble Mr. Venkatapati Raju and others to the contrary. The order leaves to the principals, in their discretion, the enforcement of the previous order. The order says that the Governor in Council considers that this can be best done, that the policy of the previous order can be best secured by entrusting it to heads of colleges who will exercise their discretion in the circumstances of their respective institutions. It makes a very great difference indeed. They will exercise their discretion in the circumstances of their respective institutions. Further, the Government state that in doing so, they believe that these authorities will loyally carry out the wishes of the Government. As I read the order, the Government do really leave the matter to the principals. The Government have declared that it is their conviction that it is undesirable for students to attend public meetings. They have told the principals that it is so and that it is their considered and fixed opinion and they now say ‘that being our opinion, we consider that you ought to do all you can to keep away students from public meetings.’ That is in plain language how I read G.O. No. 1531.”

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—“Is it the policy or the enforcement of the policy that is referred to by the word ‘its’?”

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The Hon'ble Mr. J. H. STONE:—"I cannot speak for the Government in this matter; I have not consulted them. As to the word 'its' I think the maintenance of the policy is referred to by it."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Your Excellency, I proposed to move a similar resolution at the November meeting, but Your Excellency said that there would be some settlement satisfactory to all parties and I was in hopes that Your Excellency would make such a settlement; but the final result is not at all satisfactory to my mind. It does make a difference from G.O. No. 559. It does leave a discretion to principals of colleges, but principals of colleges feel that they have not got a free hand. When Mrs. Besant came to Kumbakonam a few days ago, the principal of the Kumbakonam College prevented the students from attending her lectures. Just a week after, she went to Trichinopoly where all the students went to hear her. In one place, the principal of a Government college was afraid to exercise his discretion; in the other place, the principal of an aided institution did not feel that he was so much bound. I do not know if that was due to the fact that his students had got out of his hand. But this difference in treatment naturally causes irritation. Under G.O. No. 559 there was one general discontent. But this irritation is now much more emphasised. The Hon'ble Mr. Stone said that boys should not come under the influence of orators. I consider that they should come under the influence of orators. In Government schools we have what we might call a godless education and children are brought up without any belief in God and in their religion and they grow up to old life under that disbelief. It is an education in which patriotism has no place. The history of India that is placed in their hands is such that they do not know, the great men of India and do not love them. Therefore, we are anxious that students should come under the influence of great patriots from time to time and have their emotional nature stirred up. I therefore strongly object to the Government Order and to its modification.

"In this connexion, I want to say one word in regard to the advice given by my Honourable Friend Mr. Rajagopala Achariyar at a public meeting the other day. He said 'leave the students and the teachers together. Don't interfere.' I regard that warning as directed against me also. I therefore want to tell him that the Hon'ble Mr. Rajagopala Achariyar is thinking of the days when Mann wrote his Institutes, when students were sent to teachers who received them in their household and fed and clothed them and taught the Vedas. Conditions are entirely different now. We have men who sell their learning, men who deprive students permanently of scholarships for writing a silly essay, teachers who send for police to turn out students. In that particular case the students were to blame, but I consider that the principal or a professor of a college must have been devoid of tact to have brought about that position. Are we to allow our boys to be under the tender care of such people? It is our duty to say whether students should attend a meeting or not. If the Hon'ble Mr. Rajagopala Achariyar's advice is taken, even Government have no business to come between the teacher and the students. They are an outside body. In this country, where there is a sharp difference at present between Government and the representatives of the people, it is not right that Government should issue an order prohibiting students from attending public meetings. I consider the Government Order and its modification to be an engine of oppression at present."

The Hon'ble the Rev. G. PITTENDRIGH:—"Your Excellency, I do not intend to make a speech of any length. I think the point has been sufficiently laboured. At the same time, it does seem to me that most of the discussion has taken place over the original Government Order rather than over the modified order. Some of you are perfectly well aware that at the last meeting of the Legislative Council I came here to support the Honourable Members who desired its cancellation or its modification on the ground that it did contain certain conditions that appeared to my mind and to the minds of many other educationists objectionable. But a great deal has happened since then. The new Government Order has modified it very considerably. I think I am at liberty to say that not a few, at all events, of those educational authorities who objected to it previously have now accepted it. They now recognize that they are not required to exercise an espionage over individual students or to bring them to book. Discretion is vested in them in order that they may exercise their power to see that students are not coming to harm in any way through political meetings or political influences connected with such meetings. I think that the majority of educational people have quite recognized a difference that is material between these two Government Orders. Therefore, I cannot now support the resolution as I should have done on a previous occasion.

"There is a good deal of confusion as regards a minor matter, that is, as to the Educational Rules contained in chapter VIII-A. In private conversation, I was told that these rules contained everything that was necessary. I do not know if members of this Council are aware of what educational people are quite aware, namely, that these rules in chapter VIII-A do not refer to colleges under private management. Public institutions under the management of Government or local boards or municipalities are known as institutions under public management. The colleges that are dealt with under chapter VIII-A are those which are managed by persons or associations are public institutions under private management, and that means the great majority of colleges in the Presidency. For instance, out of the four colleges in Madras there is only one college that is under public management, while the others are under private

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Mr. A. S. Krishna Rao; Mr. M. Ramachandra Rao.)

management. So these rules in Chapter VIII-A refer to colleges under public management. The rules do not apply to the great majority of colleges. What the Hon'ble Mr. Stone said was that under the Grant-in-Aid Code the other institutions are brought in. That is, however, a secondary matter. While many of us felt the difficulty of the previous Government Order the majority, so far as I have consulted them, now consider that its objectionable character has been removed by the subsequent Government Order which places the discretion now not in the hands of the Government but in the hands of principals of colleges."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I have been feeling a difficulty in the matter. The Hon'ble Mr. Pittendrigh and the Hon'ble Mr. Stone have said that there is a good deal of difference between the present order and the old one. I should very much like that it is so, but we are concerned with the order as it stands. I find the wording here is this: it refers to the college authorities being in complete agreement with the policy of the former Government Order. Paragraph 2 says 'while maintaining the policy of the Government Order.' These are the two things which create considerable difficulty. Whatever views individual members might express the policy is not definite, it must include all sorts of meetings intended by the previous order to be covered; and the effect of it would be practically the prohibition of attendance at all political meetings. My Lord, unless the Government Order is withdrawn, and that is made specific, the point completely arises; and I do not think it is the wish of the Government that teachers should go behind the original order nor can they go behind it, if they are to loyally carry out the intentions of the Government. I do not think the order says that you can go behind the order, if the policy is to be maintained. By the wording of the subsequent order, he cannot feel relieved from the first Government Order. He must maintain the old thing. I do not know how the Hon'ble Mr. Pittendrigh and other members feel like that. An authoritative statement is necessary. I think the best thing under the circumstances is to accept the resolution so far and if necessary leave the position to the discretion of principals. The whole matter is there, as explained by the Hon'ble Mr. Stone, in the Educational Rules themselves."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU:—"My Lord, I feel it somewhat difficult to understand the position taken up by the Hon'ble Mr. Pittendrigh. If he found it possible on a former occasion to support the motion that G.O. No. 559 should be cancelled, and if, as explained by the Hon'ble Mr. Stone, there is no change of policy and the same policy is to be maintained, I do not find his difficulty in supporting the motion now before the Council. What is the effect of the modification? The agency for the purpose of enforcing the rules is changed. Instead of the Government themselves undertaking it, the discretion, it is said, is vested in educational authorities. The Hon'ble Mr. Stone has definitely told us that the policy is the same and that they are expected to carry out the policy loyally. This is the fixed opinion of Government that under-graduates should not attend political meetings. I thought the Hon'ble Mr. Pittendrigh would have thrown considerable light on the main question at issue, whether college students should be allowed or not to attend public meetings. Regarding that, he has not thrown any light.

"There is another point to be cleared about. We have not been told as to whether the disciplinary regulations which are incorporated in the Madras Educational Rules and which are extended to colleges under private management receiving grants-in-aid, whether they are not enough to meet the present situation and whether they do not give discretion which is necessary for the carrying out of any such disciplinary measures. All this has not yet been placed before the Council. It is only when we are satisfied that these disciplinary measures have been put in operation, have been tried and found wanting, that there is any justification whatever for a new Government Order or a new order being issued. The present discussion has not at all explained the position of the Government satisfactorily; and till that is done the problem cannot be satisfactorily solved. The present resolution before the Council must be supported."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"My Lord, I am afraid I shall not be justified in giving a silent vote in regard to this resolution. We all concede and I for one fully realize that the Government, in issuing these orders, were actuated by very good intentions. At the same time, I have grave doubts, and that was my difficulty all through—as to how these orders are to be enforced. My Hon'ble Friend Mr. Ramanuja Achariyar has already informed the Council that the second order has been interpreted in one way in Kumbakonam and in another way at Trichinopoly. It is quite likely that as time goes on, it will be within the power of principals of colleges and heads of institutions to ventilate their own political opinions or political leanings in an undesirable manner and sometimes to pillory public men by directing that the students should not attend so and so's lecture. I am really faced with the difficulty of choosing the lesser of the two evils. I know, as a matter of fact, the headmaster of an institution has prohibited that students should not attend the lectures delivered by a particular individual, whether political, social or religious. I do not wish to mention names or places. The gentleman concerned naturally felt aggrieved and I regret to say that the matter is now in court. I suppose the Government would not contemplate with equanimity that these squabbles between headmasters and other educational authorities and individual public men or persons who wish to deliver lectures should be decided by a court of law. My Lord, I share the anxiety of my Hon'ble Friend Mr. Pittendrigh and also your Excellency's

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Government that the time of students should, as much as possible, be devoted to the main business of study and this is very important at this the formative period of their life while, at the same time, I share fully with my Hon'ble Friend Mr. Ramanuja Achariyar in the feeling for the need of high ideals and emotions and the cultivation of the higher emotions. I also feel, at the same time, that this Government Order places an authority in the hands of principals, which, probably, in the long run would be much more injurious than the results which the Government would avoid by this order. I think, therefore, on a consideration of all that has been said today, it seems to me that the principals have enough power and I suppose, after all, we have to rely on the personal influence of teachers over their pupils in carrying out this order.

"I think, on the whole, it is far better to rely on the discretion which is already vested in them in chapter VIII-A and leave the matter there. I should not like that Government should say that they have a policy apart, from the educational policy, that they have any political policy with reference to students which they should adumbrate in a series of orders for the guidance of teachers and students. It seems to me that it is far better to withdraw these orders and allow principals to deal with this matter under the old regulations, whatever may be the reasons which induced the Government to issue these orders. I am at one with my Hon'ble Friend Mr. Rajagopala Achariyar that the teachers should have more and more influence with the taught and I recognize very fully that the influence of parents at home is not as strong as it should be. At the same time, as I have already pointed out, even the later order places enormous difficulties in the carrying out of it. Assuming for the sake of argument that students disobey the principals' order what is to become of them. Is the principal going to watch all the students who went to public meetings or is he going to employ peons or the police as I have heard in connexion with another institution, or is he going to ask lecturers to look after the students? I am told that lecturers in a certain institution were asked to watch the students and they expressed their unwillingness on the ground that it was not a pleasant job. These are all considerations which are in our minds, considerations as to which of the two courses would produce the lesser evil in the long run. I may assure the Hon'ble Mr. Pittendrigh over students, but what we do feel at the same time is that in connexion with public men who are supposed to have political leanings, the order would be construed according to the politics of the professor or the teacher, a thing which personally I should not like to see carried out in colleges. Perhaps your Excellency's Government may have to examine the politics of each teacher or principal. Your Excellency's Government may, I think, withdraw the second order as well, and see how the student population in this Presidency would behave in their colleges. I thought your Excellency's speech in May last gave clear indications that this order was not dictated by anything that was done by the pupils themselves. That was a point which, I am very glad, my Hon'ble Friend Mr. Venkatapati Raju has pressed with some insistence and it is that view of the matter which largely influences me in getting up on the present occasion and appealing to your Excellency's Government to place this matter beyond further controversy.

"Speaking with the experience of nearly 25 years, I have heard of only two or three occasions on which there was any trouble with the students. I know, I recollect the days when I was a student in Madras and I am fairly alive to the conditions in the mufassal. There was an incident known as the Christian College commotion which the Hon'ble Mr. Pittendrigh is well aware of, which was not at all political, which settled down in a month or two and ended in the expulsion of two students who went to Calcutta and had their education there. Assuming for the sake of argument that these regulations are to be enforced in this way, it would be hard upon students who would naturally like to hear, off and on, persons who come to deliver lectures. As regards the mufassal, I might say that Mr. Pal's visit to my part of the country upset the students for a day and a half and at the end of the day and a half the whole matter was reported to the Government and 180 students were rusticated for 18 months. I do not think that students were either worse or better either for the lecture or for the rustication. For the last one year, there was some kind of excitement which probably led your Excellency's Government to issue this order. I see there is absolutely nothing which would justify the continuance of these orders, even if there was justification for the original issue under the circumstances. So, I think I am not at all sure that, in the carrying out of the instructions which your Excellency's Government have asked principals loyally to carry out, we shall not have more complications. As I said, it would reduce itself to the politics of the principal or the teacher and an examination of his own views. I think there is no need at all for the continuance of these orders. I do not wish to go into any other questions that have been raised."

At this stage the Council adjourned for a short interval.

The Council re-assembled after the interval at 2-50 p.m., when the discussion on the resolution of the Hon'ble Mr. B. V. Narasimha Ayyar regarding students and public meetings was continued.

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"Your Excellency, I fancied I would have had to answer only the spokesman on behalf of the Government, but I find further proof today of the confusion produced by the two Government Orders. It has misled another Honourable Member of this house into the belief that G.O. No. 1531 has varied the original Government

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(Mr. Narasimha Ayyar.)

Order which the Hon'ble Mr. Stone has expressly stated it did not. I shall, therefore, first begin answering the objections of the Hon'ble Mr. Stone and next proceed to deal with some statements made by the Hon'ble Mr. Pittendrigh.

"In the first place, I was rather glad to see that the Hon'ble Mr. Stone quite distinctly brought out the fact that G.O. No. 1531 did not make any alteration in the central pivot of G.O. No. 559, that is, the absolute bar to the attendance at political meetings so far as under-graduates are concerned. That is the key-stone of the policy of G.O. No. 559, and that is not altered. I am very sorry to see that the Hon'ble Mr. Pittendrigh is not here. That is the point he overlooked. The whole of his argument proceeded upon an ignorance of that very statement. The Hon'ble Mr. Stone said that discussion should be concentrated on the question, should there be such an absolute bar or not? He asked the Honourable Members to express an opinion on that point. I think we should really express an opinion on that point. Dealing with that matter the Hon'ble Mr. Stone urged four or five considerations which he believed would induce the Honourable Members to support the policy of G.O. No. 559 and G.O. No. 1531. His first argument was this. He said that the argument that G.O. No. 559 has itself by creating some sort of taboo over politics attracted students to politics, ignored certain other facts. What were the facts which it ignored? The facts were that some others besides under-graduates took part in the excitement. This argument seems to me rather to grant my position; the fact that some others besides under-graduates were responsible for the total amount of the excitement does not go to show that the G.O. No. 559 did not produce in itself an excessive tendency to unduly enter into politics on the part of students. That is the first point.

"The second consideration urged by the Hon'ble Mr. Stone was that the difference between the spoken word and the written word, or the difference between mixing in an assembly and reading the proceedings, should be remembered. I quite recognize it. He is quite right in pointing out that personal presence is far more illuminating and impresses one far better than reading the proceedings. Therefore, the entire question is whether the proceedings should be conveyed to the mind of the student by means of newspapers or by means of attendance. If the proceedings are objectionable, supposing there is an exhortation to plunder or to commit murder or suppose some one declares that all property is robbery and there is no right to property and incites people to commit crime, whether the students read about it or hear it by attending the meeting it is equally objectionable. I won't ask him to attend such meetings. But when there is nothing objectionable and it is a purely political meeting, to put forward the argument that there is a difference between the spoken word and the written word is to put forward an argument which is ununderstandable. If political assemblies are useful, they are useful on account of personal factors; coming into contact with great men like Dadhaboy Nowroji or Gokhale is really beneficial. Therefore, the point that the Hon'ble Mr. Stone presses is that political education is permissible if it is confined to newspapers and debating societies or reading history and debating about matters mentioned therein. When he stated that debating about politics amongst students is permissible, he gave away his point that politics were too exciting a topic. If students could get excited in their own debating societies by discussing current day politics in what manner is that excitement different from the excitement which they receive at public meetings? There are gatherings and gatherings. I do not think any teacher would tolerate his students attending a gathering where disorder is advocated or other objectionable features are present. But is the mere fact of politics a sufficient ground for stating that all political meetings should be tabooed? He has given away his case by saying that even current day politics could be debated upon by students in societies and yet the same politics should be objected to when they hear it discussed in any assembly. It can only be justified if there is a difference in the character of the persons with whom they come into contact, on the ground that they are undesirable. There is already a provision that students should be kept away from undesirable persons. Every father wants that his boy should be kept away from such persons. It is not politics that you are taking objection to, but only undesirable persons. Where then is the educational basis or justification for avoidance of meetings on the score of subjects dealt with therein? There again the ground urged by the Hon'ble Mr. Stone has failed.

"The fourth consideration, which looks rather like a reiteration of his position is one of the previous arguments put forward by him, that discipline is necessary and that the present provision is necessary. That is begging the question. That discipline is necessary nobody denies. Whether this particular prohibition of attendance at political meetings is necessary is the point.

"The fifth argument advanced by him is that English under-graduates attend political meetings, but under danger of penalty. You have that danger of penalty under the old rules in Chapter VIII which are practically on the same footing as the English rules. Why are you not content with these rules? Why introduce a separate set of rules with regard to politics? 'Political propaganda' is the expression used in G.O. No. 559. There were orders issued simultaneously in other provinces. In Bombay they declared against 'Home Rule propaganda' and they issued an order that a certain class of students should not attend Home Rule meetings. They had however the good sense to cancel that order. Here we have clouded the issue by employing vague phraseology; we simply say 'political propaganda.' I suppose it has the same meaning as the Bombay circular as all these provincial circulars have a family resemblance, sprout out at the same time—probably out of a mysterious central circular issued perhaps from Delhi. Why

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should it not have the same fate as the Bombay circular? Before the pronouncement of the 20th August some persons may have fancied that Home Rule meetings were undesirable, but since the Secretary of State has stated that it is a legitimate goal, a comparatively easily attainable goal, there is absolutely no reason why Home Rule should be tabooed. I am at liberty to quote the statement of Lord Carmichael who had a good deal of experience of the troublesome situation in Bengal, namely, that young men in Bengal went to the anarchist camp in pursuit of patriotic ideals. A person who discussed the situation with Lord Carmichael pointed out to him that it was for want of legitimate vent for the legitimate ambition of young men—it was for that reason—anarchy was spreading, and Lord Carmichael said that if they could work under a legitimate banner for Home Rule they would be weaned away from their methods of crime. That is a statement which I am at liberty to quote. I wish to point out therefore that far from there being any harm being done by students coming under the influence of such a propaganda you will ennoble them for ever. The English parallel is very much against the Hon'ble Mr. Stone and the Government policy that he is seeking to defend.

"Then comes the last statement of the Hon'ble Mr. Stone. He says that G.O. No. 1531 makes a very great difference. At the outset he started by saying that G.O. No. 1531 left the matter exactly in the same position, so far as the key-stone was concerned, as regards attendance at political meetings, only instead of employing people themselves, the Government ask the professors to prevent the students from attending the meetings.

"Coming to the remarks of the Hon'ble Mr. Pittendrigh, he has fallen into several errors. The first reason he mentioned for congratulating himself on the change is that espionage ceased, that the principals need not play the part of spies nor their assistants. The discretion conferred by the later Government Order in so far as their colleges are concerned, is whether they might condone punishment or not. There is nothing about espionage in the second Government Order. I fancy that espionage is still necessary because the principals are asked to enforce the rule; the professors are not perhaps required to play the part of spies, but the boys may be asked by the professors to play that part. That is so far as espionage is concerned. Let us come to the enforcement. The Hon'ble Mr. Pittendrigh seems to think that the principals are now at liberty to allow their students to attend meetings; the Hon'ble Mr. Stone has said that was not the intention of the Government. The principals have to loyally accept and carry out the wishes of the Government, that is, that the Government Order must be enforced. The Government would not employ spies, but the principals will have to do it. I do not see that there is anything on which the Hon'ble Mr. Pittendrigh can congratulate himself. There is not much discretion left to the principals. What the Government would not do themselves, they seek to do through others.

"Then with reference to chapter VIII-A it was urged that chapter VIII-A did not refer to other colleges. The Hon'ble Mr. J. H. Stone says the Grant-in-Aid Code does; the Grant-in-Aid Code covers them. It is an absolutely worthless item to be noticed. No change has been made; the change has been made only in the method of enforcement which is made more objectionable.

"Most of the objectionable features have been touched upon by various members, but there is one which, I think, is very important, and I should close my remarks by touching upon it; that is, the Government have to be particularly careful in the orders which they issue regarding educational institutions. The personnel of Government is largely a foreign personnel. I do not object to this personnel in this discussion but I only say that the Government have to be more careful than they need otherwise be. The Government Order refers to a movement to which people look forward with great hopes and it seems to strike at the movement itself. As I have already said in this discussion what becomes of the movement need not be considered here; the movement takes good care of itself, as in spite of obstacles it seems to be flourishing. So far as young men are concerned, with reference to the Government Order what will be their attitude? Your Excellency must remember that this is addressed not only to the students but to their elders. If you issue an order which is opposed to the views of the vast mass of the people, how can it be successful? Is that a situation on which any Government could compliment themselves? Is it desirable to have the vast masses of the people in opposition to the Government? The Government have a laudable object in view—the attainment of better education. By far the best means of attaining that end is to leave the principals to look after students under chapter VIII-A. If both these orders are done away with, the widely prevalent impression that the Government want to wean away the students from patriotic movements would be removed and the prestige of the Government would not suffer. It would not put the people in a spirit of opposition to Government. I hope this discussion will not have the effect of stiffening the back of the Government against the people; I hope the Government will concede this request in the same way as the Bombay Government have done."

His Excellency the PRESIDENT (to the Hon'ble Mr. Stone):—"Have you anything to say?"

The Hon'ble Mr. J. H. STONE:—"No."

His Excellency the PRESIDENT:—"We will take the division of the Council. The decision on this resolution will govern resolution Nos. V and VI also."

2TH FEBRUARY 1918.] (Mr. Narasimha Ayyar; Mr. Siva Rao;
Mr. A. S. Krishna Rao.)

The resolution was put to the Council and lost.

The Hon'ble Mr. B. V. Narasimha Ayyar demanded a division which was taken with the result that 11 voted for and 27 against the resolution.

For	Against
The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar.	The Hon'ble Sir Alexander Cardew.
" Rao Bahadur M. Ramachandra Rao.	" Mr. P. Rajagopala Achariyar.
" Mr. P. Siva Rao.	" Mr. L. Davidson.
" Mr. K. Rama Ayyangar.	" Mr. A. R. Kuapp.
" Mr. K. Sadasiva Bhat.	" Mr. R. Ramachandra Rao.
" Mr. B. Venkatapati Raju.	" Mr. A. Butterworth.
" Yaqub Hasan Sahib.	" Mr. L. E. Buckley.
" Ahmad Tambi Marakkayar.	" Mr. M. E. Couchman.
" Mr. K. Chidambaranatha Mudaliyar.	" Mr. C. G. Todhunter.
" Mr. A. S. Krishna Rao.	" Muhammad Aziz-ud-din Sahib.
" Mr. B. V. Narasimha Ayyar.	" Lieut.-Col. G. G. Giffard.
	" Mr. T. Richmond.
	" the Raja of Bobbili.
	" Rev G. Pittendrigh.
	" Rao Bahadur A. Subbarayalu Reddiyar.
	" Mr. K. K. R. Kavalappara Muppil Nayar.
	" Sir Francis Spring.
	" Mr. J. H. Stone.
	" Sir Fairless Barter.
	" Mr. Gordon Fraser.
	" Mr. C. H. Higginbotham.
	" the Archbishop Aelen.
	" Mr. S. B. Murray.
	" Mr. W. J. J. Howley.
	" the Advocate-General.
	" Mr. H. F. W. Gillman.
	" Mr. R. A. Graham.

RESOLUTION RE UNPASSED CANDIDATES AND THE GOVERNMENT SERVICE.

The next resolution which stood in the name of the Hon'ble Mr. P. Siva Rao was as follows:—

"VII. This Council recommends to His Excellency the Governor in Council that G.O. No. 1021, Home (Education), dated 6th August 1917, prescribing a minimum qualification for a clerkship on Rs. 20 may be annulled."

The Hon'ble Mr. P. SIVA RAO:—"I do not wish to move the resolution in the form in which it stands. The next resolution covers the same ground and I shall second it."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU then moved the following resolution of which he had given notice:—

"VIII. This Council recommends that His Excellency the Governor in Council be pleased to reconsider and modify G.O. No. 1021, Home (Education), dated 6th August 1917, in so far as it affects unpassed candidates not possessing a complete secondary school-leaving certificate or its equivalent."

In doing so he said:—"Before I point out to the Council the effect of this Government Order, it is necessary to consider the position at present. According to the Government Order issued on the 4th July 1908, all the qualification required for superior posts above Rs. 20—it is only for those posts that qualifications are required—was a pass in the Matriculation examination or its equivalent. It is true that by an earlier Government Order of the 24th March 1908 persons who applied for posts carrying Rs. 20 and upwards were required to pass the prescribed examination, but it was modified in July 1908. It will be found that these rules have been confirmed and have been in force till now. It will be found from the Public Service Notification that the conditions prescribed were as follows:—

(1) Subject to the provisions of articles 2 and 4 no person shall be eligible, on or after the 1st April 1911, for appointment to any post in the superior service the sanctioned pay of which exceeds Rs. 20 per mensem (the maximum pay being taken as the standard in the case of appointments on progressive scale as required by note 3 supra), unless—

(1) he is a graduate, or

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(2) he has obtained a completed secondary school-leaving certificate issued under the authority of Government showing that the candidate possesses sufficient knowledge in the ordinary subjects and in two optional subjects.

"The two clauses or articles referred to therein are those which exempt a certain class of officers mentioned in the exemption rules from the examination rules, and which empower certain officers to exempt certain persons. It is necessary in this connexion to refer to the powers of exemption vested in Collectors and divisional officers who might sanction the employment of unpassed candidates in acting and sub. *pro tem.* vacancies and temporary posts in the revenue and magisterial departments when the vacancy does not exceed twelve months and the pay is not over Rs. 30 provided bona fide attempts have been made without success to obtain passed candidates. What is the effect of the Government Order of August 1917? The Government Order states:—

"After a careful consideration of the replies received, the Government have decided to make the following changes in those rules:—

(i) The possession of a completed secondary school-leaving certificate or its equivalent should be prescribed as the minimum general educational qualification for admission in the public service to any post in the superior service, the sanctioned pay of which is Rs. 20 per mensem or more,

(ii) the powers of exemption from Examination rules at present vested in the revenue divisional officers should be abolished, and

(iii) any Government servant possessing the minimum general educational qualification, viz., a completed secondary school-leaving certificate or its equivalent, should be entitled to appear for all the various examinations held under the Special Tests Notification.

(2) Separate orders will issue in regard to the simplification of the Special Tests'.

"The present resolution does not deal with that question but deals with what is contained in the other portion of the order. I will only place before this Council certain facts tending to show that the object which the Government apparently aim at by prescribing minimum educational qualifications for superior posts carrying Rs. 20 and more is not served by the terms in which this order is put. It states that the possession of a completed secondary school-leaving certificate is all that is necessary to enable one to obtain a superior post. But in reply to a question put this morning by the Hon'ble Mr. K. R. V. Krishna Rao, question No. 102, the Government have stated that no minimum number of marks has to be obtained by one who possesses such a school-leaving certificate. The question was in these terms: '(a) Will the Government be pleased to state the minimum number of marks prescribed in the various subjects for Secondary School-leaving Certificate holders to qualify themselves for Government appointments carrying salaries of Rs. 20 and above, (b) If no such minimum has been prescribed, will the Government be pleased to prescribe one?' The answer is '(a) no minimum has been prescribed; (b) the Government do not consider it necessary.' The result of this Government Order is this: that one who passes through the school-final course and obtains the secondary school-leaving certificate, though he might get very poor marks in all the important subjects, is entitled to enter the superior posts and to appear for all the Special Test examinations of the Government and have all the advantages thereof while one who has the misfortune of not having gone through the Secondary School-leaving Certificate course and who is therefore styled an unpassed candidate cannot. This is, I submit, a hardship. I am not one of those who think that there should be no educational qualification at all. So long as we are concerned with subordinate posts carrying Rs. 20, so long as the Government are satisfied with the possession of a mere school-leaving certificate, whatever may be the number of marks possessed by the candidate, no distinction can be drawn between one who goes by the name of a school-final candidate and another, between an unpassed candidate and one who possesses a certificate. There is a discretion vested in various officers to judge of the capacity of the candidates. The officers will consider whether the so-called unpassed candidate has undergone the necessary course of training and has studied up to a certain standard and possesses the requisite knowledge before he is appointed to a particular post. We expect that the Collectors and the revenue divisional officers who have responsible functions to discharge will exercise their discretion in a satisfactory manner and will only employ persons who deserve to get into these posts. But in the absence of this restriction the position of the unpassed candidate is seriously jeopardized.

"What is more important is this. If the new rule is made to affect persons who may hereafter apply for appointments I can understand it. The Government Order even affects persons who have been admitted into the service, if they have not been confirmed. If the candidates were confirmed before the date of this order, they are not sent away; but though they have been admitted into the service and have been there for three or four years discharging their duties satisfactorily, if by mere chance they have had no opportunity of becoming confirmed, according to this Government Order those persons have been sent out and are liable to be sent out. I submit this further fact to show that the Government Order has worked real hardship upon the persons. I submit, therefore, that this Government Order deserves to be reconsidered and modified. If you require proper educational qualifications which are really worthy of consideration I can understand; but so far as the qualification fixed here is concerned, it does not place the matter on a better footing than the previous system. The Collectors and divisional officers were given discretion under the old rules to appoint people who in their opinion had undergone the necessary course. That discretion may stand; otherwise it will work real hardship. So far as the public are concerned, they had no opportunity of making representation. All that appears

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from the Government Order is that the Board of Revenue and other heads of departments were consulted. This is the only opportunity when we can make representations and the Government will not, by the mere fact of the Government Order having been issued only on the 6th of August, hesitate to reconsider it and modify it."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I have great pleasure in seconding the resolution. The Government Order under reference deals with three aspects of the matter. It lays down the minimum general educational qualification for clerkships or offices carrying Rs. 20 and more; it also abolishes the powers of exemption from examination rules which were vested in the revenue divisional officers; it also says that a completed secondary school-leaving certificate should entitle a candidate or office-holder to appear for various examinations held under the Special Test regulations. We shall just see, Your Excellency, what was the old state of things. I have got in my hand the G.O. No. 511, dated 9th July 1908 which says that the Government are pleased to direct that 'the qualifications laid down in article 1 of the Public Service Notification shall in future be required only in regard to posts the salary of which exceeds Rs. 20 per mensem.' So in regard to posts carrying a salary up to Rs. 20 there was no minimum educational qualification prescribed. Now as regards the first portion of this Government Order the prescribed minimum qualification is an extremely vague test; the mere possession of a completed secondary school-leaving certificate will entitle a candidate to apply and to get an office. What is a completed secondary school-leaving certificate? A boy gets one as soon as he goes through the course; it is no pass test; he might have secured zero or 10 per cent in English or in Mathematics or in any of the important subjects; but so long as he has undergone the course and the examination and his marks have been entered in the certificate, he will be entitled to get a post. It is no pass test at all. It is left to the discretion of the officer concerned whether he will look into the marks obtained in the various subjects. This works hardship, for this reason. What about those who have studied for the old Matriculation or Upper Secondary examination, who have undergone the same course and have failed to secure a pass? Why should they not be confirmed on Rs. 20?"

"This Government Order will have the effect of driving away numerous clerks who have entered Government service and have been serving the Government for years in expectation of being confirmed on Rs. 20. I hold in my hands representations from various people. There is one man in Narasaraopet in the Ganjam district who has been serving the Government for over 12½ years, and he has been doing his work to the satisfaction of the superior authorities. After this Government Order comes into effect he has to revert to his permanent post on Rs. 10. Here is another instance in which a man has been serving the Government for six years who is getting Rs. 20 and he has to be sent back because the Government prescribed all of a sudden a minimum educational qualification for such people. In this case, the Collector specially recommended him for exemption, because he had worked very satisfactorily. But the Board of Revenue did not think it fit to grant it in his case. On the other hand, they have passed a general order, a Board's Proceeding, that all those who have not been confirmed prior to this Government Order should be sent out, and that it is only in special cases that the exemption will be granted. This Government Order works real hardship on poor people who entered service in the expectation that they would be confirmed under the old state of affairs. I therefore request of Your Excellency's Government to see your way to modify it or annul it or modify it in such a way that it may not be applicable to those who have already entered service and who have been working in the expectation that they would be confirmed."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, the Mover of this resolution said that he did not take any exception to the principle that there should be a minimum qualification for entering Government service. We therefore start with the assumption that there must be some minimum educational qualification. The minimum clerical pay at present is Rs. 20 per mensem. It is evident therefore that this minimum educational qualification should apply to clerkships on Rs. 20 per mensem, because if it does not apply to clerkships on Rs. 20 we will get into the service a number of men who are unqualified, and therefore who are not eligible for promotion to higher posts. That is a trouble which has actually arisen in Cuddapah. It is found that more than 30 per cent of the employees in that district were actually unpassed men who in the expressive language of Mr. Banerji were 'stagnant' on Rs. 20 and never could get further. It is evidently very unsound to admit men to the clerical branch if they cannot be promoted at all. It is on that ground that this Government Order was issued, to make the educational qualifications apply to men on Rs. 20 per mensem.

"Reference has been made several times to the Government Order of the 9th July 1908. That Government Order was, I am sorry to say, issued through a mistake. In March 1908, the matter was carefully considered and it was decided that posts below Rs. 20 were to be exempted, that was perfectly right, because the minimum clerical pay is Rs. 20 and the places below that are not clerical posts. In July 1908 through some mistake made by the officer in control of the matter, it was thought that posts on Rs. 20 should be exempted and the order went out accordingly. The result is that in Cuddapah and other districts a large number of unpassed men came in on Rs. 20 and have been stagnating at the bottom with no prospect of promotion. It was to remedy that, the Government Order of 1917 was passed. I am afraid that I cannot hold out any hope that that Government Order will be altered.

"As regards those who have acted, I think it is better to maintain the rule and not admit them on Rs. 20 per mensem, because they will be unable to get promotion, and the result will be a

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block in promotion and they will have nothing to look forward to and they will become either indifferent or corrupt or both. That is the position of the Government. I am not an expert on the subject of secondary school-leaving certificates. We only wanted to enforce a definite standard which is prescribed as the minimum educational qualification for the minimum clerical pay. Whether there has been any misunderstanding about the school-leaving certificate, I am not prepared to say. The Director of Public Instruction can tell you anything further, if wanted. I hope my explanation will be sufficient to show the Honourable Mover and Seconder of the resolution the reason of the rule which was passed in August last."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU:—"I am afraid there are two aspects of the question which have not been considered by the Hon'ble Sir Alexander Cardew. He says that G.O. No. 511 of 1908 was issued under a misconception by the officer then in charge and that was responsible largely for a large number of unpassed candidates having been imported into the various offices, particularly in the Cuddapah district. It will be found from that Government Order that they considered the previous G.O. No. 226 of the 24th March 1908 and they expressly state that in modification of that Government Order they issue revised orders. Another point to be taken into consideration is that at that time we had not got that minimum of Rs. 20 as we find in all the departments now. At that time the minimum pay was only Rs. 15. If in July 1908 it was found possible to employ persons on Rs. 20 I would ask whether the circumstances have changed since. The second point is, as has been pointed out by the Hon'ble Mr. Siva Rao, whether the case of those persons who have been actually serving for four and five years before the date of this Government Order does not deserve any special consideration—was there any sort of implied promise to them, a sort of moral obligation when they were entertained in the service on Rs. 20 four or five years before this date—that they would be confirmed in those posts? Are they to be deprived of these posts immediately after the receipt of this Government Order and sent home without payment? If the whole of the Government Order cannot be modified or reconsidered, I hope the Government will see their way to take into special consideration the case of those persons who were taken into the service some time before the date of the Government Order and in whose case there was a sort of implied promise or moral obligation that when they had worked for four or five years they might expect to be confirmed. Their case deserves special consideration and they ought not to be deprived of their chance."

The Hon'ble Sir ALEXANDER CARDEW:—"I am prepared to consider the case of acting men."

The resolution was put to the Council and lost.

His Excellency the PRESIDENT:—"I may perhaps intimate to the Council that it will be for the convenience of the Council to take up resolution No. XVIII to-morrow early probably after any unfinished business. Does the Honourable gentleman move resolution No. IX?"

RESOLUTION RE IMPROVEMENT OF THE CONDITION OF DEPRESSED CLASSES.

Resolution No. IX which stood in the name of the Hon'ble Rao Bahadur M. Ramachandra Rao was as follows:—

"IX. (a) This Council recommends to the Governor in Council that a committee be appointed in each district to report to the Government how the present condition of the depressed classes can be improved.

(b) This Council also recommends that grants-in-aid be made from public funds to societies or other bodies organized for the elevation of the depressed classes."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"My Lord, I understand that in conformity with the resolution moved in 1916 in the Imperial Legislative Council the Government have called for various opinions on this question. I do not propose to move this resolution at this meeting, pending the publication of the papers and the opinions which have been gathered on this subject."

RESOLUTION RE CLOSURE OF CANALS IN THE KISTNA EASTERN DELTA.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"The resolution that I have the honour to move runs as follows:—

"X. This Council recommends to the Governor in Council

(a) that the closure of the canals in the Kistna Eastern delta should begin from the 7th of April 1918 instead of the 15th March 1918 as notified at page 1431 of the "Fort St. George Gazette," dated 29th December 1917,

(b) that steps should be taken to afford to the ryots adequate flood protection from the hill-streams flowing through the Kistna Eastern delta.

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"My Lord, this resolution relates to two topics relating to the Kistna Eastern delta. I am afraid that irrigation matters are coming up far too frequently before this Council; but that is one of the incidents of the agricultural conditions in my part of the district. The first clause relates to the closure of the canals. After I gave notice of the resolution, I have been informed that the Government have directed that the Ellore canal should be kept open till the 15th April. I have only to ask for some information with regard to clause (a) whether the closure of the canals in the Kistna Eastern delta has been put off in respect of all the canals or only in respect of the Ellore canal."

The Hon'ble Mr. H. F. W. GILLMAN:—"Ellore."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"If this concession has not been extended to other canals, why is it so? I do not propose, after eliciting that information, to press clause (a) on the Government, because part of my request has been conceded by the Government."

"My Lord, with reference to clause (b) I may perhaps mention for the information of the Honourable Members that in the Kistna Eastern delta there are three hill streams, the Tammileru, the Budameru and the Ramaleru. The question of protecting the crops from the floods of these three hill streams is the subject matter of clause (b) and I suggest that your Excellency's Government should construct flood banks so as to secure the necessary protection to the crops of the agriculturists which are now seriously affected by the flood water of these three streams. As regards the first, the Tammileru, I may mention there is no difficulty whatever till the river crosses the Ellore canal. It is only in the lower reaches till it reaches Kollair that this continuous flooding of the crops and loss of crops takes place. Under the West Tammileru there are ten to twelve villages which year after year lose their crops. The bed of the river has been seriously encroached upon; there are two Honourable Members here who represent the Public Works Department, who know every inch of the ground and it seems to me unnecessary to dwell much upon this aspect. It is necessary, my Lord, that land would have to be acquired and flood protection will have to be undertaken. I must say that the assignment of land has been made in an inconsiderate manner with the result that the bed of the river has been very much narrowed and the crops are damaged year after year by the floods of the West Tammileru and along with the waters a great deal of sand is carried and deposited on cultivated fields. Honourable Members will not consider that sand is a particularly valuable manure for rice crops."

"Then as regards the East Tammileru, the same difficulty occurs until it reaches Kollair. There is always a certain amount of flooding which affects the crops. I do not know, my Lord, whether the question of affording the necessary flood protection has ever been considered. I asked a question some time last year or the year before last, and I was informed that the Government had no intention of doing anything in the matter. I would press earnestly upon the attention of the Government that something would have to be done and that as early as possible."

"As regards the Budameru, I find the question has been under consideration for years. There have been interpellations on the subject since 1896 and in one of the answers to the interpellations it was stated that the question of affording the necessary flood protection was under the consideration of Government. But so far as I know nothing seems to have been done afterwards. I am not able to trace from the different reports whether the Government have come to any conclusion, and if so what has been done about this matter since 1896."

"Then there is the other river, the Ramaleru. My Lord, in regard to these three rivers there are questions of drainage and flood protection, and I wish to state that in this resolution I am anxious that your Excellency's Government should consider the question of affording flood protection to the crops. That to some extent involves the question of affording drainage facilities and taking off the flood waters to the sea or to the Kollair. That is quite a different question and I should like to inquire whether there are any proposals about the drainage of the Kistna Eastern delta to relieve much of this upland drainage which enters the delta through these three rivers. I therefore request that consideration should be given to clause (b) and that your Excellency's Government should depute special officers to afford flood protection and that as much as possible funds should be found to construct these flood banks and afford protection to the agricultural lands."

"As I said, as regards clause (a) I am only waiting to hear as to the state of things with reference to other canals. I do not wish to press it to a division."

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"My Lord, I have great pleasure in seconding this resolution. With regard to clause (b), the inundations caused by these three hill streams the Tammileru, the Budameru and the Ramaleru have been, of late, very frequent, and the loss of crops due to these inundations has been considerable. In the light of the great havoc that these streams have been doing to the crops, the closure of the canals later in the year, as proposed in clause (a), becomes necessary. At present, before this notification referred to in clause (a) was published, the canals in the Kistna Eastern delta were closed for about four months in the year; but that was reduced by that notification to three months. It is suggested in the first part of this resolution that it should be further reduced to only two months. Such further reduction would give a chance to the ryots in the Eastern delta to grow a second crop, i.e., gingelly crop. In the Eastern delta there is not much of sugarcane and there is not much second crop grown; the only second crop that is possible in the Kistna

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Eastern delta is the gingelly crop. Further it would also give facilities for ryots who happen to own tanks in fields to fill those tanks so that they might carry on transplantation in time. It also helps the ryots to fill drinking-water tanks and provide themselves with a supply of drinking water during the hot season. For all these facilities the closure of the canals for only two months is necessary. Since the damages to the crops have been of late frequent, it is just and reasonable that, while doing all that is necessary to avert the danger from these floods and frequent damages to crops, facilities should also be given to ryots to raise the gingelly crop as a second crop in the Kistna Eastern delta. Besides, my Lord, if canals were closed for two months, it would enable the people to grow what is called the dansia, a manurial plant which is so often recommended by the Agricultural department, and which these people are in great need of growing because in the Kistna Eastern delta green leaf manure is a rarity. If facilities are given to the people, it will be a great help to them. These damages will have to be averted very soon. Year after year the volume of water that is discharged by these three hill streams has been on the increase and the damage caused by them has been very enormous. While all necessary steps should be taken to avert the overflow of water from these streams and adequate flood protection made, it is also necessary that the closure of the canals should be confined only to two months in all the canals of the Kistna Eastern delta instead of confining it only to the Ellore canal. If the Government have already chosen to accept the suggestion made in clause (a) and extend it to all canals in the Eastern delta, it is unnecessary that it should be pressed upon the attention of the Government, but if it is only, as observed by the Honourable Mover, confined to the Ellore canal, I submit that for the reasons given it may be extended to all the canals in the Kistna Eastern delta. With these observations I heartily second the resolution."

The Hon'ble Mr. H. F. W. GILLMAN :—"Your Excellency, with regard to the first part of the resolution it is a fact, as stated by the Hon'ble Mr. Ramachandra Rao, that the Ellore canal has been kept open this year as a special case, because we understood that great damage was done under it and also because special arrangements were made with certain ryots towards the tail end to carry out certain repairs within the time of closure. The reason why in the case of the other two canals, Polraz and Peddalanka, the time for opening has not been extended is that their continuance would involve the keeping open of a number of other canals including the Bandar canal and it would not be possible within the time and with the labour available to get the repairs done in time. I would like to point out that on the 23rd November last the ryots under these canals were distinctly informed by the Collector that the concession of growing second crop was allowed to them on the distinct understanding that the canals would be closed on the 16th March."

"Coming to the second part of the question, the three hill streams that trouble the delta are the Tammileru, the Ramileru and the Budameru. The question connected with the East Tammileru is now under consideration by the Public Works Department, and I understand that a proposal has been made to divert the East Tammileru to the Mondicodu drain. With regard to the West Tammileru—and I think the same remark applies to the Budameru—the Honourable Member is aware that after these hill streams pass the canal they degenerate into small rivulets. The lands on either side have been encroached upon or, as he says, improperly assigned and the result is there is no proper waterway. So any attempt to provide proper protection for the fields would apparently involve very heavy expenditure. About the Ramileru, I have not got very full information, but I understand it only flows for a short length west of the Ellore canal before it joins the Budameru. The main question is with regard to the Budameru, and we have in the past considered various schemes for intercepting or diverting the drainage water. I remember that in 1896 an Executive Engineer was put on duty to see first of all if he could devise a flood-moderating reservoir, and secondly whether he could not divert it into the Kistna. I think both those schemes were found impossible, but I understand that a proposal has been made to place a flood bank on one side of the Budameru; I have not got the papers and I have not got the full details. I think the best thing that the Government can do in this matter is to review generally the schemes that have been proposed and the decisions that have been taken in regard to these hill streams and publish them for general information and for the information of the Honourable Member in particular. I will undertake to do that. These three hill streams have received very careful attention from the Government; and if no action has been taken, it is because we have been advised by our engineering officers that it is not feasible. I would, at the same time, point out to the Honourable Member that the effect of any bunding of the hill streams which would enable the water to reach the Kollair more rapidly would increase the submergence under the Kollair, so that you will have to consider that aspect of the question also. As I said, I will have all the papers examined and a record made for the information of the public of what has been done."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"I do not wish to press this resolution to a division. I did not understand what the Hon'ble Mr. Gillman said with regard to the West Tammileru."

The Hon'ble Mr. H. F. W. GILLMAN :—"We considered that the scheme would be too expensive, because extensive wet lands would have to be acquired. Practically there is little left of the bed of the West Tammileru. We would have to acquire an extraordinary amount of land to make a proper channel."

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The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"That is the trouble. That is so with regard to the West Tammileru. Some land has been assigned and some has been encroached upon and there is no waterway for the water which has to find its way through cultivated fields down to Kollair. That is the state of things which we wish the Government to consider. Any scheme would be costly. The question is whether your Excellency's Government would consider whether the ryots who pay their taxes year after year should be liable to have the drainage of the country continually and systematically carried over their cultivated fields. That is the question raised by this resolution. I am quite prepared to wait and see what the information is."

The Hon'ble Mr. H. F. W. GILLMAN :—"We are prepared to give full information." With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE EXTENSION OF ACT XXVI OF 1917 TO MADRAS PRESIDENCY.

The Hon'ble Mr. B. VENKATAPATI RAJU :—"Your Excellency, the resolution which I have the honour to move runs as follows :—

'XI. This Council recommends to the Governor in Council that the Government be pleased to apply to the Governor-General in Council for the extension of the provisions of Act XXVI of 1917 (The Transfer of Property Validating Act, 1917) to this Presidency by notification in the "Gazette of India".'

"Fortunately this is one of the non-controversial measures on which the Government can look in the same way as the people's representatives look at it, because nobody would suffer except the dishonest. This is a case where dishonest debtors want to avoid payment to their creditors. According to the Transfer of Property Act unless a mortgage document or a gift deed is attested by two or more persons, the document is not valid. In order to enforce security, the Privy Council have finally decided that attestation does not mean putting his signature after hearing an acknowledgment by the executant, but the attesting witness must see the actual execution, the signing of the instrument. Taking advantage of that decision most of these debtors, who admit having executed the document, say that they signed the document and handed over the papers to the attester who attested without seeing the executant sign the deed and therefore the document is invalid and they need not pay the amount advanced to them. To avoid such a plea, a Bill was introduced into and passed by the Imperial Legislative Council. I shall briefly mention its provisions. The provisions are merely two. The Act says 'Whereas it is expedient to validate certain transfers of property made prior to the 1st of January 1915; it is hereby enacted as follows :—

'1 (1) This Act may be called the Transfer of Property (Validating) Act of 1917.

'(2) It shall extend, in the first instance, to the United Provinces of Agra and Oudh, provided that the Governor-General in Council may, by notification in the *Gazette of India* extend it to any other part of British India specified in the notification.'

"Therefore the only thing, if the Government and the people agree that such a provision should be extended to our Presidency, is we have to apply to the Governor-General in Council and the Governor-General in Council would decide whether they would issue a notification that the Act is extended to our Presidency."

"The effect of passing such a law is explained in sections 2 and 3. Section 2 says : 'Where a mortgage or gift purports to have been effected by an instrument prior to the 1st of January 1915 and such instrument is required by the Transfer of Property Act, 1882, to be attested, such mortgage or gift shall not be deemed to be invalid by reason only that any person who purported to attest such instrument as a witness did not see the executant sign it, provided that such person before signing his name on the instrument received from the executant a personal acknowledgment of his signature to the same.' The other is what we call a provision with retrospective effect from the year 1912. It is : 'Where a claim under any such instrument executed prior to the 1st January 1915 has been wholly or in part dismissed, rejected, or withdrawn, after the 30 days of July 1912 and before the commencement of this Act, in a court of first instance or of revision or appeal, by reason only of the fact that some person who purported to attest such instrument as a witness, on having received, before signing his name thereon, a personal acknowledgment, from the executant, of his signature to the same, did not see the executant sign it, the case may, if the dismissal, rejection or withdrawal has had the effect of invalidating, in whole or in part, the said instrument as between persons claiming thereunder, be restored, on review, in accordance with the procedure prescribed by the Code of Civil Procedure, 1908, for review of judgments on application in writing made within six months from the commencement of this Act; and on such restoration, the provisions of section 2 shall apply to the instrument.' But they make an important proviso : 'provided nevertheless that every court to whom such an application is made shall have a discretion to refuse the same if it is of

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opinion that such restoration would prejudice the rights of any transferee for value in good faith under any transfer made subsequent to the said 30th of July 1912. Therefore these two provisions would, if there is any injustice done from the year 1912 up to date, enable the courts to help the aggrieved parties provided bona fide purchasers for value are not injured thereby; and no debtor would be hereafter allowed to plead that he signed the document but that his attestors did not see him sign, when his attestors state that they attested it on an acknowledgment by him.

"It is perhaps better for some gentlemen to know whether there is any necessity for such a provision in our Presidency. I am not quite aware of other districts, but so far as Vizagapatam is concerned, I am quite aware of a large number of decisions where the debtors wanted to take advantage of that decision and pleaded that the attestors did not sign the documents in their presence. To quote an important case which would prove to what absurd lengths this present provision would enable dishonest debtors to plead that they are not liable. There was a case where under the orders of the High Court a party was asked to execute a security bond for a large amount of about Rs. 10,000 to the District Judge. The practice in the district court is that the drafts should be submitted by the party who wants to execute the deed and that would be approved by the office and then handed back to him by the office so that he could present it for registration and get it registered. In due time he presented the registered bond but he did not pay the amount and the District Judge ordered a suit to be filed. The man pleaded that it was true that he executed the document, but his own servants who attested it did not see him execute it. The Judge thought that it was absurd that that sort of plea should be allowed. In order to prevent such things with reference to documents executed prior to the year 1915 such a provision should be made. The only statement that I can make is that the Government of India did not think it worth while to pass the Act for the whole of India perhaps on the ground that the Privy Council has pointed out that, if you want to rely upon the attestation, you must get the attestation properly; that is, as is done in England, a note must be made 'in my presence the executant signed it and I have witnessed the same.' In regard to wills and with reference to our voting papers, there is such a provision made. I agree that persons must hereafter take better care in getting documents attested. But with reference to documents executed prior to 1915, the Government must give us some assurance that they will safeguard the interests of people. There is no reason why we should not have the Act extended to this province. I do not wish to see dishonest debtors escape. I place this resolution for the acceptance of this Council."

The Hon'ble Mr. P. SIVA RAO :—"Your Excellency, I second this resolution. I have come across an instance in which, as was rightly pointed out by the Honourable Mover, a dishonest debtor took this defence which has been afforded to him by the decision of the Privy Council. The decision of the Privy Council laid down once for all what was meant by attestation within the meaning of the Transfer of Property Act. Before that decision, there was a good deal of doubt as to what attestation meant. There were some documents which according to law required attestation and what 'attestation' meant was a matter of conflicting decisions among the various High Courts. One set of authorities said that if a man acknowledged his signature before the attestor and if relying on that acknowledgment he attested it, that was good 'attestation.' Another set of authorities held that the executant must actually sign in the presence of the attestor, otherwise the attestation was not valid in law. That caused real hardship. The decision of the Privy Council had the effect of upholding this sort of dishonest plea of the debtor. His signature is there, he cannot repudiate his signature nor that of the attestor. The only way to get out of that document is to win over the attestor and make him say 'he told me soot-free. It is to prevent that and to validate such transfers that the Bill was passed at the instance of the Hon'ble Pandit Madan Mohan Malaviya. Its operation is confined to the United Provinces, but there is a provision inserted in the Act that if necessary, and the other provinces apply for it, it could be extended to those provinces as well. It is a very salutary provision. I know of cases in which dishonest debtors have succeeded by putting forward such a plea, and the creditors have lost their money. It is a fit case for your Excellency's Government to apply to the Governor-General in Council for the provisions of that Act being extended to this Presidency. There are excellent reasons why transfers prior to 1915 should be validated. Hereafter if the creditor makes a mistake, it is at his own risk; but so far as transfers before 1915 are concerned, some such protection must be made as there was a large difference of opinion and creditors were under the impression that that sort of 'attestation' was enough for the purposes of the law. I therefore second this resolution."

The Hon'ble the ADVOCATE-GENERAL :—"Your Excellency, I am asked to state that the Government are unable to accept the resolution in the form proposed. The circumstances under which this Validating Act was passed will be familiar to those Members of the Council who have followed the discussion in the Imperial Legislative Council. They depended entirely upon the peculiar conditions which prevailed in the United Provinces of Agra and Oudh, because the Allahabad High Court had held that attestation meant not only attestation by a person who was present at the time of execution by the executant of the document, but it also meant attestation after the admission by the executant after the execution to the attesting witness. That was the view which prevailed in Allahabad, and that was laid down as early as 1903. On that interpretation of the law, instruments had been executed,—mortgages and gifts. Then the

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Privy Council's decision which applied to the whole of India upset that interpretation of the Allahabad High Court. That was in 1912. They held that attestation meant only attestation by a person who was actually present at the time of execution by the executant. So far as Madras is concerned, that was always so; there were no decisions like that in Allahabad. The interpretation which the Allahabad High Court had placed upon the Transfer of Property Act was not the interpretation of the Madras High Court. Here the view has always been the view which eventually found favour with the Privy Council. The decision of the Privy Council was itself a confirmation, as they called it, of the well-reasoned judgment of the Madras High Court. There is no reason to believe that parties in this Presidency were ever misled into thinking that the requirements of attestation would be met and sufficiently complied with by a personal acknowledgment by the executant of the document to the attestor that he had signed the document. Therefore, there is no necessity for this special Act, which was passed only to validate certain documents which had been executed in the United Provinces on the basis of an erroneous interpretation of the law which obtained in that Province, and which was subsequently overruled, being extended to a Province in which the right interpretation has always prevailed and in which there has been no reversal of the previous interpretation upon the faith of which parties might be supposed to have executed documents. Therefore, the very basis of the Honourable Member's resolution fails.

"Another reason is this: that the Act cannot be applied in part. It contains two provisions as Honourable Members are aware. One provision is that it validates attestation after personal acknowledgment of execution in the case of instruments executed prior to the 1st of January 1915. There cannot be very much objection to that. But there is another provision which must be necessarily applied, and it is that which enables the courts to restore suits which have been already dismissed on account of the right view of the law not only as contained in the judgment of the Privy Council but as ascertained by the Madras High Court in the year 1906. The Privy Council judgment did not come as a surprise in this Province and I have not come across any case in which hardship was caused by the view of the law laid down by the Privy Council. I do not know how many cases there are of that stamp to justify this step. The Government are certainly in sympathy with the spirit of this resolution if it had asked for an amendment of section 68 of the Evidence Act so as to make attestation have a more liberal meaning, but to ask that this Act which contains a special retrospective provision to set aside decrees and to disturb titles to properties which have been acquired on the basis of decrees upon the right view of the law requires strong grounds. The Honourable Mover referred to proviso (1) to section 3 which confers a discretion upon the courts to refuse restoration in cases in which a transferee for value would be prejudiced. It is merely a discretion in the court which may be exercised or may not be exercised. How can it be suggested that the decision of the Privy Council is wrong or that it is right to ask the Council to pass a retrospective measure to disturb vested rights? That is a step for which more justification than what has been urged would be necessary, and many more instances would be necessary to persuade Government to accept the resolution which has been moved. The Honourable Member should also notice that section 3 is confined only to the restoration of suits which were dismissed after the 30th of July 1912. That would be perfectly proper in the United Provinces, because no suit would have been dismissed before that date upon the view which subsequently found favour with the Privy Council. But here you cannot apply a provision like that, because even before 1912 the suits were properly dismissed only on the right view of the law. For these reasons I am unable to accept the resolution which has been moved."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"Your Excellency, I have heard the Hon'ble the Advocate-General say that it is not possible to accept the resolution. With the highest respect to him I submit that the matter might be referred to the High Court for opinion to see if the High Court agree with the Hon'ble the Advocate-General that it is not necessary in this Presidency to have this measure. It is a question of law which we can argue for several hours, and it will be tedious to the Council if I do so. It is a point which should be referred to the High Court, because the Imperial Council have provided for a possibility of extending the Act to other Provinces. I, therefore, earnestly suggest for the consideration of this Council and the Government, that the matter may be referred to the High Court. If the High Court agree with the view expressed by the Hon'ble the Advocate-General and do not want the Act to be extended, there is an end of the matter. Otherwise, if the High Court says that it should be extended to our Presidency, we may apply to the Governor-General in Council. Otherwise I do not see any reason why where there is an injustice done and where there is a provision under which it could be removed, we should tie our hands by some technical plea or other. Where there is a provision to help, there is no reason why we should not avail ourselves of it. In these circumstances, I place this resolution for the consideration of the Government. Unless the Government propose to refer the matter to the High Court, I press the resolution."

The Hon'ble the ADVOCATE-GENERAL :—"The High Court has already been consulted about the original Bill of the Hon'ble Pandit Madan Mohan Malaviya and they were against such a provision. They have already expressed a definite opinion and no useful purpose will be served by referring it to the High Court."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"If the High Court was of that opinion I do not press it."

With the permission of His Excellency the President the resolution was withdrawn.

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the district board, which, with the aid of the subordinate local boards where such exist, maintain roads, schools and dispensaries, and deals with vaccination and sanitary improvements in rural areas. Finally, he has to furnish information on all important occurrences in the district and he is called upon to advise on any general schemes affecting it which may be under consideration.

"I shall read what Mr. Gokhale said of his exact position and in what direction reform was necessary. He said, my Lord, 'that the position of the Collector in the district is such that it does not provide for the responsible association of the people with the Collector and that in order to furnish to him the deliberate collective opinion of the intelligent people of the district, district councils should be constituted and the Collector should exercise all his manifold duties with the advice and co-operation of such a council.' He said, my Lord, 'The three evils of the present system of district administration are its secrecy, its purely bureaucratic character, and its departmental delays. Important questions affecting the interests of the people are considered and decided behind their backs on the mere reports of officials, only final orders being published for general information, as though the people existed simply to obey. The constant references, backwards and forwards, which an excessive multiplication of central departments has necessitated, involve long and vexatious delays even in the disposal of petty matters and are a fruitful source of irritation and suffering to simple villagers. The Collector is the chief representative of the executive government in a district, and to prevent the evils of an uncontrolled exercise of power, he is subjected to a series of checks in his work. These checks are, however, all official, they are all exercised by the members of his own service, of which he himself, as a rule, is a fairly senior officer, and though they may serve to prevent gross abuses of power, they are not of much value in promoting efficient administration, and they certainly hamper him largely in the prompt discharge of his duties. What the situation requires is not such official checks exercised from a distance, but some control on the spot on behalf of those who are affected by the administration. For this purpose, I would have, in every district, a small council of non-officials, two-thirds of them elected by the non-official members of the district board, and one-third nominated by the Collector. I would make it obligatory on the Collector to consult the council in all important matters, and I would delegate to him large additional powers to be exercised in association with the council, so that ordinary questions affecting the administration of the district should be disposed of on the spot without unnecessary reference to higher officials.'

reference to higher officials.”

“The Decentralization Commission went into this matter at great length. In fact, one of the important questions referred to that Commission was as to how to improve and by what methods to better district administration. Out of nearly 84 non-official witnesses examined by that Commission, 71 were for administrative advisory councils, and out of 68 official witnesses 10 were in favour of such councils. And there was also a further consideration as to whether district administrative or advisory councils were really necessary, or whether the functions of existing bodies, such as the existing district boards, and taluk boards, may be widened so as to attain the objects for which the district councils were advocated. Perhaps it is quite possible that some non-official members might be under the impression how this statement of the case relates to the present topic. My Lord, I want to inform the Council that as an alternative to the constitution of separate advisory or administrative district councils, the plea was put forward by various witnesses, both Indian and European, official and non-official, that the district boards would equally serve the same purpose, provided their functions were enlarged and they were empowered to co-operate and to assist the district officer with their advice on all questions of general administration in the district. Honourable Members will thus see that I am really urging a reform which has been considered by the Decentralization Commission and by the majority of witnesses which that Commission examined. There is no doubt, my Lord, that opinion was almost unanimous before the Commission that something had to be done, that either separate administrative or advisory councils would be necessary or that the present functions of the district boards have to be enlarged so as to meet the same purpose.

"The same question was argued with considerable ability by Mr. Gokhale in the Imperial Legislative Council in the year 1912. It was then stated on behalf of the Government of India by the Hon'ble Sir Reginald Craddock that the line of advance which he on behalf of the Government thought they should follow was the enlargement of the functions of the district boards, such as that suggested by this resolution. My Lord in this connection, perhaps I might."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIAR (*interrupting*):—"That is not quite a correct statement; what is the reference?"

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—" I am quite ready to give the Honourable Member chapter and verse."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“ Thanks.”

'It is his duty to guide and control the working of municipalities, and he is often the actual chairman or presiding officer, of one or more of these. He usually also presides over

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU (*continuing*):—"In answering the Hon'ble Sir Reginald Craddock, as is now usual with official members of the

The Hon'ble Rao Bahadur Mr. BAMBARDKAR :—The Hon'ble Mr. Gokhale the Hon'ble Sir Reginald Craddock, as is now usual with official members of the Legislative Councils, indulged in a most destructive criticism and he mentioned nothing constructive. At page 247 he said that, as Chief Commissioner of the Central Provinces, he had put it on record that the true line of advance was the expansion of the district boards and he stuck to that opinion in the Imperial Council. He said: 'I contemplated rather that these boards should themselves become not the advisory councils which Mr. Gokhale contemplates, but

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the agency for doing things themselves and not for advising the Collector how they should be done. And that is what I still think will be the future development, not by giving a number of advisers—very often irresponsible—to executive officers like the Collector, but as time goes on for the Collector to divest himself of various functions and hand them over to responsible bodies like the municipalities and district councils. That is the line on which as far as my humble opinion goes affairs will develop.”

“It is quite clear” he says “that is the line on which as far as my humble opinion goes affairs will develop.” I do not know what can be clearer than this statement of Sir Reginald Craddock. What he objected to was a separate administrative or advisory council and he said that the true line of advance was to extend the functions of district boards and transfer to those bodies other functions, some of the very functions which the Collectors were then exercising. If the Hon’ble Mr. Rajagopala Achariyar would follow the trend of the discussion at that time, I believe that one of the proposals was that income-tax appeals should be heard by these bodies. This was the statement of the case, viz., that the true line of advance is that the district boards should be expanded and empowered to deal with other branches of administration than local self-government and that is the view which I submit in this resolution.

“My Lord I may perhaps say that the Hon’ble Mr. Gillman when he occupied a less responsible position in this Presidency as Collector of Madura also gave evidence before the Decentralization Commission. The point that was much attacked before that Commission was whether there should be separate district administrative councils or whether the district boards might be developed so as to serve exactly the same purpose. The Hon’ble Mr. Gillman was asked about it. I do not know whether he holds the same opinion now. He also stated that he did not like the idea of separate councils, but he thought that the district boards might be expanded and empowered in the manner suggested by me. One of the functions of the expanded district boards as stated by him was the question of minor irrigation. I have his views here and I am particularly careful not to misquote the official members of this Council who are always very careful about their statements. I have here typed extracts of their evidence and I gather from the evidence of the Hon’ble Mr. Gillman that general impression. The Hon’ble Sir Alexander Cardew took the opposite view. He said that unless he knew what the functions of the district councils, advisory or administrative, were, he was unable to form an opinion as to how they would shape. On the whole, he was inclined to take the opposite view which I believe is likely to find reiteration again to-day. This is what the Hon’ble Sir Alexander Cardew said :—

“Unless the functions proposed to be allotted to (a) advisory, (b) administrative councils are clearly defined, it is difficult to form an opinion on this suggestion. It should be clearly recognized that the creation of these councils would involve a great increase of work to the divisional or district authorities. If a Collector has to decide whether a certain tank is to be maintained or not, or where a certain office is to be located, he reads the reports of his subordinates, studies the plans, and perhaps visits the place, and passes orders. It is perfectly easy to do that but the question is whether any people are consulted. If he had to postpone his decision until he had discussed the matter with an advisory council, not only would he have to go over the record at least a second time, but the discussion itself would take time, not counting the large amount of trouble involved in arranging the meetings of a council. Again the existence of advisory councils would undoubtedly tend to increase delays. Instead of the Collector being able to pass a decision immediately on the study of the papers, he would have to wait till the next meeting of the advisory council. This is exactly what now happens with matters that come before the district board. I doubt whether this result would be popular. There would, no doubt, be a section of the people, especially the English-speaking inhabitants of the Collectors’ headquarters, who would like it because they would hope to be on the council and to share in the importance which that position would give. But the ryot in a far away village who was dependant on the tank or on the location of the office, would not be on the council, and he would prefer prompt despatch to the very doubtful advantage of having the question canvassed by a council of headquarter vakils.”

“These objections are well-known. If you want to get expeditious municipal government it is even better to have only the chairman. If you have a council you must have a meeting. The very idea of local self-government is the association of the people, the identifying of the people with the actual day-to-day administration. All these ideas have now received added strength by the declaration of the 20th August, whatever the Decentralization Commission thought in 1908 or 1907 and I submit Your Excellency’s Government ought not to oppose this resolution.

“My Lord, I wish to say a word about the functions. As regards the exact functions of these expanded boards, my position is I do not want to press the Government to adopt any particular view at present. Your Excellency’s Government will have to decide, if this resolution should be accepted, what the functions of these expanded boards should be, to what extent advisory or administrative and in what departments. These questions have been dealt with so amply before the Decentralization Commission that I do not wish to reiterate the arguments. The Hon’ble Mr. Rajagopala Achariyar may say if it is an advisory body it will give irresponsible advice. I am sure we shall hear all these and probably some unanswerable arguments in defence of any position he may take up. I submit that the main point that I wish to urge upon your Excellency’s attention is there is no longer any reason why a closer identification of the people with the district administration and a closer association should not be secured as suggested

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here. To what extent it should go is a matter which I leave to the Government. It has been suggested in the report of the Committee on the re-organization of the Public Works Department that all minor irrigation works should be transferred to district boards. If that recommendation is to be carried out, I submit that the question of minor irrigation will have to be dealt with not by the Revenue Department but by the district boards. Then there are very many minor forests which might be dealt with in close association with the district boards. Then there are questions relating to secondary education. I do not know what the future line of advance in secondary education is. One of my contentions is that local boards should be employed or subsidized for securing the expansion of secondary education. There are various other questions I am not anxious to furnish the Government or the Hon’ble Mr. Rajagopala Achariyar with a cut and dry scheme for criticism. I am willing to throw the responsibility of framing a scheme upon the Honourable Member. But I want him to consider this aspect of the question how this association is to be secured. If it is to be advisory functions at the outset I am willing to fall in with the proposal. But if he thinks that the district boards would be irresponsible, by all means make the expanded boards administrative. Let him settle the class of questions which will have to go before the district boards. I trust that a consideration of this resolution would be taken up in the spirit in which I have placed this matter before the Council. Since the expansion of the Legislative Councils I feel that there are many matters which might very well find ventilation in the districts in a responsible manner and a great deal of the work of this Council by way of interpellations which really relates to small district grievances might be settled there. Not having any means of settling these matters there we come up here. It has been pointed out by the late Mr. Gokhale that it gives a wrong impression of the work of these Councils, to have these small grievances accumulated together at one meeting and everybody complaining that there are too many questions, that we are worrying the Government with numberless interpellations. I am really waiting to hear the views of your Excellency’s Government on this matter and I trust it would be seen that my object is to press the principle rather than to go into details just at this juncture. I commend this resolution to the acceptance of the Government.”

The Hon’ble Mr. A. S. KRISHNA RAO PANTULU :—“Your Excellency, I second this resolution. As Your Excellency said the discussion on both the resolutions XII and XIII would be confined to this resolution only. The history of this subject has been placed before this Council at considerable length by the Honourable Mover of this resolution. What he definitely asks is not that cut and dry scheme should be decided upon at once, but that the Government should move in the matter and take a further step in the direction of associating the district boards in the matter of district administration.

“The question of district advisory councils has been before the public for several years. It is well known that in the last ten or twelve years various officials and non-officials have been considering about the desirability or otherwise of associating non-officials in the matter of district administration and the constitution of district advisory councils. There have been definitely two schools of thought regarding this important problem. One set of persons have been definitely thinking that the district boards now in existence are themselves not sufficiently equipped to discharge the functions of district advisory councils and that different bodies should be constituted for that purpose. Another set of persons have been thinking that it is not possible to create different bodies throughout the districts for the purpose of helping the district administration, but the existing district boards might be utilized for that purpose. Fortunately, so far as the resolution of this problem is concerned, after all the mass of evidence collected by the Decentralization Commission, they came to the deliberate conclusion that the line of progress ought to be in the way of improving the existing district boards rather than of constituting separate advisory councils. It will be remembered that even at the last Local and Municipal conference where there were representatives of the various local boards in the Presidency, a resolution was adopted suggesting that the district boards should be given powers to give opinions on matters affecting district administration. This resolution has been brought forward to draw the attention of the Government to the imperative necessity of effecting a further improvement in that direction. One thing must have struck Honourable Members of this Council that, with the process of decentralization that has been going, the functions of the district boards have been becoming less and less. We have been urging that the taluk boards should be given larger and larger powers freed from the control of the district boards. They have been managing various institutions, educational, medical and other useful institutions. A definite question was actually before the Local and Municipal conference whether it was necessary that the district boards should be continued or whether they should be abolished. The prevailing opinion was that it was necessary to co-ordinate the work of the local boards in the district, that there must be a sort of common understanding between one area and another and for the purpose of adjusting so many important questions of policy coming up in the district the district boards must continue to exist. I am bringing it to the notice of the Council to point out whether with this further development of the process of decentralization whereby more and more control is given to taluk boards over engineering establishments and every other department it is not time that the district boards should be utilized for the purpose of helping the Collector in the district administration. If the Government are of opinion that the Collectors ought not to be associated with non-officials in the district in the matter of district administration, I can understand some justification for any possible opposition. I am only anticipating a possible opposition and it may be I may be agreeably disappointed and the Hon’ble Mr. Rajagopala Achariyar

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may possibly accept it. If you are going to oppose the very principle of ascertaining non-official opinion I can understand. But if once you concede the principle that it is the duty of the Collector to ascertain the opinions of non-officials so as to help him in the district administration I fail to understand why there should be any hesitation in giving effect to the principle underlying this resolution.

"While discussing this question at considerable length and while summarising the argument against the creation of advisory councils, the Royal Commission on Decentralization stated as follows in paragraph 531: 'The general arguments adduced in favour of councils for Collectors were that it was very desirable to associate representatives of the people with the actual work of administration, and that to do this would not merely popularize the Government but would permit the delegation of powers which witnesses who hold this view would not give to Collectors acting singly. Also, that such a system would enable the officers of Government, and the Government itself, to get a clearer view of the feelings of the people on matters of policy and administration.'

"On the other side it was argued (a) that in most provinces Collectors already had district boards, the members of which they could consult upon matters of general policy; (b) that any Collector worthy of his position would habitually obtain the opinions of non-officials whose views would be of value to him in dealing with any particular matter: that a new Collector would be guided in the selection of such persons by notes left by his predecessors and by the darbar list, which is a register of district notables who should be invited to attend public functions; and that to tie the Collector down to a particular set of advisers, who would be largely drawn from a single class of the community, would be a mischievous step. Still more mischievous would it be to hamper him in the work of administration which is mainly of a detailed character, by making his actions depend largely on the votes of an irresponsible body'. I am quoting it for the purpose of showing that it was taken as an admitted proposition that a Collector worthy of his position would obtain the opinion of non-officials upon matters of importance. I would ask whether so far as the district boards now are concerned, notwithstanding the defects in the constitution of these district boards, notwithstanding the prospect that lies before us of improving the constitution of district boards in the contemplated amendment of the Local Boards Act, even as matters stand at present there is no body so representative of the district as the district boards. Whether the members are elected or nominated, particular care is being taken that the various local areas in the district and the various taluks are represented in the district board. While such is the constitution with all its defects—I am not one who concedes that this constitution is all that could be desired—there is no other body of persons who could be safely entrusted with this task of being associated with the Collector than the district boards. That is another reason why I suggest that this question may be taken up as early as possible.

"It was suggested before the Royal Commission why these district board members alone should be chosen and why not others whom the Collector might choose and why not their opinion be elicited. No one is going to contend for a moment that the Collector is to be deprived of the privilege of consulting other non-officials. He is at liberty to consult any one he pleases. What this resolution suggests and what is reasonable to expect is that these representative bodies which were created by statute more than thirty-four years ago should be given a definite standing and should be constituted as district councils to help the Collector in matters of district administration. If he thinks it necessary to consult others outside the district board, he is entitled to do so. His hands are not fettered in any manner. No one says that his hands should be hampered the moment this resolution is passed. I, therefore, submit that the only objections that were urged before the Decentralization Commission cannot be considered to be of any value whatever. They finally conclude by saying in paragraph 534 'We also agree consider that the district boards, which include leading officials of the district as well as representative non-officials, afford a convenient instrument for furnishing advice to the Collector upon matters which, although not included in their administrative sphere, affect the district generally, or important portions of its area or people. We understand that some Collectors do already make use of their district boards in this way, but we should like this practice extended.' There is a footnote that Mr. Meyer stated that he would like to see it made general. Therefore it will be clear that this principle has been accepted and it has been only the hesitation in some official circles that is responsible for effect not being given to it.

"Then regarding the question which has been suggested as to whether the functions are to be administrative or advisory, one will be entering upon dangerous ground when he enters upon the solution of the problem all at once. But notwithstanding that, I may venture to suggest that a possible course would be somewhere between the two. There are certain functions regarding which district boards can be constituted administrative bodies with the remark that if the Collector disagrees with the district board it is open to him to report to the higher authorities. If he agrees with them he can give effect to their resolutions. There will be other matters which can be specified wherein he should have a free discretion himself, these bodies being merely advisory. It depends on the nature of the subjects. This was the very division which was suggested by various witnesses before the Decentralization Commission which also considered the resolution moved by Mr. Gokhale in the Imperial Legislative Council. I shall not detain the Council by quoting the discussion in the Imperial Council; it is sufficient for me to mention that it is pointed out in that report. The bulk of the non-official witnesses desired

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that, where the Commissioner or the Collector was at variance with the majority of his Council, he should be bound to accept their decision or refer the matter to a higher authority. Some witnesses, however (Mr. Gokhale for example), discriminated between matters in which the Commissioner or Collector might act on his own discretion, and matters in which he must accept or refer the Council's recommendation, and Sir H. Risley was prepared to contemplate a somewhat similar division of subjects in the case of the Commissioner's Council, though at the outset he would make this purely advisory. Therefore even in this particular case if Your Excellency's Government are prepared to accept the resolution or the principle underlying it, I am not very particular, nor is my Honourable Friend Mr. Ramachandra Rao particular, about the wording of the resolution, it is quite possible to give effect to it as early as possible. They may be advisory or administrative; there might be a division of subjects regarding which non-officials are even now consulted and in these matters definite instructions may be given. There may be other subjects regarding which they may be merely advisory bodies and their advice may be given due consideration. In any case I cannot, subject to what the Hon'ble Mr. Rajagopala Achariyar may say in reply, see any possible objection to giving effect to the principle underlying this resolution. With these words I beg to second the resolution."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, a great deal has been said both by the Honourable Mover and the Seconder of this resolution which, or at any rate a portion of which, happens not to be quite relevant to the resolution. Therefore, it is necessary that I should call the attention of the Council to the wording of the resolution, because if we accept the resolution, we accept it as it stands, whatever may be the explanation given of it by the Honourable Members, and what the Council is committed to is the resolution. It is not committed to the speeches made in support of the resolution. What is the resolution which is now proposed for the acceptance of this Council? 'This Council recommends to the Governor in Council that the present functions of the local boards should be enlarged and that statutory provision should be made in the Local Boards Act now under revision empowering local boards to express their views on all subjects relating to the various branches of district administration.' So it is a two-fold recommendation. Firstly, there is a recommendation that we should enlarge the present functions of the local boards and secondly there is a recommendation that statutory provision should be made in the Act which is now under revision empowering local boards to express their views on all subjects relating to the various branches of the district administration.

"Taking the first point first, the Honourable Mover referred to it quite at the end of his speech. He said that the present functions of the local boards could with advantage be enlarged. I quite agree. He indicated one or two things, but finally he wound up and in effect said, 'I am not prepared to give you a cut and dried scheme, I hereby make a present to you of this idea, that the functions of these local boards should be enlarged, you had better work it out.' I admit that we are under an obligation to work up an idea like this, because it is our policy to enlarge the functions of the local boards. If the Honourable Member would tell us the various directions in which it can be done, and if other Honourable Members would indicate their views on this subject by putting them on paper, or the local boards themselves in the Province send up suggestions as to the way in which their functions should be enlarged, those suggestions would receive the most careful and sympathetic consideration. It is not possible for me to commit the Government off-hand to the view that the local boards could deal with this or that, e.g., minor irrigation works, excise or income-tax, or any other department of the Government. Each one of these things has to be examined carefully, it has to be thought out by the Government, and, if I may venture to add, it has to be thought out by Honourable Members and it has also to be considered by the local bodies whose functions we propose to enlarge. That being so, so far as that portion of the resolution is concerned, I may at once assure the Hon'ble Mr. Ramachandra Rao that I am entirely in sympathy with it and that, when the important Bill to amend the Local Boards Act comes up before this Council, as it will soon come, it would be open to Honourable Members to indicate the directions in which they feel that these functions could with advantage be enlarged. Their suggestions would receive careful consideration, certainly most careful consideration. That would be the appropriate time for it, but if in advance of that Bill any Honourable Member wants to commit the Government to any specific point, it is open to him to table a resolution to that effect. He can bring forward a resolution that in the opinion of this Council such and such a branch of the administration should be transferred to the local boards, and we will have that point examined.

"The greater portion of the speeches of the Honourable Seconder have been directed to make these local boards, what are called advisory bodies, to give them statutory power to express their views on all subjects relating to the various branches of the district administration. Please note the words, the power is to be statutory. Once it is given, it cannot be limited by any executive order of the Government or by any ruling of the Collector. They get the power, and then it is to be over all branches of the district administration which really means that the entire range of administration in the district could be discussed, debated and resolved upon by the boards. It is true the words used are branches of the district administration, but it would be a mistake to imagine that that word district would in any way curtail the scope of the activities, because anything affecting the whole Province will be a matter affecting the district administration. Everyone of the subjects we deal with here, excepting very purely local matters, will be matters affecting the district administration. G.O. No. 559 about education would be a matter

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affecting the district administration. Most of the things we discuss here would be matters affecting the district administration. If this resolution were accepted, every district board and taluk board would be in a position to debate and resolve upon and offer advice in regard to every one of these things, excepting purely local things such as the floods of the Kollair lake—every local board in the Presidency would be in a position to debate and offer advice upon all these questions. In other words, every local board would become a weak imitation of this Council. That being so, is that an end which the Council desires? That is the point which Honourable Members have now to consider.

"The Honourable Member has said that it is advice at the outset; but advice to be of value must be given after full consideration of the *pros and cons* of the question and on correct information. It is true all these things are discussed in this Council, but under what conditions? You have got a number of people on behalf of the Government to argue out our side of the case and the non-official side is argued with conspicuous ability by gentlemen like the Hon'ble Mr. Ramachandra Rao, and in the result, though I do not flatter myself to say that we always succeed in convincing Honourable Members, they—"

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU (*interrupting*):—"Nor are we in a position to congratulate ourselves at last sometimes."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (*continuing*):—"That is a matter for regret. Well, the Honourable Members will see all sides of the case. How is this result to be achieved in the local boards? Assuming that G.O. No. 559 about school boys and politics is discussed in the taluk board of Palghat, do Honourable Members think that it would be discussed in the dispassionate way in which it has been to-day in this Council? It would at once assume the form of 'for Mr. Shankunni' versus 'against Mr. Shankunni', who is the Principal of the College. The whole thing will degenerate. Similarly there would be a number of general questions which here, on account of the advisers available to the Council, are discussed with a fulness and appreciation of all sides of the questions, which we cannot hope for in the districts. After all we have only one officer in the district board, the Collector, and in the taluk board the divisional officer. We cannot expect them, with the large amount of executive work that they have to do, to be so thoroughly acquainted with all matters of general policy as to be in a position to defend the Government or explain the policy of the Government so as to convince the members. And please remember that we have embarked upon a policy of gradually removing Collectors and the divisional officers from the headships of local boards, and we will have to contemplate a time when local boards will be wholly non-official. That being so, we will have to contemplate a state of affairs in which the people in charge of the district affairs will not be in a position to put before the advising authority all aspects of the case, such as is necessary to make the advice valuable. I am mentioning these difficulties, because I am anxious that the Council should see the full implications of this resolution.

"Secondly, this is a thing which goes to the root of what we may call the machinery of local legislation, the present constitution of the local boards. In the preamble to the Local Boards Act of 1884 it is stated: 'Whereas it is expedient to make better provision for the organization of local boards in the Presidency of Fort St. George; for the construction, repair and maintenance of roads and communications in local areas therein, not included within the limits of any municipality; for the diffusion of education in such local areas; and for other objects of public utility calculated to promote the health, comfort and convenience of the inhabitants of such local areas'. If we pass this resolution, these boards will be constituted not only for these purposes, but for the purpose of offering advice on practically all general questions, questions such as we are engaged in debating in this Council from time to time. Now the great point of local self-government is that the local boards are in a position to act: they are bound to carry out their decisions. The local board not only debates questions relating to hospitals, roads, bridges or sanitation, but if it comes to a conclusion, that conclusion becomes operative. In other words, you have got the fact that the authority which discusses and considers and decides is also yoked with the responsibility for action. The responsibility is brought home to it. That being the structure of local self-government, we would at once, by admitting this deviation, introduce an entirely new element. I submit that this fact that the decisions of the local bodies have to be carried out by themselves and their carrying out will affect the people who have resolved upon them, tends to sober them and to give them a sense of responsibility. But that sense of responsibility will be greatly reduced when they feel that the carrying out does not rest with them and they only offer advice either to the Collector or to the divisional officer and they are not responsible for carrying it out. That being so, it is a matter for the Council to consider whether it should introduce this new element, this element of uncertainty, into the machinery of the administration of local boards. When we have a set of bodies who are engaged in constantly deciding and carrying out decisions, and who are responsible for those decisions, are we doing the right thing in deciding that those bodies shall, in addition to that, pass resolutions with regard to a number of things which they are not bound to carry out? That is a matter for you to consider.

"I fear that once we start on this track, it would not end so easily as the Honourable Member imagines. He says let us start with advice; why do you object to advice, you are not bound by it; but how long would that last? The next stage would be, here is a Collector to whom we have offered advice continuously for the last two years, and out of, say, 15 occasions we offered advice—"

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The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU (*interrupting*):—"I rise to make a statement by way of explanation. I left it entirely to the Hon'ble Mr. Rajagopala Achariyar to make the Board either administrative or advisory as he might think fit. My Honourable Friend is over-drawing the picture of irresponsible advice. I said so, my Lord—"

His Excellency the PRESIDENT:—"I shall endeavour to keep the scales even. If the Honourable Gentleman put both alternatives, it seems to me my Honourable Friend is at liberty to discuss both the alternatives."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (*continuing*):—"I am talking upon the resolution which my Honourable Friend has not altered or modified. What I am saying is entirely relevant to the resolution, though it may not be to his speech. That being so, the next stage will be this: 'The Collector has not followed our advice, Collector A is more amenable to advice than Collector B': and so on. Then a process of demoralization would set in. The Collector is the chief executive officer in the district, he is not the officer laying down the policy of the Government. That policy is laid down by the Government, and Honourable Members here have got full opportunities of advising us with regard to that policy. But these local advisory bodies would interfere with the every day work of the Collector. However anxious one may be that the people in a locality should be associated with the administration, it is a matter for the Council to consider whether it should proceed in a direction which would weaken the every day work of the Collector. It may, after a time, be suggested that if a particular advice is given by a district board, say twice running within 18 successive months, it should be accepted. These are not chimerical dangers. I am speaking of what has been the path which we have been treading in this Council. This Council started as an advisory body. Less than a year ago the Hon'ble Mr. Ramannja Achariyar was extremely angry that his wishes did not prevail adequately in this Council; he said that he and his fellow members were of no consequence. If I were in the Honourable Member's position, I would feel like that and would probably have attacked the Government in the same way. Where we have a particular set of people constantly giving advice, a statutory body giving advice, and where we have another set of people who feel honestly that, as long as they are responsible for the work, they cannot follow that advice, there is bound to be conflict. That kind of conflict is the inevitable result of the system."

"I am not of course going into the wide question of the constitution of this Council or how it should be changed. But it is a matter for us to consider,—should we repeat in every district the state of affairs that we have here? Do we want in every district the Collector on the one side, and the representatives of the people ranged on the other? Have we not got enough difficulties in the administration? I ask the Council to consider that point also, before it commits itself to this resolution that the district and taluk boards should be in a position to offer advice on all questions connected with the general administration.

"Then again there is another matter which Honourable Members have not probably thought of, to which I wish to invite attention. These local boards having been constituted purely for local purposes, have been organised on what I may call a purely territorial basis. The question of communal representation has not so far assumed an acute form in regard to them. Till now most of us have taken the view that, whatever may be the need for communal representation in councils dealing with general policy, these local boards being purely local councils need not have communal representation. If we now put upon these local boards a portion of the task which we are now discharging here, if we give them the right to deal with general questions, their constitution will have to come up and to be considered. I do not see how that is to be avoided. I do not say anything with regard to the vexed question of territorial versus communal representation—Honourable Members can decide that for themselves—but it is a matter for consideration what position, for instance, my Honourable Friend Mr. Marakkayar would take up if we give the local boards not only power to manage local affairs but to resolve upon questions of general administration. My own impression is that once we take a set of institutions framed for a certain purpose and put on them a number of other functions for which they are not framed, we will not be able to get on with the old constitution; we shall have to alter it to suit the new functions. That is a point which the Honourable Members had better consider before they commit themselves to this resolution.

"Are there not very many questions in regard to which it is a somewhat happy state of affair that they are not within the purview of the local boards just now? We have been going through somewhat troublesome times and we may go through still more troublesome times. But our local boards on the whole have kept their heads level and have conducted their affairs very well notwithstanding all the trouble going on around them. Now it is proposed to throw them into the vortex of high politics. What is going to be the effect of it upon the local boards? I shall give you a few instances. One of the troubles we have been having is the Dasara and the Muharram coming together, the District Magistrate is much exercised in mind sometimes to regulate the whole thing. But there is one advantage, the District Magistrate considers the situation and decides it. Imagine a taluk board in Cuddapah having a special meeting to consider this Dasara-Muharram question to advise the Collector as to what he is to do. I put it to the Honourable Members, do they consider that that particular advisory function would be discharged in such a way as is likely to promote amity between the Muhammadan and the Hindu communities? Or imagine that the district of Malabar is on the eve of a Mappilla outbreak, the Collector is at his wits' end to find where it is likely to take place and

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- what exactly is the force which he should concentrate in a particular place. The District Board at Calicut sits in judgment and advises him how he is to deal with the outbreak. I am by no means wedded to bureaucracy, as some non-official members might be inclined to think, but there are certain things which only one man can do satisfactorily and a great deal of the every day work of the Collector is what we might call one man's work and is not committee work. When we get his every day's work discussed by a number of men, we harass him and weaken him and in the end it weakens the district administration in which we are all as much interested as the Collector. This thing is likely, in many cases, it is likely to lead to troubles such as we are not able to realize now. Again, there is the thorny question of the representation of the different castes and communities in the public services. Suppose the taluk board of Shermadevi considers the question whether it is good to have so many Brahmans as sub-inspectors, or the taluk board of Peddapur debates the question whether it is good that the deputy inspectors of vaccination should be wholly Christians, or another taluk board considers the question why non-Brahmans are not adequately represented in the cadre of, say, sub-registrars. On all these matters, we get an occasional breeze here, in this Council, I admit. But these questions will be very much more troublesome in the local bodies, because of the personal element to some extent. There is a sense of detachment and a sort of distaste to enter into personal matters here, but in the districts personal matters would be discussed under the guise of general questions. What will be the effect upon the different classes and creeds? Is it not well in the interests of the public at present that all these general questions are reserved for a central body here where non-official opinion is well represented, where the Government of the day are trying as best as they can to argue out their case and put forward their views for the consideration of the Council? I would earnestly ask you to consider that point.

"My Honourable Friend has quoted Mr. Gokhale as supporting his view. I fear he is wrong. There is nobody living or dead for whose opinion I have greater respect than I have for that of Mr. Gokhale. If Mr. Gokhale had made this proposal, viz., to make these local boards advisory councils, I would greatly hesitate before committing myself to such a strong opposition. What Mr. Gokhale said was: 'Such a scheme of Provincial autonomy would be incomplete unless it is accompanied by a liberalising of the District Administration and a great extension of local self-government.' He proceeded later on to say that he wanted district councils. In the Viceregal Council, Mr. Gokhale moved this resolution: 'That this Council recommends to the Governor-General in Council that steps should now be taken to bring the District Administration into closer touch with the people by creating, as far as possible, in every district in the different provinces district councils composed of not more than nine members, partly elected and partly nominated whose functions should be merely advisory, to begin with, and whom the Collector should ordinarily be bound to consult in all important matters'. He did not propose to convert the existing local bodies. Some other members referred to that, and Mr. Gokhale himself said: 'I should not mind entrusting those boards with the functions, which I have in view for advisory councils. But that is a different question and I do not want to complicate matters by going into it just now. The district boards at present look after education, sanitation and roads. If the Government is prepared to widen their scope of work, and entrust other functions to them in addition, I have no objection.' What he moved in the Council was to have separate district advisory councils. Some of the arguments which are applicable to local boards may apply to the other case. But at present, as I said, I am dealing with the resolution before the house, viz., that statutory provision should be made in the Local Boards Act to empower local boards to express their views on all branches of the district administration. The late Mr. Gokhale did not recommend such a thing being done. The whole discussion which took place in the Imperial Legislative Council in 1912 is most instructive. Sir Reginald Craddock has gone into the whole subject on behalf of the Government of India, and he says: 'There is a radical misconception about the whole suggestion. There is no analogy whatever between the work done in the Imperial and Provincial Councils and the work done in the Collector's office. They are on entirely different planes; the two former councils, dealing with large questions of policy, with measures which will affect the people for weal or woe, should be as far as possible impersonal and disinterested. The Collector's work is totally different from that. He is an executive officer. It is not for him to determine policies but to carry them out. He has to apply those policies to concrete times and places, to concrete cases and concrete individuals; and the deliberations which would take place in his council would be of a different character to those which take place in this Council or in a Provincial Legislative Council.' Sir Reginald Craddock rightly laid down the lines on which local self-government should develop, which my Honourable Friend has quoted and which I also propose to quote: 'I contemplated rather that these boards should themselves become not the Advisory Councils which Mr. Gokhale contemplates, but the agency for doing things themselves and not for advising the Collector how they should be done. And that is what I still think will be the future development, not by giving a number of advisers—very often irresponsible—to executive officers like the Collector, but as time goes on for the Collector to divest himself of various functions and hand them over to responsible bodies like the Municipalities and District Councils. That is the line on which as far as my humble opinion goes affairs will develop.' That is a line, Sir, to which the Government have absolutely no objection. That is why I say, so far as the functions of these boards are concerned, we are prepared to, we will gladly, consider any suggestions made by Honourable Members for enlarging them. We are not in a position to say what our decision would be,

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offhand at once, but we promise most careful consideration. But when it is a question of making them at the same time general advisory bodies in district administration, my point is that it is a somewhat dangerous leap and I would hesitate greatly to commit the Government to it. My Honourable Friend may say, if you have not district advisory councils, how are we to give advice? I ask Honourable Members—are we suffering from want of advice?"

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"I did not say that we have no opportunity of giving advice, but 'how are we to give advice?' I never said so."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I beg your pardon. But it may be suggested that sufficient opportunity should be given for offering advice. But we have elastic institutions for the purpose, we have the district conferences, taluk conferences, provincial conferences. All these offer advice and their advice is being considered. My point is 'leave these local bodies alone which are for a different purpose.' I oppose that particular portion of the resolution, but if my Honourable Friend would modify it and move it in some form like this, namely, by adding the words 'committed to their charge.'"

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU (interrupting) :—"May I ask him where he would add the words?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Various branches of district administration committed to their charge.' That would take away most of my objections."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"Do you want that provision? They are already 'committed to their charge.'"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"My point is, whatever functions you give to the local boards, let those functions be complete and let the responsibility be complete. Let them deliberate, decide and act. Do not divorce action from advice. But I oppose making them advisory in certain respects in regard to which they cannot act. I hope my Hon'ble Friend Mr. Ramachandra Rao understands the spirit in which I put forward my objections. It is as well that the objections to the particular idea should be known fully to the Council, because the idea is a particularly fascinating one. When the Local Boards Act is taken up, we would be most willing to consider suggestions for enlarging the functions of the local bodies. But to give them statutory power to offer advice in regard to all branches of the district administration would, I fear, not only paralyse that administration, but would do great injury to local self-government. I therefore feel bound to oppose that portion of the resolution."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"Before the Council adjourns I want to ascertain what the effect of the amendment will be. It means that the local boards have to give advice in the sphere of local self-government."

His Excellency the PRESIDENT :—"If I may interpret it, it is much more than that; it means what the words say: 'Empowering local bodies to express their views on all subjects relating to the various branches of district administration committed to their charge'. I think we may as well finish the subject."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"There is a meeting this evening that we have to attend."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"Several of us want to continue the discussion."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"To my mind it looks as if we are asked to advise the Collector in the sphere of local self-government. Is that what the Honourable Member means?"

His Excellency the PRESIDENT :—"I only take the words and interpret them. If the words were added to the resolution, it would run 'local boards should be empowered to express their views on all subjects relating to the various branches of district administration committed to their charge.'"

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"Does it mean within the sphere of the functions of Local Boards Act? I am not quite sure what my Honourable Friend means."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"We can enlarge their functions."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"We will consider it."

His Excellency the PRESIDENT :—"If the Honourable Gentleman speaks, he will exhaust the right of reply."

The Council then adjourned to 11 a.m. on Wednesday the 13th February.

R. A. GRAHAM,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Wednesday, the 13th day of February 1918.

P R E S E N T :

His Excellency the Right Hon'ble JOHN, *Baron PENTLAND* of Lyth, P.C., G.C.I.E., Governor of Madras—*Presiding*.
The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.
The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.
The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.
The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O.
The Hon'ble Mr. A. BUTTERWORTH, C.S.I.
The Hon'ble Mr. M. E. COUCHMAN.
The Hon'ble Mr. L. DAVIDSON, C.S.I.
The Hon'ble Lieut.-Col. G. G. GIFFARD, C.S.I., I.M.S.
The Hon'ble Mr. R. A. GRAHAM.
The Hon'ble Mr. W. J. J. HOWLEY.
The Hon'ble Mr. A. R. KNAPP.
The Hon'ble Mr. S. B. MURRAY.
The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.
The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).
The Hon'ble Mr. J. H. STONE, C.I.E.
The Hon'ble Mr. C. G. TODHUNTER.
The Hon'ble Mr. T. RANGA ACHARIYAR.
The Hon'ble the Rev. G. PITTENDRIGH.
The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU Garu.
The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
The Hon'ble Mr. P. SIVA RAO.
The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.
The Hon'ble Mr. B. V. NARASIMHA AYYAR.
The Hon'ble Mr. K. SADASIVA BHAT.
The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.
The Hon'ble Mr. K. RAMA AYYANGAR.
The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU.
The Hon'ble B. RAJA RAJESWARA SETUPATI *alias* MUTTURAMALINGA SETUPATI Avargal, Raja of Ramnad.
The Hon'ble Mr. B. VENKATAPATI RAJU.
The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
The Hon'ble Mr. K. KUMARAN RAMAN KAVALAPPARA MUPPIL NAYAR.
The Hon'ble YAQUB HASAN SAHIB Bahadur.
The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBHI MARAKKAYAR SAHIB Bahadur.
The Hon'ble Mr. GORDON FRASER.
The Hon'ble Mr. C. H. HIGGINBOTHAM.
The Hon'ble the Most Rev. JOHN ARLEN, D.D.
The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.
The Hon'ble Mr. T. RICHMOND.
The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.
The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Bobbili.

(Mr. Narasimha Ayyar.) [13TH FEBRUARY 1918.]

The Council re-assembled at the Council Chamber at 11 a.m., when the discussion on resolution No. XII was resumed.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, the matter now before the Council is one, the importance of which it would be impossible for us to overrate. At the same time, the subject seems to present a great diversity of opinion on various particulars and seems to be highly complicated. It would no doubt be a great advantage on such a matter to have the well-considered opinions of various bodies in this country such as the boards concerned and other public institutions. If we could have them before us, they might help us to a decision. Whatever remarks I am now going to offer, I consider the whole proposal to be in a tentative stage. Even in 1912, when Mr. Gokhale put it up in the Imperial Council for consideration, he said that it was tentative. In certain respects, the matter seems to be still tentative. In conceding that, I am not however giving up the case for the proposition being considered. The main grievance is this: we have it as part of our experience in this Council that many items come up here for consideration which more appropriately would have been dealt with in the districts. After a lot of trouble, a lot of waiting and a lot of correspondence, the Honourable Member who represents a particular district elicits some information which the district head could have given quite easily, and after all even by further questions here the matter is not taken one whit beyond what the district Collector is able to take it. In such cases, a provision for eliciting information at the district headquarters would be of very great advantage.

"A number of objections raised about advice being given would obviously not apply to eliciting information. So far as that is concerned, I believe the district heads might be empowered to give information even on matters which are not finally controlled by them, but the final stage of which has been communicated to them so far as they know, by the Government. So that, one portion of the work of taking people along in the daily task of administration, that portion which relates to questions might be very easily provided for by providing for general questions being asked in district boards. At present, there is provision for interpellations in local bodies and that provision relates solely to the branches dealt with under those Acts. I think there will be no great harm if, so far as questions are concerned, the questions extend to other matters than those on which the local boards have finally to decide. Then with reference to the power of interpellation it might be stated that there might arise a dangerous feeling of impotence in merely eliciting information, and being unable to do anything further. It would be more satisfactory to have the power of moving resolutions also. That is no doubt true. But if the scheme is only tentative and if we are not able to get much farther, I might suggest that we might start with increasing the scope for interpellation in the various local bodies. This has the merit of following the lines on which the Legislative Council itself proceeded in the various provinces.

"The Hon'ble Mr. Rajagopala Achariyar said 'Do you want so many weak imitations of the Legislative Council?' I must confess that our minds are running in that direction. I may also confess that it is not with any great satisfaction that we are able to refer to our existence and our work here, in the Legislative Councils. There is a feeling abroad that it is rather one of which we ought to feel a sense of shame, rather than of pride and that these bodies are a mimicry of Parliament which need not exist at all. There is an extreme school which considers that we should be totally ashamed of having to stand here as thereby we should be giving up our claim for and the methods best fitted for attaining national development. The non-officials members here have however accepted the position that we have to work up from very small beginnings. We have been so far satisfied with our position here, as even to tolerate weak imitations of this Council being created and fostered in the districts. Our position here is similar to that of a landlady about whom a Barrister friend of mine who returned recently from England told me. The landlady complained that she had only one tooth left and that that tooth gave her much pain. My friend advised her to pull it out and allow it to go the way the other thirty-one went, rather than endure pain; but the landlady stuck to that one solitary representative of her departed dental equipment with admirable tenacity. The view of the Legislative Council Members with reference to the powers that they now command is very much akin to the view of that lady with reference to her solitary tooth. Proceeding to the question as to the creation of a number of miniature local Legislative Councils, I may perhaps minimise the fears which the Hon'ble Mr. Rajagopala Achariyar has entertained in regard to their creation. I am afraid the official view is likely to be so much warped that his calculation is not likely to take sufficient note of the non-official view. When he said that there would be a personal spice spoiling the deliberations, that inconvenient discussions might be started and that the hands of the weak Collectors *pro* and *con* which had been advanced in favour of the Legislative Councils being given extended powers, the discussion extending over several decades, in respect of every form of administration, whether provincial administration or district administration. Officials are quite convinced of the perfect or almost perfect manner in which they discharge their duties and of the immediate success of their endeavours. Their view would naturally be that they are doing their duties properly; and when an uninstructed body offers to try its prentice hands on administration naturally all sorts of horrid consequences are conjured up. The answer to the objections in one case, that is, of the province, has furnished an answer in the case of

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district administration as well. In the matter of provincial administration also, it was thought at one time that as non-officials were coming forward to represent such diversity of conditions—all sorts of castes and creeds, interests and communities in the country—that they would not be likely to do much useful work, but that they would hamper administration. The light of free criticism has never been liked either in this country or elsewhere by persons who have been dominated by officialism or to use the more common phrase 'Bureaucracy'—I use the term in no offensive way. Our criticisms are never welcomed. Look at our own Council. Those who have got the control and shape the administration do not like supplementary questions being allowed to be put by others than those who put the original questions; whereas in the House of Commons any member can put supplementary questions. Here, however, such a thing is not possible and to that extent free criticism is being kept down. Therefore, the question is one of gradual progress."

His Excellency the PRESIDENT:—"I do beg the Honourable Gentleman to keep to the point. I do not wish to restrict discussion, but it is really wandering from the motion. It is an interesting reflection but it has nothing to do with the motion."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I do not wish to pass any reflection, but I wish to point out that the administration of a province is very similar to the administration of a district and therefore if considerations have prevailed in the administration of a province so as to let in criticism in spite of certain dangers, the same argument must apply to district administration. For instance, with reference to allowing the Legislative Council to pass resolutions—a power which they exercised for the last eight years—identical objections to those which the Hon'ble Mr. Rajagopala Achariyar has now raised might have been urged. There were so many differences among us—and in fact he was quoting instances of proceedings in the Legislative Council wherein communal differences were emphasised by Mr. Ahmad Tambi Marakkayar; and he asked 'would it not create difficulties?' I believe the world has not been terminated by Mr. Ahmad Tambi Marakkayar pointing out differences. Where there is a diversity of opinion and of requirements, it is but necessary that it should be brought up for discussion here. Only it should be done dispassionately, with dignity, and with a certain amount of prudence. It is no doubt likely to be said that these virtues can be expected more at the top than at the centre. To this objection I wish to point out that there is nothing like a limit to the output of a nation. If there is a demand, you will see a supply of the requisite virtues coming forward even in district centres. I have the utmost faith in the public capacity to furnish the men who will correspond in the various district centres to the elements that we find here and who will be able to conduct, under the care of the district Collector, discussions with as much care and prudence as are evinced here. It was asked, if there is a riot, would the Hindus and the Muhammadans combine and come to a satisfactory conclusion? I think the Hon'ble Mr. Rajagopala Achariyar has stumbled on the strongest argument in favour of District Councils. Purely official efforts have failed to prevent communal strife. It is felt that leading men and prominent persons of the communities should come forward and deal with such problems. The time is long gone by when a few gentlemen of a foreign country could deal with them. The people of the country feel their absolute responsibility in these matters and they must tackle all these problems; and I am sure if they are allowed a chance they will tackle them well enough. Only, you must prepare the channels properly. I am sure these councils will prove to be arbitration boards, and be far more competent in quelling disturbances than any number of policemen or magistrates. As to inconvenient questions being asked, and personal topics being raised, the district Collector would be given the same power as the President of this Council where questions are brushed aside with evasive replies and half answers are given. So many questions were put about Mr. Wells here and these are 'spice of personal reference'; yet the Government give what information they like and withhold what they like. The district Collector, who later on becomes a member of the Government, will be able to out-do his exemplars.

"As regards the difficulty of the preamble of the Local Boards Act presenting difficulties, the proposal is that we should amend it when we amend the Act.

"Then as to the question whether every branch of administration should be handed over to district boards, that is a matter which presents some difficulties. I think we may decide it step after step. Once the Government are willing to admit the principle, once the Government start working with such branches as Irrigation and Forests, we might see which others may be added.

"As to the difficulty that Collectors are to get out of district boards before another decade is over, that is a matter which requires consideration. In that case, I might put forward one suggestion that the Collector might be requested to prepare for a joint sitting along with the members of the district board. I merely put it forward as a suggestion and the scheme requires to be worked out. I would request the Hon'ble Mr. Rajagopala Achariyar to invite the suggestions of Collectors and district boards on this resolution. Let us have their joint suggestions. What I do want is that the Government should not be frightened by possibilities of disruption and disorder and personal spice producing havoc. Government should not be frightened by all these bogeys. Government might accept the principle and start working in this matter."

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"My Lord, I am afraid the picture presented by this resolution has been overdrawn and too much is made of the wording of this

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resolution. The wording of this resolution is to this effect: it suggests that local bodies may be empowered to express their views on all subjects relating to the various branches of district administration. It does not say that district boards and local bodies should be empowered either to give advice or to have anything to do by way of controlling the authorities over the affairs of the district administration. It only wants that an opportunity should be given to the members of these local bodies to express their views and their opinions; and the object of this resolution is to find an opportunity for non-officials and representatives of the people to associate themselves more closely with district administration than it is at present in vogue. The Honourable Mover of this resolution Mr. Ramachandra Rao wants that district administration should not be entirely left to Collectors to be carried on as best as they can and as they have been till now carrying on. But that some attempt should be made to allow the people to associate themselves with district administration, and that they should be given also an opportunity of giving their views regarding the several matters affecting the district administration from the popular point of view. That seems to be the object of this resolution. The late Mr. Gokhale in his resolution before the Imperial Legislative Council in 1912 analyses all the functions of district administration into three categories. He said that there were certain matters that should be carried on more expeditiously and they should be carried on by Collectors themselves and they must of course be left to them. He would class certain other matters of district administration into a second class and he said that in those matters the opinion of the Local Government must necessarily be invited by district administrators. On such points, the popular view may also be presented by the Collector along with his own opinion, and these councils will enable the district Collector to be able to present the popular view along with his own view to the Local Government for obtaining final orders on such matters. In the third category Mr. Gokhale enumerated a number of other functions, some of which are discharged, no doubt, by district boards at present, but there are some others which he suggested might be left to the district boards also for their opinions being expressed to the Collector. No doubt, even now popular Collectors do take advice from private individuals and there are chances, very good chances perhaps, for private individuals to give their opinions regarding matters connected with district administration to the Collectors; but these people do it when they go to the Collector either on some business of their own or for paying complimentary visits and they do so without any sense of responsibility. This resolution suggests that if these bodies are given an opportunity of expressing their views, they will do so with a sense of responsibility as being the representatives of the people. That is the object of this resolution; and I think so far as the spirit and the object of the resolution are concerned, it is unnecessary to exaggerate the terms and the language of the resolution and say that it is impossible and say that since the resolution suggests that local bodies should be given powers to express their opinions on all matters affecting the district administration, it cannot be given effect to.

"My Lord, now an attempt is being made on all sides to give opportunities for the people to associate themselves in the administration of the country as far as possible; and in doing so district administration being the most important, it is necessary that in some form or another, opportunity should be given to the people, to the accredited people who go to the Collectors with some sense of responsibility and whom the Collector can consult and take their views openly and not secretly when they go to him for paying complimentary visits or on some business of their own. This gives an opportunity to persons to meet the Collector openly and express their views. The terms of this resolution do not make it obligatory on Collectors to abide by these decisions except in certain matters which they can dispose of on the spot and in which they might, for the convenience of the people, abide by the advice and the co-operation of the representatives of the people. It also gives, my Lord, an opportunity for ventilating the grievances and also giving expression to their views generally, regarding district administration. That is the object aimed at by this resolution and not that these bodies should be constituted into miniature Legislative Councils and resolutions should be discussed as they are discussed in this Council. One objection put forward is that in the Provincial and Imperial Councils, there is the Government side that is also represented and there are opportunities for members of the Government to discuss the matter from the Government point of view. So long as the advice given by the members of local bodies is merely in the nature of advice, and so long as it is only an opportunity given to them to express their views upon matters connected with district administration, there is no discussion contemplated here. The head of the district, the Collector, can present his point of view and these non-official members can present the non-official point of view and in any discussion in a mutual conference like the one contemplated in this resolution happy results can be surely expected to follow. Some time back, a member of the Malabar District Board, by name Mr. Nambudripad, sent round an enquiry whether district boards would be willing to accept a suggestion like the one embodied in this resolution. In the Gōdāvari district Mr. Cotterell, the official President of that Board, accepted this resolution and he suggested as follows: that in view of the amendment of the Local Boards Act this Board respectfully suggest to Government the desirability of making a provision in the proposed Bill empowering local boards to make recommendations in the form of resolutions to the Collector in matters of district administration affecting any class of the general public and this Board further trust that in view of the express desire of Government to give the people their share in the everyday administration, the Government will graciously be pleased to give this resolution their earnest and sympathetic consideration.

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"That is the view expressed by a responsible Collector of the district and he also thought that there was no harm in these matters being allowed to be discussed in district boards. He even went further than what is suggested in this resolution. He said that resolutions might be allowed to be moved in district boards affecting the general interests. Here, in this resolution, it is only requested that an opportunity should be given to express the views of the members present. So, my Lord, I think very good results will follow by accepting this resolution. As to the matters on which the boards might be allowed to represent their views and as to the powers that might be given to them for expressing their views, the honourable mover himself said that he would be quite willing to leave the details to the Government.

"Again, it is said that, if specific suggestions are made with regard to the matters in which the power of expressing the views of members in district boards may be enlarged, the Government would consider them sympathetically; but here, this suggestion is given and made by this resolution and it is left to the Government to consult both Collectors and the non-official members and ask them to make suggestions. If this resolution is accepted, they can call for suggestions as regards the matter in which the views of these bodies may be taken or may not be taken; and they can also ascertain the opinions of the various Collectors with regard to the details of this resolution. They will thus give an opportunity to both officials and non-officials, Collectors and also members of local bodies to express their opinions; and then after their opinions are received, a solution can be easily arrived at as to the exact functions and the exact matters on which these bodies should be allowed to express their views. Therefore, it is hard to realize how from the wording of the resolution and the general character of it and the way in which it is worded it should be supposed that an impossible demand of very great magnitude is made and that it is impossible to comply with that demand. The Honourable Mover himself has said that he is quite willing, if functions are merely made advisory, or if any further responsibility is thrown upon them. So far as the resolution is concerned, it is merely advice that is wanted. The Honourable Member said in the course of his speech that he would not mind if it is made advisory or even if some responsibility is thrown upon them. Even supposing that the advisory character is not accepted and even supposing that no responsibility is given to these boards, they may be allowed to give their views and the merit of that advice may be judged and the advice may be accepted in the spirit in which it is given in matters in which it is necessary for these boards and the Collectors to confer and, in a friendly consultation, come to a settlement.

"As regards the Hindu and Muhammadan troubles and several other riots, the Hon'ble Mr. Narasimha Ayyar has already explained the matter. If the representatives of the people are taken into confidence they will be better able to solve these troubles very much more satisfactorily to both the parties than otherwise. If the Collectors act relying upon the information of one or two individuals who go as private individuals and who are not responsible in expressing their views, they may commit mistakes; but if the consultation is made openly with the members of a board of this character they will have a sense of responsibility to tell him the best methods of avoiding these difficulties and meeting the situation. It is, therefore, necessary, I think, that some such power should be given to these bodies, so as to enable them to offer their advice regarding district administration to the Collectors.

"With these words, I support the resolution."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"The Hon'ble Mr. Rajagopala Acharyar complained that a great deal of the Hon'ble Mr. Ramachandra Rao's speech was irrelevant. I think I may apply that remark to the Honourable Member himself. For the only point which I could see in his remarks was that the power to advise should go with the power to act. If the Hon'ble Mr. Ramachandra Rao has overlooked this necessary principle of representative Government, he has erred in the good company of the authors of the reforms of 1909. He has evidently forgotten the new angle of vision, that power and responsibility should go together, the principle round which the new reforms are being fought.

"But constituted as the Council at present is, the ruling principle is only that of an advisory council. It is this principle that is sought by the resolution to be extended to the district administration in local matters, which are unaffected by the general policy laid down by the central Government on provincial matters. The administration of income-tax, the Educational circular 559 and the other matters referred to by the Hon'ble Mr. Rajagopala Acharyar are all matters of provincial administration and were never intended to be covered by the resolution. A large portion of the speech of the Honourable Government Member was hence much beside the mark. We are already familiar with the difference between imperial and provincial questions.

"Another remark of his was that the district boards will be without expert advice similar to that vouchsafed to us in this Council. Assuming that expert advice is needed, the Hon'ble Mr. Ramachandra Rao did not propose that district boards should go without it; for he referred to the councils to be reconstituted and not to the existing ones, which were in the mind of the Hon'ble Mr. Rajagopala Acharyar. In the future Council district officers will be associated with the elected members and will deal with all matters of local administration. I may also say that one knows how much sin is covered or committed under expert advice.

"I have often heard the remark that in India the administration is characterised by a policy of divide and rule, and reference is made to the absence of quarrels between Hindus and Muhammadans, Brahmins and non-Brahmins in the neighbouring states of Hyderabad and Mysore to

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prove this. I never believed this statement till I heard the speech of yesterday which the Honourable Member evidently made for the Government. His speech only lends support to the general belief that such differences are fostered under powerful auspices. The speech none the less may be taken to be a severe condemnation of the plea for communal representation and of the present system of Government. In my constituency generally there are no Hindu-Muhammadian quarrels in our local boards or municipalities, nor is there the Brahman and the non-Brahman controversy. The Hon'ble Mr. Rajagopala Achariyar went out of his way to suggest that this would creep into the local boards if their powers were enlarged. He also laughed at what he considered to be the inability of Hindus and Muhammadans to combine to prevent religious riots. I do not know if Government have at any time made any serious attempts to settle these differences. But I may point out that some Hindu and Muhammadan friends of mine went to Lalgudi a few days ago and settled a long-standing Hindu and Muhammadan controversy in a satisfactory manner and I was then present. I may also say that our duty as non-official members is only to point out where the shoe pinches. It is the duty of Government to frame measures to remove the grievances. The Hon'ble Mr. Ramachandra Rao said that Government might make any proposal they pleased. If the resolution was not properly worded, it was open to Government to accept the spirit in which the resolution was meant.

"The forcible and dramatic speech of the Hon'ble Mr. Rajagopala Achariyar, quite characteristic of him, seems to have taken my non-official friends by surprise; but it is no surprise to me. I have always thought that the Indian will play his part well, wherever he is placed. I was an official and knew well how I thought then. I am now among non-officials and feel the change in my thought. The one feels like an absolute autocrat and the other feels a downright critic. The cause for such a thing is in either case a feeling of irresponsibility. It is that feeling that is at the bottom of this costly farce. If the legislature believed it had to lay down the policy and the executive thought it was bound to carry it out immediately and loyally, we would surely have been saved much unnecessary dialectic strife. To my mind there can be no better proof that immediate grant of responsible Government—Government responsible to the people—is absolutely necessary, if the Council should prove a useful limb in the governance of the province."

His Excellency the PRESIDENT:—"I hope the Honourable Gentleman would be good enough not to widen the debate."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—“ I have only one sentence more.”

His Excellency the PRESIDENT:--“The Honourable Gentleman has too much experience as a member of this House not to know that he is widely transgressing the bounds of criticism in what he has said. Let him finish.”

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I have only one sentence more and I shall read it. The non-official cry for a change in the system and spirit of administration has no better support than the speech of the Honourable Member for Government."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"My Lord, I wish to move an amendment to this resolution which I have handed over to the Hon'ble Mr. Ramachandra Rao. It runs thus :—This Council recommends to the Governor in Council that a committee consisting of officials and non-official members of this Council be formed to frame proposals for enlarging the functions of the local boards and that statutory provision should be made in the Local Boards Act now under revision empowering local boards or committees thereof to express their views on all important subjects relating to the various branches of district administration."

His Excellency the President :—"I think the Council has heard the amendment. I cannot accept it at this stage. Except for the appointment of a committee, it is in essence what the resolution proposes. The only addition is a committee."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"I have added a word 'important.'

His Excellency the PRESIDENT :—“ That does not alter the character of the resolution. I cannot accept it at this stage. It would merely narrow the discussion to the appointment of a committee. That is why I cannot accept it. If the Council ultimately accepts the resolution it would be for the Council to decide how it is going to carry it out. The Honourable Gentleman merely adds to the proposal before the Council a special machinery to carry out the wishes of the Council. Therefore, I cannot accept the motion. The Honourable Gentleman is quite free to speak on the original motion.”

The Hon'ble Mr. T. RANGA ACHARIYAR:—"As your Excellency pleases. Your Excellency, I am afraid some of my Honourable Friends have misunderstood and mistaken the view taken by the Honourable Member for Government in this matter. The Hon'ble Mr. Rajagopala Achariyar has told us that in this Council he performs the functions of a debator and an advocate, and elsewhere, I take it he performs the functions of the statesman that he is. He has told us that really in this Council questions are discussed, pros and cons and like the clever advocate that he is—I wish I had been at school with him

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learning his way of debate—I only take those remarks of his in that spirit and not in any spirit of hostility to the principle underlying this motion and I emphasize this aspect of it by reminding this Council of what happened with reference to district boards. That was with reference to nomination of presidents of district boards. My Hon'ble friend Mr. Rajagopala Achariyar was equally eloquent and equally effective for the time being and carried us all by his eloquence and showed how utterly absurd it would be to accept that resolution, but then a few weeks after, the statesman that he is, he carried out the spirit of that resolution and has presented to the country those admirable members the presidents of district boards whom we openly acknowledge as our leaders and welcome as district administrators and two of whom are present here today with us.

“Although he is a pessimist as an advocate, he is a stout optimist as a statesman. I would ask him therefore not to be carried away by these difficulties which he has imagined, and which no doubt can be magnified. It all depends upon how you look at these difficulties. One hearing the speech of the Hon'ble Mr. Rajagopala Achariyar—and I was one of those for the time being, as was remarked by my Honourable Friends behind me—would think that district administration consists solely or only or mainly of settling disputes between communities, between Hindus and Muhammadans, between Brahmans and non-Brahmans, and that a District Collector is burdened every day with the settlement of such disputes. Surely, my Honourable Friend knows that far more important questions are being discussed in Collectors' chambers at the district headquarters. Need I remind him of the various vital questions affecting all classes of the community, whether they be Hindus or Muhammadans, Brahmans or non-Brahmans, which form the every day administration of the district head? Are there not legislative proposals, for revision of settlement, proposals for revision of water-rates, recommendations about remissions of land revenue, creation of new municipalities, extension of the operation of Acts in new areas, imposition of punitive police, creation of new posts, the opening, location and abolition of liquor shops, suspensions of land revenue, levy of building fines, city survey proposals, organization of local supply from forests, opening of new and closing of old schools, and the establishment of village panchayats and unions and various other questions of this sort? Does my Honourable Friend consider that the Muhammadans and Hindus will not see eye to eye? Are they not hurt in the same way whether they be Hindus, Muhammadans, Christians or Europeans? Take again, these revenue questions. Do we feel that the question of communal differences stands in the way of our feeling our burden? If it is one rupee more in a tax, is it more to the Brahman than to the non-Brahman? We do not look at these questions in that spirit. That should not be the angle of vision that should be applied to a consideration of this question. I may assure my Honourable Friend that the differences cannot be and should not be magnified so as to blind our vision in approaching the questions from a broad and liberal standpoint.

“ I do consider that Collectors themselves would welcome, from what I know from my own short experience, although I live at headquarters, such hearty co-operation in various questions affecting the interest of the districts committed to their charge. I have had two instances last year where the neighbouring Collector of Chingleput has asked for my co-operation in the settling of religious disputes at Conjeevaram and here the Collector at Madras in settling a dispute between Muhammadans and Hindus. I dare say that there are many more like that in districts where the Collector will gladly and heartily invite their assistance for the settlement of disputes and I therefore appeal to the Honourable Member not to take an advocate's but to take a broad statesman's view, when he has to decide the question in his chamber. He has pointed out the difficulties and I do recognize the force of those difficulties, but it is the work of the statesman to steer clear of them and I do earnestly trust and I expect that it is within the power of the Hon'ble Mr. Rajagopala Achariyar to frame a scheme which will get rid of these small difficulties, so that the broad questions will always receive that just recognition which, at his hands, we all expect. I therefore strongly support the principle underlying the resolution.

lying the resolution.

"I recognize that the resolution is rather too widely and too loosely worded, but so long as the principle is accepted we shall be satisfied. One portion has been accepted, namely, that suggestions for enlargement will be considered, that being a question in which he sees eye to eye with the Honourable Mover of this resolution. I dare say he will take steps to consider the suggestions that may be made. I have suggested one method in my amendment which His Excellency has ruled out—that is one suggestion which the Honourable Member may consider in framing a scheme. Unless he gives a statutory basis for these advisory bodies, they can never be of any use. It is too late in the day to question the policy of taking the people into the confidence of the Government in every-day administration of the country. We want, as has been pointed out by the Hon'ble Mr. Gokhale that the ear of administration should not merely roll over their bodies, but we want to participate in the dragging of the ear and we want to drag the ear ourselves, the ear of administration. When are you going to educate us to govern ourselves? Efficiency should not be the sole test in these matters; efficiency there ought to be, no doubt, but that should not be the sole factor in coming to a conclusion in these matters. Even at the cost of a little efficiency I would appeal to the Government to take the people into confidence, so that the head of the district may take them into confidence in all those vital questions that affect the administration of the district.

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ON QUESTIONS OF GENERAL ADMINISTRATION.

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"One other good result may follow and it is that this Council and the officers of this Council will not be burdened with all those trivial details which are now dragged in, but matters of high policy alone will be dealt with, whereas all local affairs and all affairs concerning the district will be settled by decisions on the spot which will be more satisfactory to the people. That will be another advantage which the Honourable Member should consider before he rejects the idea contained in this resolution.

"I therefore heartily support the proposition."

The Hon'ble Mr. A. T. G. M. AHMAD TAMBİ MARAKKAYAR:—"Your Excellency, I am sorry the amendment proposed by my Hon'ble Friend Mr. Ranga Achariyar was not accepted by your Excellency. I am sure that his amendment, to form a committee consisting of both officials and non-officials to consider the question of district administration, if accepted, will do a great deal of good to both the communities as well as the district administration. As my Honourable Friend claims, this Council will be relieved of all those burdens that have been very often brought into this Council, for example, the various religious disputes between Muhammadans and Hindus that happened in various places in connexion with beating of tom-tom and playing of music in front of mosques and other places which I brought to the notice of this Council and which have been thrown out under the law that this Government will not take up any religious questions. If all such things are to be left undiscussed how then will the disputes between Muhammadans and Hindus be settled? They will only go on increasing and give us endless trouble. In regard to the other question that I brought forward in correspondence, the Honourable Member in charge of the Local and Municipal Department has written to say that it is also a religious question and that this Council cannot accept a resolution in connexion with the slaughter of sheep by Hindus. There are so many other questions relating to religious points which have been on various occasions thrown out by this Council. I am sure that if a committee of officials and non-officials is appointed to look into this question, it will be able to settle, first and foremost, the disputes between Hindus and Muhammadans; all these disputes will be amicably settled with the consultation of district administrators, Collectors and Sub-Collectors and it will thus minimize a great deal of trouble to the Government themselves.

"With reference to the Honourable Member's remark about communal representation and separate electorate and other such questions which I have brought forward, I think it is only right that I should do so. I have been appointed by a separate Muhammadan electorate; and we are already enjoying the rights of communal representation in this Legislative Council and in the Imperial Legislative Council and when the Provincial and Imperial Councils have the right of getting communal representation, I do not see any reason why the local boards should not get similar rights. I plead for, and I am appointed to plead on behalf of, my own community. If I represent here my own community, I may humbly say I am right. I have got every right to represent them before this Council and if the Government think that I am in any way wrong in doing so, I am not responsible for it. I sincerely hope Your Excellency will kindly accept the amendment proposed by my Honourable Friend which I am sure will do good to all concerned."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I feel I should not let this occasion pass without adding one word of humble support to this resolution. The gist of the resolution is this: never mind the details, or as to how best to carry it out—the central idea underlying the resolution is the liberalising of district administration. Your Excellency, this idea is a very old one and so far as I am aware, it was given expression to in the Viceregal Council in 1912 by the late lamented Mr. Gokhale. The Honourable Member in charge professed all admiration for him and all respect for his views. And these were the words he uttered yesterday—I remember that very well—There is no man living or dead whom I hold in such high esteem as the late lamented Gokhale, and he also said that if he had really given expression to these views and supported such a scheme as this, he would never so stoutly oppose it, as he now did.

"If we turn now to the resolution moved in 1912 no doubt the idea is the same, but the agency suggested then was different. Mr. Gokhale proposed some other constitution. He proposed the constitution of nine members, whereas the present resolution deals with the extension of the functions of district boards instead of suggesting a multiplication of the machinery unnecessarily, the present resolution seems to utilize the present bodies, the district boards. That is all the difference. But the underlying idea is the same. I may also draw the attention of the Honourable Member in charge to what is spoken of as the last political will and testament of the late Mr. Gokhale. He says that one of the items of reforms should be the liberalising of district administration and it was his distinct opinion that no scheme of Provincial autonomy would be complete without liberalising the district administration and without the formation of district councils. What is the real difference between Government and the non-official members who have been trying very hard to press their position upon the Government? The Government seem to think that in all important matters, the Collector is expected to consult the leading non-officials of the place. That is what the Government say. He is supposed to do it every day he receives visits from leading non-official gentlemen and during his tours, he should acquaint himself with the grievances of the ryots and he also should arrange for conferences of

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ryots and in the district board also, there is nothing to prevent him from ascertaining the views of the people assembled before him and consulting them on matters affecting the general administration of the district. This resolution goes further. He is expected to do all that; but we ask that there should be some such provision that he should be bound to do so. It might be only advisory in the beginning. As regards details, the Honourable Mover does not touch upon them. He would be content that the functions of these councils were advisory in the first instance. I may say that the only objection put forward by the Honourable Member in charge is that the Collectors' functions would be paralysed; he is an executive officer, pure and simple and these Councils would only act, in the words of Sir Reginald Craddock, like millstone round the neck of the Collector. The Collector has to settle so many matters and to lay down the policy in numerous matters that come up before him. I can mention one instance. For example, the other day, the Collector summoned a conference of the leading people of the place to settle the plague policy, whether he should order general evacuation or not. That is a very difficult problem and he arranged a conference of the leading men of the district, the chairman of the municipality and others. Where is the harm in making it binding upon the Collector to consult public opinion in matters of this sort? I would quote one other instance in which I had to draw the attention of the Government to the tremendous rise of prices in Bellary and the neighbouring districts—the rise in the price of cholam and other things. On matters like this, if the Collector is in touch with what is going on in his own district, he should send for the leading merchants and consult them as to what measures he should adopt. It is needless to multiply instances. It is unfortunate that the spectre of communal representation was hurled in our face. It was a very unfortunate reference that was made yesterday. We have been able to solve it in Provincial Councils and we will be able to solve it any day; at any rate, it is not a question which will baffle the statesmanship of the Honourable Member in charge, if he seriously applies himself to it.

"I thought at first sight this resolution was unnecessary because it would have the tendency to multiply miniature Parliaments, 22 or 23 district Parliaments where there ought to exist only one. At close sight, it seems to me that it is a necessary proposal. There is a proposal to vest more power in the Collector by way of decentralisation and when he has to exercise these powers, and exercise his discretion, and lay down a general policy and so forth he should consult the people. But in matters purely executive, the policy is cut and dry and when he has to carry out a certain thing, I do not think any member of council would like to interfere with him in the appointment or dismissal of his own servants and such other questions; when the duties are merely executive, I do not think the district boards or these advisory councils will ever interfere in matters like this.

"Again, the question of Hindu-Muhammadan riots or Dasara-Muharram riots was brought into prominence yesterday. I strongly believe that that is exactly a matter which ought to be placed before these new assemblies for solution. I think it is a very desirable step forward and I think the Government should seriously apply themselves to the solution of this problem on a satisfactory basis.

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I only wish to touch on one or two points not referred to already by Honourable Members. The resolution itself, it may be seen, is different from the resolution XIII which applies to present local boards; and the Hon'ble Mr. Ramachandra Rao has brought this resolution at a transition period and after the announcement of the 20th of August apparently with the view to see that in the new enactment that is introduced, scope may be given for giving extended powers to the new local boards to be constituted, on lines which will help the goal that has been referred to in the announcement of the 20th of August. Therefore, it is after that announcement was made and as almost a necessary step for which we should be prepared even before any regular scheme is introduced in local board administration, it is sought to introduce a change and that matter is brought out in this resolution in the latter part of which it says 'in the Local Boards Act now under revision.' Therefore, in construing the proposition which was read out by the Hon'ble Mr. Rajagopala Achariyar it has to be taken subject to these words which clearly indicate that the question of the functions of local boards, the constitution of local boards and the powers to be entrusted to them will all be considered at the time the new Local Boards Act is taken into consideration. Therefore, it is under these circumstances that we have to construe this resolution. Apparently, the Hon'ble Mr. Rajagopala Achariyar, when he read the preamble of the existing Local Boards Act, went out of his way; certainly the preamble for the new Local Boards Act will not be the same as that read out by him and the addition of a few more words which will include powers which can be transferred or which will indicate the constitution which will be more representative, will be quite within the range of the new Act that has to be taken up and apparently, therefore, with that view the Hon'ble Mr. Ramachandra Rao has put in these words in the resolution.

"The second point that I wish to place before this Council is this. Already reference was made to the regard which the Hon'ble Mr. Rajagopala Achariyar had for the late Mr. Gokhale. He apparently thought that the vision of people who were moving in the groove ordinarily of the present administrators will be very limited and would not be prepared to accept a change. Therefore, in the course of the speech on the resolution, which Mr. Gokhale introduced in the Imperial Legislative Council, he made it clear that if that were not acceptable in the form placed by him, he was prepared that the local boards, as they were constituted now, should be utilized for the purpose, not that he was prepared to grant that local boards, as they are now

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constituted are properly representative. But he thought that the reform on the lines of educating these local boards for considering the purposes of district administration must have commenced early enough, so that in time when subsequent powers were transferred to them, they might be quite competent to deal with them. It is in that spirit that the Hon'ble Mr. Ramachandra Rao has brought forward this resolution before this Council, but the Hon'ble Mr. Rajagopala Achariyar has apparently taken the present conditions and has dealt with them in detail which I need not repeat. I should think that every objection that was pointed out only went to show that, as at present constituted, the Collector who is ruling the district in his own way, could be hampered by the advice given; but I can assure the Hon'ble Mr. Rajagopala Achariyar, when it is a question of Kallars under original settlement in the Tiru nangalam area or a question of the irrigation of the Periyar area or a question of the division of the district, the Collector is willing to see some people and get advice and if possible send them to the spot to see that these difficulties are avoided and smoothened. That is a thing that cannot be gainsaid. I refer in these matters to Madura where both the Police Superintendent and the Collector were willing to utilize the services of people who would work. The district board has been used for giving advice on various occasions and the Collector almost acted up to the advice given for example, in the last season, when it was a question of shutting out a single crop area from cultivation or giving a second crop, the matter was referred to the district board and the district board gave an opinion which was practically adopted and we have actually got to-day much more revenue than if the original orders intended to be communicated had been kept up. The advice of the district board apparently brought revenue. The questions of the difficulties between Hindus and Muhammadans are much better disposed of by reference to these bodies than by a Magistrate on the spot practically passing orders which bring it almost to a revolution, instead of an ordinary amicable settlement, which is possible at the commencement. The resolution must be taken in the spirit in which it is moved, and I submit that it is only proper that Honourable Members should place before the Council what they think necessary and it is for the Government to see, noting the circumstances under which the administration of local boards has to be expanded, that steps are taken when the new Act is introduced to give effect to the suggestions contained in this resolution. The way in which the proposition was treated by the Hon'ble Mr. Rajagopala Achariyar shows that he has not grasped it in the way in which it ought to be and the old idea of no change till necessity brings it about, or the idea of no importance in anything suggested by non-official members till it is practically seen that nothing but that should be adopted, has been the policy of the reply given on behalf of the Government by the Hon'ble Mr. Rajagopala Achariyar. In the course of that address, he has been indulging in other observations and he has been suggesting that non-officials here have been bringing up subjects only on personal differences and things of that kind."

The Hon'ble Diwan Bhuluar P. RAJAGOPALA ACHARIYAR:—"I don't know if I did so. I do not think I have said that."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I only say that the whole thing is done with considerable responsibility and the difficulty of convincing official members when they move in a direction different from that in which they are moving, is fully borne in mind by the members in this Council when they place their views. In spite of that, we say that this question of communal representation should not at all be a difficulty in the way of extending the powers of local boards. It has not been a difficulty till now and it would not be a difficulty any more. The giving of a separate electorate to the Muhammadans was perhaps the cause of making them join hands with us. There will be the same result, if a separate electorate is given; it will sink all differences and a training will be given to see that all acts are supported by all."

"I submit, my Lord, it is a broad outlook that is needed at a time like this, whatever may be the difference of opinion as regards Provincial administration and as regards Imperial administration. So far as local board administration is concerned we have to take a step in advance and use that machinery for many more purposes. You have the question of minor irrigation, the question of the establishment to be kept by the Public Works Department and the work to be done by a common set of servants in the district area, which will have to be transferred to the district boards—all these questions will have to be considered so that in course of time the cost of administration might diminish and benefits to the administration will be great. Under these circumstances, in order to avoid a formal difficulty, I would submit this small amendment, namely, the omission of the words 'all' and 'various', and the words 'to be referred to them' to be added afterwards. That would probably avoid the difficulty that was raised by the Hon'ble Mr. Rajagopala Achariyar that it will not be possible to refer all questions of district administration. It need not be various branches of administration but such of them as might be referred to them. If power is taken in the Act, the Government may take power to extend it as far as possible and to places where it is necessary. I propose therefore this small amendment of removing the words 'all' and 'various' and adding the words 'to be referred to them' at the end."

His Excellency the PRESIDENT:—"As far as I understand, the suggestion made by the Honourable Member will merely complicate the discussion. I think it is better to continue the discussion as it is. It is simply a verbal amendment. I think we can better continue the discussion on the present basis."

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The Hon'ble Mr. B. VENKATAPATI RAJU:—“Your Excellency I rise to express my concurrence with certain observations of the Hon'ble Mr. Rajagopala Achariyar. He said the present resolution would introduce innovation in the district administration. It would create irresponsible critics it would weaken the powers of the Collector and it would be the thin end of the wedge for revolutionary changes in the whole administration of the country. I entirely concur with him in all those matters and I only differ from him in the conclusions that he has drawn. I only differ with him on one particular matter. When this resolution affects vitally the interests of the nation I naturally expected that the Member for Government would pay serious attention to the subject and not attach importance to witticism which is sometimes necessary to enliven the dull monotony of discussion. But we expected that serious attention would be paid to the subject when it concerned the vital interests of the nation. The question which was raised by the Hon'ble Mr. Ramachandra Rao is whether we ought not to tackle the administration at the bottom as we are doing at other places with reference to the top. Is it not necessary for us to see that the arbitrary power exercised by a single individual is not conducive to the welfare of the people or is it necessary that he should be hemmed in, that his acts should be exposed to public criticism by the people of the locality, and therefore is it not necessary that the association of the people should be made at the bottom of the administration? I take it that the Collector as the head of the district controls and exercises practically arbitrary power and in no country in the world are arbitrary powers surrendered at the wish of the people. Certainly not. Naturally, the present attitude taken up by the Government is in accordance with the usual practice prevalent everywhere, because one who is accustomed to exercise arbitrary powers does not want any diminution in them or any criticisms of his measures. Happily or otherwise, the Hon'ble Mr. Rajagopala Achariyar has said that this would introduce weak editions of the present Council implying that this itself is a bugbear and a bother and therefore why should we increase its miniature forms? When once you give up that insular aspect of the question, you will accept this broader aspect, that sometimes it is necessary that there ought to be responsible criticism, in order to give an opportunity to make these critics responsible for their action and that can only be done by associating them in the conduct of affairs. The present position also deprives the public of all opportunities of association and initiation in public affairs, which is necessary at the very first stage in the district administration, and that has also to be looked into. Another point is that he said that this was the thin end of the wedge. Whoever suggests it is not? Whoever thinks that the advisory board ought to be still an advisory board in the 21st century? Nobody thinks so. When once you introduce these advisory boards, as the Hon'ble Mr. Rajagopala Achariyar thinks, it is only the thin end of the wedge; when we gain experience in properly criticising the actions of Government, we naturally ask for another step of reform in advance and for that purpose we are asking this. We are not asking for this measure without understanding what our future liabilities are. The Hon'ble Mr. Rajagopala Achariyar asked where all this would end. Necessarily it would end, if not now, at least later, in responsible self-government. These are all the several steps taken in order to attain that end.”

The Hon'ble MUHAMMAD AZIZ-UD-DIN SAHIB :—“ Your Excellency, before I venture to offer a few remarks on the subject before this House, I think it necessary to make it clear that I do not speak as the spokesman of Government, but in my individual capacity as a Member of this House and as one who for many years served as a Collector, one perhaps who has served the longest even in other capacities for I have put in now a service extending over 36 years. The view which I express was expressed by me as a special witness before the Royal Commission on Decentralization. If my evidence given on that occasion, is looked into, it will be found that I had nearly cross-examined Mr. R. C. Dutt and asked him in what respects the advisory boards would be useful to the Collector. After the Hon'ble Mr. Rajagopala Achariyar so ably explained the position and so exhaustively, I think it is unnecessary for me to reiterate all that has been said by him. Mr. Ramachandra Rao has brought forward this resolution with

has been said by him.

"My friend the Hon'ble Mr. Ramachandra Rao has brought forward this resolution with two objects in view. One is, that district boards should be something like advisory bodies to the Collectors. I said before the Royal Commission on Decentralization that for a Collector who knew his district, the whole district was his advisory board. I repeat that statement now. I ask in what manner can the members of the district board give the Collector better advice than all the people in the district. The Collector for nearly five months in the year or even more, tours through the district and comes across various people, leading ryots, consults with them on important points and he then forms an opinion on any important matter. If the district boards are merely to serve as advisory bodies, that is almost unnecessary, because, the whole district is open to the Collector to obtain advice from. But if this advisory body or the district board is to give the Collector an opinion which will be binding on him then, I recall to my memory the old Persian saying that a blanket can contain two dervishes, but a whole empire cannot contain two rulers. Here will be the district board which will practically drag the Collector on the one side and the people of the district for reasons of his own which will be different views altogether. As observed by the Hon'ble Mr. Rajagopal Achariyar, the administration of the district will be completely thrown out of gear and the consequences will be dangerous. As observed by him, if one or two opinions offered by the district board are vetoed by the Collector, there will be unpleasantness. I really do not know why there is this desire of offering advice to the Collector, for, in most matters, the people

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of the district have the local affairs in their own hands. There is very little for the Collector to consult them about. The Collector of the present day is not the Collector of the days of Sir Thomas Munro and I am very sorry that he is not so. Local affairs are in the hands of municipalities and taluk boards and district boards and union panchayats and what not ; and in matters affecting the public, for instance, liquor traffic and so forth, they are invariably consulted. It would be very enlightening to know what are the matters with reference to which the Collector has to consult district boards. I asked Mr. R. C. Dutt to give one instance in which the advisory board would be useful to the Collector. He instanced famines. Supposing there were three members who were to form an advisory board, they might come from a part where there was no famine and famine might exist in quite a different part—this is what I said. I asked Mr. R. C. Dutt how these gentlemen could offer any advice to the Collector. As regards riots and other things, it has been said that district boards would be able to solve such difficulties much more easily than the Collector can do with the advice of the local people. I do not know about that, because, in my long service as district magistrate, I have had many such troubles. My Hon'ble Friend Mr. Subbarayalu Reddiyar will be able to say that, on no occasion was I able to get any advice or help from the district board, for they were not in a position to give such help. There was to be a disturbance at Porto Novo and the district board was comprised of members who came from other parts of the district and were not in a position to do anything. I had to go to Porto Novo to try and settle the dispute ; and I settled the dispute with the help of a strong reserve police force.

"Then it has been said that the Collector possesses arbitrary powers. I should like my Honourable Friend to instance a single case where the Collector is able to pass arbitrary orders. With the huge Standing Orders of the Board of Revenue, which tie the Collector's hands on every side, and with all those codes and laws which this illustrious body gives to the Collector from time to time to be guided by, is it possible for the Collector of the present day to exercise any arbitrary powers? Immediately he exercises arbitrary powers, there is an appeal to the High Court and to the Government and all these superior bodies are there ready to put down the Collector's action. As some Honourable Members remarked, the angle of vision has changed and perhaps it will change further and God only knows where it will come to an end. It is a pure imagination, I may venture to say, based on theoretical knowledge that they should think that the Collector does this or that arbitrarily. I will call upon my Hon'ble Friend Mr. Subbarayalu Reddiyar to bear witness to this statement of mine that at the end of every district board meeting, I used to call upon the members present to make any suggestions but there was no occasion when any suggestions were put forward. That is not my experience in South Arcot alone, but in South Kanara, in Anantapur and in every other district where I served, I have been trying to consult not only members of the district board, but every body of importance and I got as much advice as was possible for me to get. Under these circumstances, I think it will create practical difficulties if this resolution is accepted. It is no doubt moved with the best of intentions, and I hope it will be conceded that if I say anything against it, it is because I have also the same intentions towards the public. No doubt, for the time being, I am an official, but later on I will be a non-official and I am as much interested in the advancement of my own country as my Hon'ble Friend Mr. Ramachandra Rao is, but with this difference that I have at my back an experience of 36 years, which compels me to say that if this resolution is carried, the machinery of the administration would be thrown completely out of order."

The Hon'ble Mr. YAQUB HASAN :—"Your Excellency, I am reluctant to prolong this discussion, but at the same time, considering the turn that it has taken I do not wish to give a mere silent vote. When the Hon'ble Mr. Rajagopala Achariyar was speaking in reply to this resolution, it occurred to me that he was making a rather ingenious use of the susceptibilities of non-official members of this Council. He depicted to them in glowing words the constitutional defects of this Council and appealed to them and asked them whether they would like the same thing to be extended to districts. It was no doubt refreshing to hear a Member of the Government condemn the constitution of this Council. He told us that here, there were people who wrangled among themselves on trifles—"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (*interrupting*) :—"I do not think I said that."

The Hon'ble Mr. YAQUB HASAN (*continuing*) :—"I am not quoting his exact words, but that is what he led us to understand ; at any rate, he asked us whether we would like the same thing to be repeated in districts, what takes place here. Much has been said on the subject of communal representation and disputes and I do not like to add anything to it. But if the Hon'ble Mr. Rajagopala Achariyar thought that non-official members would be frightened and would desist from demanding an extension of the powers of district boards because the evil—as I take it he considers it to be an evil—of communal representation would be carried into these boards, he is mistaken. For since the Congress has accepted the principle of communal representation as far as the Mussalmans are concerned and the Provincial Congress Committee has accepted the same principle, in respect of the other communities in this Presidency, that principle is not now so unwelcome to Brahmans and non-Brahmans as it used to be before ; he cannot expect that we will abstain from demanding an expansion of the functions of district boards on account of the fear

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of such a contingency arising there. As for religious disputes, instead of the district board being a scene of such disputes and they being carried into a board, it would be the means of settling these differences in the district. At present, there is no board to which an appeal for settling these disputes could be made in such cases. They have only to go to the Collector or the deputy collector and sometimes we know that disturbances take place owing to want of tact displayed by the officials and owing to mishandling of the situation rather than owing to any other cause.

"In this resolution, it is simply asked that the boards should be empowered to express their views on all subjects relating to the various branches of district administration. The Collector will, even after the expression of these views, be at liberty to act or not act on them as he likes and the last speaker need not be afraid that the powers of the Collectors will be curtailed on that account. The only difference between the experience of the last speaker and the experience of his successors will be, if these boards are empowered to express views, that whereas he had to go about from village to village in search of people who would be capable of giving opinions or who would be able enough to express their opinion or who were so much wanting in self-respect as to give an opinion that they knew would not be acted upon, instead of the Collector going in search of opinion, the opinion will now be at his elbow ready to be offered, whenever it was wanted. We want that opinion to be listened to at any rate, even if it is not acted upon. Of late the world has been moving fast in the direction of administrative reforms and instead of desiring to have Collectors of the type who served in the days of Sir Thomas Munro we are waiting for the day when Collectors would act in co-operation and on the advice of the people themselves than otherwise.

"With these few words, I strongly support the motion."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR :—"Your Excellency, I must confess I was rather quite unprepared for the difficulties that the Hon'ble Mr. Rajagopala Achariyar expected would crop up if this resolution were accepted. As I understood him, his main difficulty was as was the case with Mr. Aziz-ud-din, the difficulty which people with very long and with very large experience of administrative duties in this Presidency of ours would have in finding out what exactly was this administrative advice that ought to be sought, and that these expanded district boards might give. Your Excellency, I am sure this Council will realize that there are policies to be considered by the Imperial Government in this country of ours as well as by the smallest village panchayat in the remotest corner of our country. There are policies and policies ; and if Provincial Councils and Imperial Councils are necessary at the same time, it does not mean that the Provincial Council has no policy to consider for itself apart from and under the control of the Imperial policy which the Imperial Council is expected to consider and give its attention to.

"The Hon'ble Mr. Rajagopala Achariyar evidently did not want weak imitations of this Council in every blessed district of ours. Heaven forbid, I say, that there should be any imitations at all, and much less weak imitations. This one Council of ours in this Presidency is more than enough to satisfy the people who have a mind to satisfy themselves about what performances this Council has been doing and is doing in the present day. What we really do want is the administration to be decentralized. We do not take away the powers from Government, be they the highest or the lowest in the land. We want, at least, at this stage, an advisory body in each district to give advice upon the policy which the district officer may pursue in the interests of the best administration of the district. It will certainly be subject to the policy which the Provincial Government has to dictate and which in its turn is dictated to by the Imperial Government. There are, as the Hon'ble Mr. Ranga Achariyar pointed out, any number of questions on which such a body can give an opinion—not what we have under the name of district boards to-day but what we expect them to be and what we certainly hope that the Government with a full heart would make them to be under a revised Act, when at least four-fifths of it would be elected, and when we have such a board, there would be any number of questions which can be safely trusted to the advice of these expanded district boards and they will really and substantially improve the district administration in all its aspects. Your Excellency, if really the administrative machinery has to be improved, it cannot be improved merely at one end or the other, it should be improved right through. If our Imperial Councils have to be improved, if our Provincial Councils have to be improved, if these village panchayats and village administrative units need also improvement, then it perhaps follows as a natural course that these district boards also have to be improved. Wherever we expect the people to more really and heartily co-operate with the administration of the country, we need such expansion, and we certainly need these bodies to be consulted on all important policies which underlie district administration as well. With these remarks, I trust the Government will yet see their way to see the principle which underlies this resolution and accept it in any form that they might be inclined to, though not exactly in the words in which it has been put by the Honourable Member who has moved this resolution."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"My Lord, I must confess at the outset that the reply which has been vouchsafed to this resolution by the Hon'ble Mr. Rajagopala Achariyar has come upon me somewhat as a disappointment. My Lord, in this disappointment, several of my Honourable Friends have shared ; and they have also given expression to their feelings that this very important subject has not been dealt in the spirit of

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serious attention which it deserved. The Hon'ble Mr. Rajagopala Achariyar has replied to this resolution generally in a tone of half-humorousness and half-seriousness from which it was impossible to judge what his real attitude in the matter is, and if so many of my Honourable Friends have expressed disappointment at his performance yesterday in terms which, speaking for myself, I should not like to be repeated in the case of any Member of Government, I think to some extent he is partly to blame. I regret, my Lord, there is no doubt that there was in his speech a certain amount of disbelief in the usefulness even of this Council. He has informed us that the district boards as expanded would be weak imitations of this Council which are likely to hamper every branch of administration in the districts.

"My Lord, whatever may be the results of the Minto-Morley scheme, I do not wish to make this debate wider than is absolutely necessary for the purpose. I am quite aware of one aspect of it. My Lord, I can only say this that there are persons who have regretted the constitution of the enlarged Councils and if my Honourable Friend's opinion was that it was altogether a mistake to have associated the people with the day-to-day administration, I regret that he should still hold that opinion."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I never said so."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"I regret to say that I formed that opinion from the general trend of his remarks."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I don't think I said so."

His Excellency the PRESIDENT :—"I think it would be better to avoid that topic when he has disclaimed it. It has nothing to do with the resolution. I think it would be better if you would avoid the topic."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"Then, my Lord, going to the other portions of his speech, my Hon'ble Friend Mr. Venkatapati Raja has already pointed out to this Council that the object of this resolution is really to persuade the Government to initiate a change of some magnitude. I have never minimized the importance of the subject, nor was I not alive to the difficulties which the Honourable Member has indicated. I have purposely left the whole question, as far as possible, for determination by the Government. My intention in pressing this subject at this particular time was, as I already explained, that the question of legislation is under discussion, and that after the Bill takes shape and goes to the Government of India and is published for criticism afterwards, it is quite open to my Honourable Friend to come round and say : 'This is a matter of general policy which the Local Government had absolutely no opportunity of considering and that I would not be in order to bring in amendments at that time.' I naturally thought that the best course of ventilating my views and the views of my Honourable Friends on this subject was by tabling a resolution on the subject. Therefore, my Lord, I do not think he can blame me for leaving so much to the Government under the terms of the resolution. As I explained at length, it was my intention that your Excellency's Government should consider, in what respects the functions of district boards should be increased and whether they should be administrative or advisory bodies in other spheres of district administration ; and with the large experience possessed by the Members of your Excellency's Government and the official Members of this Council, I thought that it would be possible for the Government themselves to evolve a scheme which would be acceptable to all parties. He blames me, my Lord, for having taken that course, for it has deprived him of the delicious opportunity of criticising in detail any proposals which I myself might have put forward. The Official Members of this Council have cultivated a peculiar knack of destructive criticism without indicating exactly their views and while doing their level best not to give any idea of the intentions of Government. That is exactly what has happened in regard to this resolution. My Honourable Friend has not stated exactly whether he would prefer administrative councils or advisory councils, whether he would enlarge the functions of district boards and in what respects, or whether he would make up his mind immediately or whether he would reserve this matter for future consideration ; there is absolutely no indication in his speech that the subject in which so many of my Honourable Friends and myself are so much interested would at least come under the consideration of your Excellency's Government. All that he said was that the resolution, as framed, was unacceptable to the Government and he has at the end of his speech put forward an amendment which, to my mind, appears to be really reducing the functions of local bodies and making them merely advisory bodies instead of the administrative bodies which they are at present. I do not know what the effect of that amendment is, my Lord ; I should therefore think that, if my Honourable Friend had not merely contented himself by making the topical allusions and referring to the political discussions of present-day current politics, such as those to which my Honourable Friends have already referred and had made constructive proposal or a proposal which would show that the Government would apply their mind to the earnest consideration of this important departure, I should have been much more pleased. As a matter of fact, he has indicated the difficulties of the Hindu-Muhammadan problem, the question of communal representation, the representation in the public services, the chances of riots, the Brahman and non-Brahman problem and so on. My Lord, he could have improved the humour of his speech if he had also referred to the working of the Arms Act and suggested that there would be more bloodshed the moment the expanded district boards

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are constituted in, that the salt pans would be broken up, that the sub-treasuries would have been looted—they are all problems of district administration—and I do not see why he should not have said all this and more. One of the daily papers of this city has said that the Government is a lamb which is being swallowed by the Brahman boa constrictor. My Lord, if he had referred to all this, all this might have improved the honour of his speech, but I regret to say that these topics will not conduce to the solution of the problem.

"There is only one matter to which I would like to refer and that is in regard to the irresponsible nature of the advice that may be given. I am quite aware, my Lord, that the freedom to give advice should be accompanied by responsibility. If he believes that, as a matter of fact, it would be far better to leave things to the Boards as suggested by Sir Reginald Craddock, some of the functions of the Collector will have to be transferred to the district boards. I should welcome that proposal. If, on the other hand, the lurid picture of irresponsible advice was merely put forward to put off the consideration of the proposal, and if we are to have neither advisory nor administrative councils, I am afraid he has entirely mistaken the purpose of this resolution. If I had put forward administrative councils, he would probably with equal force have made remarks in criticism of the proposal put forward. This is a question which has been pending for many years. It has been ventilated before the Decentralization Commission ; and the absolute unanimity of non-official opinion is a matter which has to be reckoned with.

"I do not think that I can do better than tell him that I was very pleased to hear that he would be more troublesome to Government if he were a non-official than we are at present. I am sure he is now utilizing his abilities and opportunities to defend the actions of Government ; and I am sure, as soon as he sheds his official skin, he would come to serve the country, as my Honourable Friend Mr. Ramanuja Achariyar is now doing. There is no doubt that if he does so, his angle of vision would be entirely different. I rather take it that some opinions which he has ventilated in this Council are the opinions of the collective Government, including himself, and he has not indicated whether those opinions are his personally or of the Government. Even if he does entertain them individually, I am perfectly certain that he would, as soon as he joins our ranks, change his mind and, fully believe that the closer identity of the people with the task of administration of the country is the most important plank of reform that is now needed.

"I would now refer to the remarks of the Hon'ble Mr. Aziz-ud-din who has informed us that he had a tussle with Mr. R. C. Dutt. I may say, my Lord, that I have read his evidence very carefully yesterday and I must say to his credit that he holds opinions which he has expressed twelve years ago, and he even suggests that the change suggested is a pure imagination. I am willing to believe it and I assure him that, if there is a difference between ourselves and his views, it is entirely due to our individual training. My Honourable Friend has been a district officer for 36 years, always accustomed to look to reports of subordinate officials, secret information, misrepresentations against people ; and these are incidental to the position of a Collector who, after all, I admit, has to do his best, and has been doing his best for the people. Therefore, if by his training, he does not believe in the closer association of the people with the administration, I regret, as I already said, that it is entirely due to the circumstances under which he has been brought up. I join with him in his condemnation of the excessive departmental central control. If my Honourable Friend has read the evidence given before the Decentralization Commission to any purpose, he would have seen that it is proposed by those who are extreme exponents on the official side that all control over Collectors should be withdrawn, that commissionerships should be abolished, that the Board of Revenue should have nothing to do with the administration, as far as possible, of the Collector, that the Collector should have more financial powers and should have more administrative powers and that the whole central control should be relaxed as much as possible. For all this official control, non-official control in the districts should be substituted by the constitution of a council such as that I am advocating. He has, in a way, I am glad, strengthened the case for the constitution these expanded district boards rather than otherwise.

"My Lord, I have only one more remark to make. He has quoted a Persian proverb, I regret I cannot quote from the same language. There is a proverb in English that we can take a horse to a pond but we cannot make it drink water. I say that our attempt in this Council has been perpetually to ask Your Excellency's Government to take the view which we have been urging in this Council and I cannot say that we can congratulate ourselves on the result. I am sure there is a certain amount of by-product of our discussions. We do not see much evidence of it. Therefore, my Lord, I wish to press this matter with insistence and request Your Excellency's Government to consider the matter seriously.

"In conclusion, I must congratulate my Honourable Friends, Mr. Yaqub Hasan and Mr. Ahmad Lambi Marakkayar, to whom visions of religious differences and communal difficulties were suggested, but who, quite appropriately and naturally repudiated the difficulties, if this resolution was carried out. I am glad they said so, though I have my own differences as regards the exact representation of communities to which they have referred ; but the point does not arise for our present discussion and I am glad they have given an assurance that they would not take the bait which has been held out to them.

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"In making these remarks, I do not wish to minimize the importance of the subject or the difficulties of the Government or the difficulties which the Hon'ble Mr. Rajagopala Achariyar has pointed out in his speech. I recognize fully the difficulties of a change and I am merely asking Your Excellency's Government to consider that the time has come and it is no longer possible to say 'no' to this closer association which we have asked for. The matter has been decided, as I said, by His Majesty's Government; but where we should start is a matter for consideration. When we suggest reforms at the bottom, we are met with exactly the same opposition as when we suggest reforms at the centre or at the top. The late Mr. Gokhale once described the administration of the Government of India as the top, the administration of Provincial Governments as the centre and district administration as the bottom. When we bring forward proposals for administrative reforms, for the centre and the top it has always been said 'that the top is getting too heavy and that we must begin at the bottom. When we suggest administrative reforms at the bottom, innumerable difficulties are suggested and will continue to be suggested unless Your Excellency's Government are prepared to see the spirit of this resolution. If you consider that the time has come for taking this subject seriously and earnestly into Your Excellency's consideration, I think that we should have sufficiently attained the object of this discussion. I am glad so many of my Honourable Friends have expressed views on this important subject on the present occasion and that it will have due effect in considering this problem either now or afterwards.

"As regards the question whether this resolution is carried or lost in this Council, it is quite immaterial to me. We know the constitution of this Council and there is absolutely no chance of any contentious resolution opposed by the Government ever being carried."

His Excellency the PRESIDENT :—"Does the Honourable Gentleman wish to press it?"

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"Yes."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"May I suggest that the amendment suggested by the Hon'ble Sir Francis Spring may be voted upon, as it is agreeable to many gentlemen."

His Excellency the PRESIDENT :—"I cannot admit it at this stage."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Your Excellency, let me begin by saying that I completely agree with the Hon'ble Mr. Ramachandra Rao that the question whether the resolution is carried or lost is, after all, a matter of secondary importance, compared to the very much more important question whether it has been fully debated. I think that in questions like this, affecting large issues, not only of Government but of local bodies, the object, if I may venture to say so, of Honourable Members as well as ourselves should be that the debate, whatever may be the end of it, is so thorough that everybody obtains a full grip of all the issues involved and also that the larger public outside whom we have always to remember becomes really interested in these issues. I claim for the speech I delivered yesterday, which, I knew before I delivered it, would be received with feelings of some disappointment by a great many of my friends—I claim that it will have the effect of stirring up interest not only among you, gentlemen, which, after all, with all respect to you, is a small matter, but among the wider public outside this Council whom you and I have always to remember. I think it would be most unfortunate if it should be imagined that we are all playing a sort of pre-arranged plan in regard to questions like this, that non-officials never differ from one another, that Members of Government should never speak to them the whole truth, should never put before them all the aspects of a case, should be afraid of exposing fully any fallacy, serious or otherwise. I say that it would be an evil day if that kind of impression should prevail. I, for one, have so far not been a party to it. I know that, on more than one occasion, I have offended my countrymen by telling them plainly what I thought, and what my views were, and I regret to have to say that other occasions like that might possibly recur in the next few years. I do not think that I should change my policy in that respect. Also, let me at once disown the explanation which the Hon'ble Mr. Ramachandra Rao has suggested for me. He apparently felt sorry for what he thought the uncomfortable position that I was occupying. He suggests some explanation like this, 'we know that you are speaking on behalf of the Government and putting forward their views, but we do not think they are your views.' I think in fairness to His Excellency and my other colleagues, I should say that these are as much my views as theirs; and if you suggest that they converted me, as well might you say that I converted them. It is really not a question of their converting me, or of my converting them. I am not afraid to say that at once. These are my views which I have set out. There are limitations on the functions of a member of Government in this country. He cannot, as in other countries, go upon public platforms and defend his views or actions. He can only speak here. Therefore, the moment this debate is over, the obligation of silence is on me. It is not upon any one of you, it is not upon the public press; others can go on criticising me, innocently or otherwise misrepresenting and misquoting me, or doing anything else; but so far as I am concerned, the moment this debate is over, the obligation of silence falls upon me and I have to keep quiet until another occasion comes up. Hence the need that I should speak fully when I have the chance.

"It is, therefore, necessary for me to say that having given a most careful consideration, having spent one night in thinking over what I said yesterday, having listened to what has been said by non-official members to-day, I have no hesitation in saying that there is really

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nothing in what I said, which I would desire to unsay. I have said several things which are probably not quite agreeable. This idea of a district advisory council to associate the people with the Collector, to make him, as it were, more popular, is an old idea. Naturally, when an idea like that is put forward and all the arguments against it are stated at some length, there is a feeling of discomfort. No one wants one's own views to which one has been wedded for a long time to be suddenly torn up. I do not say that I have succeeded in doing so. I do not claim that all through I am right or that you are all through in the wrong. What I claim is that it is very good for this Council that our debate should be as real as possible. Honourable Members of this Council should put forward what they have to say without any hesitation whatever, and if occasionally, there is a difference amongst themselves—it is not for me to advise them on such a delicate point as that—I do not think any of them need hesitate to show that difference. So also, so far as we are concerned, it is our duty when a proposal is put forward in the form of a resolution to subject it to the most careful analysis and state to the Council all its bearings, so that the Council may know clearly and fully what it is called upon to vote on, before it votes. All the difficulties that I have mentioned are difficulties which are inherent in the problem of existing local boards being converted into advisory councils, to perform certain advisory functions, in addition to their own administrative functions. We have had a great deal of discussion about our own Council and about a number of other things, but they are all subordinate to the main issue. The main issue is: should we adopt the policy of converting existing local boards, in addition to performing functions for which they have been started, that is local functions—they may be added to, if you want—but in addition to that, should we convert them into general advisory bodies regarding matters of general administration? That is the main issue. That being so, all the various implications involved in such a big departure have to be stated. I was struck by the fact when I was reading the debate on Mr. Gokhale's resolution that he did not state that in any country an officer in the position of the Collector had associated with him such an advisory council except in the case of Prussia. We are all agreed that we need not go to Prussia for an example now. How these things have been working in Prussia, we have no means of knowing. Honourable Members are suggesting a very novel experiment in taking up a set of bodies created for managing local affairs and entrusting to them advisory functions on a large scale. In examining the proposal, I was bound to mention the difficulties which are sure to be met with the moment this departure is made; and one of them is the constitution of the local bodies. I was bound to point out and I did point out that these local bodies, as now constituted, on a territorial basis, work alright on that basis, because we have been proceeding on the line that these bodies are dealing with local affairs in regard to which it can hardly be said that there is any divergence of interests between the different castes and creeds, but the moment we entrust them with functions similar to those that we are discharging here, we are face to face with the question of communal representation. The moment I said communal representation, it has been imagined that it is started as a bogey. I know Honourable Members are not afraid of bogeys. None of us is easily frightened. We are not afraid of communal representation, say several Honourable Members. That reminds me of what I have read of a lady called Mrs. Micawber who periodically used to say: 'I will not desert my husband.' As a matter of fact, nobody ever suggested that she should. I never said that anybody was afraid of communal representation. The Hon'ble Mr. Ahmad Tambi Marakkayar said that I was against it, another member believed that I was starting it, and the Hon'ble Mr. Ramachandra Rao does not know what to think of the Government, whether we are for or against it."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"I did not want any information as regards communal representation. But having mentioned it as a difficulty I was bound to deal with it. I do not want to elicit any more information than is absolutely necessary for my purpose."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I have no information to give, because the Government have not made up their minds about it. Assuming that this question of communal representation becomes vital when you change the constitution of these bodies, what is the harm in mentioning that fact? There can be no harm in mentioning that. As a matter of fact, that question will have to be considered when the local Bills come up before the Council in a few months. While my raising the point has had the effect of making other Honourable Members come out and say that they are not afraid of communal representation or of the differences between Hindus and Mussalmans, it has had a somewhat unhappy effect on the Hon'ble Mr. Ramanuja Achariyar, who was till yesterday afternoon apparently not prepared to give credence to the vulgar report that the Government set people against people; but evidently my speech has convinced him that it must be so. I envy the Honourable Member the ease with which he comes to conclusions.

"The Hon'ble Mr. Narasimha Ayyar has mentioned a point with which I feel considerable sympathy, namely, that this is a matter which really concerns the local bodies and that here we are dealing with it at great length behind the back of the local bodies. I think it is a great pity that all this debate should take place as regards the constitution and functions of local boards when they have had very little opportunity of expressing opinions thereon. But the debate in this Council will be published and will be available to local bodies all over the Presidency; and later on when legislation is taken up, it will be open to them to offer remarks. As

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a matter of fact, I consider this particular discussion most valuable, not for the conclusion that it is going to commit us to one way or the other, but for throwing a flood of light upon the question which till now has been more or less hazy and has been thought to be an easy thing. If that question has been subjected to a more careful analysis than it has had hitherto, I consider there is no reason why Honourable Members should feel dissatisfied with the progress of the debate or its probable result. There is only one other point. I fear that the impression which any casual reader of our proceedings would get from this debate is that our Collectors are living within closed doors quite inaccessible to outside opinion and that here is an opportunity of bringing to bear upon them outside advice. As a matter of fact, it is the function of every Collector to keep in touch with what is going on in his district and we have heard my Hon'ble Friend Mr. Aziz-ud-din assure the Council that, during his long term of office as president of a district board, he made it a point to ask the members at the end of every meeting if they had anything to say, though he has been so unlucky that at no meeting did any of them respond to his call. No Collector worth his salt would spare any trouble to keep himself in touch with what is going on in his district and hear what people have to say. Will he not get into trouble, if he does not do so?

"The Hon'ble the Zamindar of Polavaram said that there was no use of advice being given privately, but that it should be given publicly. I think it is carrying things too far. Advice is always desirable, but I do not think it would be wise, either to stereotype the advisers or to lay down that these people should give advice under the eye of a number of other people and not privately. I rather think that there is some virtue in private advice. I think the Collector should have some amount of discretion to choose firstly his advisers and secondly to determine how he should receive that advice. It is not quite germane to the discussion, but I mention it because I do not want anybody who reads this debate to go away with the impression that Collectors are not advised. Our proceedings will be read by local boards and the public. If it should happen that there are any Collectors who do not keep themselves in touch with the people, if this should induce such few of them as do not keep in touch with their people committed to their charge, — if this should induce them to make a new departure, I am sure that that will also be a distinct advantage gained by this discussion.

"Let me assure my Hon'ble Friend Mr. Ramachandra Rao that this question and this debate will be continually borne in mind by the Government. Let not Honourable non-official Gentlemen imagine that these things end the moment that a resolution is passed or thrown out. As soon as a discussion is over, it is examined and considered at length and you may take my word for it that this resolution and the various points put forward in this debate will be kept in mind and considered, and what is even more important, it will have an educative influence upon the local bodies all over the province as well as upon the public in general. That is a result with which I think Honourable Members may rest satisfied for the present. I hope they understand what I say in the spirit in which I intend it should be understood. I have nothing to add to what has been said, Your Excellency, but that, if the Hon'ble Mr. Ramachandra Rao persists, the matter may be put to vote."

His Excellency the PRESIDENT :—"I am sorry I was not able to accept the later amendment — I am obliged to administer the rules — as it came too late, and I do not think it will have any effect on the debate. I may be permitted to draw the attention of the Council to what we are going to vote upon. The Honourable Gentleman who proposed the motion, in his concluding remarks, tried to impress upon the Council what they were going to vote as to whether there should be closer association of the people with the administration. I think that is the issue which he endeavoured to insist was the issue before this Council; but for the guidance of the Council, as far as I am responsible for it, I am obliged to draw attention to the fact that the issue is really the motion before the Council. It is nothing so general at all as what he has put forward. The motion on the paper is: 'This Council recommends to the Governor in Council that the present functions of the local boards should be enlarged and that statutory provision should be made in the Local Boards Act now under revision empowering local boards to express their views on all subjects relating to the various branches of district administration.'

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"Will Your Excellency have resolution No. XIII* which is more general?"

His Excellency the PRESIDENT :—"We have been discussing resolution No. XII. We cannot disregard what we have been discussing yesterday and to-day."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"We may take votes on resolution No. XIII.*"

His Excellency the PRESIDENT :—"The discussion was taken up on a particular understanding which was come to publicly yesterday and I must be fair. The understanding on which the discussion proceeded was that the Hon'ble Mr. Ramachandra Rao should move his motion and that vote should be taken upon it. That is the understanding and therefore I may perhaps resume what I was going on to say.

"It is this. I do not want to trench on the general discussion that we are soon likely to have. We are presently going to have before us Bills relating to local administration, both in regard to the municipalities and district boards; and they are known to be on the stocks, so to speak. Conferences have taken place in the case of both Bills at which non-officials have been present ;

* The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—
This Council recommends that His Excellency the Governor in Council be pleased to consider the desirability of investing district boards with the power of expressing their opinions on questions of general administration affecting their districts.

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and non-officials have already had some opportunity, which will be larger as time goes on, of expressing their opinion in regard to these Bills. As the Council is aware the Government are willingly and whole-heartedly committed to what is called the liberalising of the local administration. It is a part of our declared policy and the Council knows it. So far as extending the present functions of local boards is concerned, we are in entire sympathy with it. But it is a business matter which must be examined and it must be done in accordance with order, after full information has been received. So far as the principle is concerned, we are entirely in favour of it. Then comes the question whether or not it is wise that this Council should, at this stage, commit themselves to the argument which has been put forward very much — whether it is wise that these local bodies, in addition to carrying out their duties, should be asked to be empowered to express opinions on matters outside their administration altogether, for which they are not responsible. I can only say this. I suppose, after all, the development of Parliamentary Government in Great Britain is a great model for free institutions. It is not the case that in any local institution in the United Kingdom the power which is proposed to be given to local authorities here is enjoyed by local authorities there. Neither Parish Councils nor County Councils nor School Boards nor Town Councils nor any local authorities, so far as I am aware, have such powers as are proposed to be entrusted to these bodies. I ask 'Are you wise in doing it? Are you really wise in committing yourselves, in the face of that experience, are you wise in committing yourselves to that?' I know there is a certain amount of chafing in this Council. There is a great deal of criticism in the Proceedings of this Council directed against the Members of Government which should be really directed against the fact that it is not a supreme authority. Many things are said about Members of Government and about the policy of the Government and why they do not do this or that. We do not do it, and we shall never be able to do it, so long as we are a subordinate authority. It is only the supreme Parliament itself that can define its own power and that is not bound by any written constitution. Every subordinate authority, whether it is a Provincial legislature or a local authority, is bound by a written constitution, namely, the Act which constitutes it, and gives it its power. What you are really inviting this Council to do—I doubt whether it is wise—you are now inviting this Council to say that in the near future local authorities in this Presidency shall not be purely statutory authorities carrying out statutory duties, but they shall have the right of passing resolutions upon any subject whatever, which they can remotely or non-remotely connect with local administration. Is it really in the interests of the development of local Government that the Council should commit itself to that view? Honourable Gentlemen may not believe it; but a great many of us here are genuinely interested in the healthy and genuine development of local Government in this country. Is it really in the interests of the development of local Government in this country that you should deliberately put upon young institutions, institutions in their infancy, not only statutory duties which they have to carry out, but charge them with the duties of criticising, at large, everything that goes on in local administration? Is it really, I ask, in the interests of local administration that we should do this at this stage? For myself, I gravely doubt the wisdom of such procedure and I cannot help feeling that the Honourable Gentleman who moved this motion did not at any rate see that side of the question. I do not know if he holds that view. In winding up this debate he tried to minimise the results of any division that may take place on this subject. If it really does not matter, is it not better to err on the side of caution and not commit yourself by a vote on a motion of this kind, which will affect a subsequent decision? I merely remind you of that fact. In a very few months we shall be considering some Bills and we shall have an opportunity of again discussing these matters. I gravely doubt the wisdom of committing any individual member of this Government to a decision at the present time."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"My Lord, after your Excellency's observations, I do not propose to press this resolution to a division. I do not wish to detain the Council any further with any explanation as to why I am taking this course at this stage. I trust that what has fallen from Honourable Members in this Council will receive due consideration. I know that we shall have opportunities. The difficulty of pressing this view from the constitutional procedure laid down for us, I have already stated. I trust that when the matter comes up for further consideration, opportunities will be afforded to us; and in the meanwhile I hope the question will be thoroughly examined and, instead of expecting proposals from non-official members, the Government would get into the habit of initiating a constructive programme and stating what they are doing from time to time at the beginning of each year."

"With the permission of His Excellency the President, the resolution was withdrawn."

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His Excellency the PRESIDENT :—"I call upon the Hon'ble Mr. Venkatapati Raju to move his resolution."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"Is Your Excellency not taking up resolution No. XVIII*?"

His Excellency the PRESIDENT :—"I do not think this will take very long."

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(Mr. Venkatapati Raju; Mr. Narasimha Ayyar; [13TH FEBRUARY 1918. Mr. Gillman.]

The Hon'ble Mr. B. VENKATAPATI RAJU :—"The resolution which I have the honour to move runs as follows:—

'XIV. This Council recommends to the Governor in Council that the Government be pleased to issue instructions to their subordinates that in all cases of adverse confidential reports made against any officer he should be apprised of the same and be given an opportunity to vindicate himself.'

"Your Excellency, the proposition, as it stands, is very simple. It says in effect whenever you want to say anything against any person you must take his explanation—whether that is a reasonable course or not is the question to be considered by this Council.

"With reference to the confidential reports made against various officers, we have not got any authoritative pronouncement of the Government under what conditions and against what persons they have to make these confidential reports and whether these are limited to the persons concerned or to the public. I notice under chapter XIII of the Board's Standing Orders the general rules laid down by Government for regulating the personal conduct of Government servants of all grades in the Revenue Department except members of the Indian Civil Service.

"We have Standing Order 118, clause (5), which says—

'A half-yearly report on the work, conduct, character and progress of each unpassed assistant should be forwarded by Collectors to the Board. It should be drafted and signed by the Collector himself and should embody a distinct personal opinion as to what progress is being made by the assistant, and as to his conduct, character and fitness for public responsibilities. These reports, at any rate those portions which relate to the character, conduct and fitness for public responsibilities of the officer reported on, should be in the handwriting of the Collector concerned and should give full expression to the Collector's opinion on these points. Where more than one unpassed assistant is serving in the same district, the report on each officer should be written on separate sheets of paper. The reports should be treated as strictly confidential, the office copies being lodged in the Collector's confidential safe.' Then there is another observation. Standing Order 120, clause (4), says: 'Collectors should submit to the Board every half-year, before the 15th January and the 15th July, confidential reports, in the form prescribed, on all probationary deputy collectors in their districts and on all officers who have acted as deputy collectors in their districts, during the whole or any portion of the half-year and have not been confirmed.' I do not know if these rules have been subsequently modified. These are the only portions which I am able to notice, in the Standing Orders of the Board of Revenue; confidential reports made against civilians when they are under training and against deputy collectors both probationary and otherwise. We do not know what action will be taken on the confidential reports. We know this much:—whenever serious action is to be taken, notice would be given of the charges against them and explanation will be taken before they are dealt with. What I do not know is whether these confidential reports would indirectly affect their transfers or their promotions or any other incidental advantage, or whether it would create any bar to them. Whenever a serious mistake is found, serious notice will be taken; but the question is, when there is no serious offence committed by an officer, when there is only an observation made by a superior officer, we notice that accumulated reports of several officers against an individual which will not be of much consequence at the time, will be of immense disadvantage to him whenever promotion or transfer is done. Under these circumstances, it is but fair justice and equity that subordinates should know whether their conduct was disapproved with reference to any particular point so that they could mend their conduct. There is no use complaining of a subordinate's conduct behind his back to the superior officer, because he would not know what is defective in his procedure and how he should make amends in his conduct. Under these circumstances, I do not see any difficulty in subordinates being apprised of their conduct and asked to explain. If it is a serious matter they will be dealt with, but if it is a small matter and if the officer thinks it worth while to put it in black and white, it is equally worth while to ask the subordinate officer about it and take his explanation. I do not know how far it is affecting the civilians—confidential reports made against civilians, whether any reports are made against them. We are not in a position to know this; but we know at least this much that there are complaints made at times that they are stabbed in the dark, so far as the provincial service is concerned, by these confidential reports which do not purport to touch them directly but only indirectly. Under these circumstances, I ask that it is but fair and equitable that a person against whom a complaint is made should be given an opportunity to explain his character and vindicate his actions.

"With these words, I commend the resolution for the acceptance of the Council."

The Hon'ble Mr. B. V. NARASIMHA AYYAR seconded the resolution.

The Hon'ble Mr. H. F. W. GILLMAN :—"Your Excellency, the question of the action to be taken on confidential reports is a difficult one, and there is certainly great merit in the arguments adduced by the Honourable Mover in support of his motion, viz., that it is unfair to condemn an officer behind his back, and also that faults in work and defects in character cannot will be remedied unless they are pointed out."

RESOLUTIONS RE COMMUNICATIONS OF ADVERSE REPORTS TO OFFICERS CONCERNED AND CONTRIBUTION FROM PUBLIC FUNDS TOWARDS A SEPARATE COLLEGE FOR SONS OF ZAMINDARS. 325

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"At the same time, there are strong arguments against communicating adverse reports in all cases. The periodical enumeration of defects, by causing discouragement and soreness by leading to objection and friction would probably do more harm than good. It is also true that if every unfavourable comment has to be passed on, much of the value of confidential reports to Government will be lost, as reporting officers will hesitate, before expressing candid opinions on the merits of their subordinates.

"This matter has already received very careful consideration not only of this Government, but of the Government of India, and the orders as now framed, are to the following effect. I shall read a few sections of the order, which govern this particular case. This rule guides us in this Presidency. (b) As a general rule, in no case should an officer be kept in total ignorance for any length of time that his superiors, after sufficient experience of his work, are dissatisfied with him; in cases where a warning might eradicate or help to eradicate a particular fault, the advantages of prompt communication are obvious; where criticism is to be withheld the final authority to consider the report should record instructions, with reasons, according to the nature of the defect discussed, as to the period for which communication is to be kept back; (c) only those defects need be pointed out which can be remedied, since it would serve no useful purpose to communicate such criticisms as lack of ability or intelligence.' That is really the main point of the question. In fact, there is no difference between the Government and the Honourable Mover in the matter of principle. Orders now are that confidential reports should be communicated to officers as frequently as possible when they will serve a useful purpose and they should be communicated in a manner suited to the temperament of the officer so that really the only difference between the Honourable Mover and the Government is in the words 'in all cases.' If he will rest assured that the Government see eye to eye with him and have issued orders that reports are to be communicated in as many cases as possible, I think he would be satisfied."

The Hon'ble Mr. A. S. KRISHNA RAO :—"May I suggest that the words 'as a general rule' be incorporated in the resolution? I formally move this amendment to omit the word 'all' and to insert the words 'as a general rule.' The resolution as amended would read thus:—'This Council recommends to the Governor in Council that the Government be pleased to issue instructions to their subordinates, that, in cases of adverse confidential reports made against any officer he should, as a general rule, be apprised of the same and be given an opportunity to vindicate himself'."

His Excellency the PRESIDENT :—"The Hon'ble Mr. Gillman informs me that this is actually being done. It would be putting in writing, if we accept the resolution, that this should be done. Instructions have been issued that, as a general rule, confidential reports should be communicated. Perhaps the best plan for the Honourable Member, having elicited this information now, is to withdraw his resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

At this stage, the Council adjourned for a short interval.

The Council re-assembled at 3 p.m.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"How long will the Council sit to-day?"

His Excellency the PRESIDENT :—"They can sit as long as they like."

The Hon'ble the RAJA OF RAMNAD :—"There is an invitation to a party."

His Excellency the PRESIDENT :—"I do not want to interfere with that invitation. They can sit as long as they like and then go."

RESOLUTION RE CONTRIBUTION FROM PUBLIC FUNDS TOWARDS A SEPARATE COLLEGE FOR SONS OF ZAMINDARS.

The Hon'ble Mr. T. RANGA ACHARYAR :—"Your Excellency, the resolution which I have the honour to move runs thus:—

'XVIII. This Council recommends to His Excellency the Governor in Council that the Government may be pleased not to give effect to the proposal to contribute from the public funds towards the building and the maintenance of a separate College for the sons of zamindars and that they may be pleased to utilize the proposed contribution for the spread of elementary education among the depressed classes.'

"Your Excellency, I wish to add after the word 'Zamindars' in the third line the words 'otherwise than under the ordinary grant-in-aid rules,' if your Excellency will permit it."

His Excellency the PRESIDENT :—"Of course, the Honourable Gentleman radically alters his resolution if he does that. Let him not move it; but defer it until he sees what the proposals are. He has completely altered the character of the resolution by the words he has put in; and I should suggest for his consideration that he might withdraw his resolution and present it at a later date."

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A SEPARATE COLLEGE FOR SONS OF ZAMINDARS.

(Mr. M. Ramachandra Rao; the President; [13TH FEBRUARY 1918.
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The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"After the publication of the papers."

His Excellency the PRESIDENT:—"I do not know what the papers are that would be published."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"If your Excellency would not permit it, I will move the resolution as it is."

His Excellency the PRESIDENT:—"As the Honourable Member knows, it completely alters the character of the resolution."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I exclude a particular mode. I will then move the original proposition as it is."

His Excellency the PRESIDENT:—"Is there anything to be gained by the original motion, if the Honourable Gentleman's opinions are changed? It is for him to decide."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I quite see the force of your Excellency's observations; but I rather fear that it would be too late for me to move the question because, I do think that steps are being taken in other directions; and therefore if I can have an assurance that no steps will be taken till the matter is discussed in Council, I have no objection to defer it."

His Excellency the PRESIDENT:—"I cannot on the spur of the moment give any such assurance as that. It is for the Honourable Gentleman to decide his own course."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Then I prefer to move the proposition, your Excellency."

"I have to offer a word of personal explanation in moving this proposition, as it is likely to be misinterpreted by my friends the zamindars for whom I have got the greatest respect and whom I look upon as the natural leaders of the society and of the people. This caution I am bound to give, for hitherto I was accustomed to hear that only from the press and from demagogues, motives were attributed or insinuated to people who take one view or the other with reference to any matter. But after the allusion made yesterday by a responsible Member of the Government to vakils taking up more work than they can cope with, it has become imperative that I should give this word of explanation, that I am actuated in moving this proposition by the best of motives, because, I feel convinced that it is a matter in which the Council ought to express its views."

"It is a broad issue which this question raises, and that is whether, as persons in charge of public funds, the Government should allow them to be utilised for a purpose, such as the one in view, namely, a separate college for 'Rajkumars.' I may at once say that I have got the greatest respect for the Maharaja of Bobbili who is very anxious to bring this institution into existence, and it pains me very much indeed to do anything which would in any way affect his feelings; but I assure him that I have with the greatest respect for his feelings brought forward this resolution. It may be conceded at once that it is possible to take different views on this question. I look upon it from the standpoint of the public and from the standpoint of the people who have to administer public funds. As persons who have got a voice in advising how public funds should be spent, I do not think it can be gainsaid that unless there is a pressing need for State exertion and State expenditure an institution like this should not be brought into existence. It may be a useful institution, but that is not the question. The question for us to consider is whether it is such a pressing need, that public funds should be spent for that purpose especially at this time, when our finances have to be carefully husbanded and reserved."

"Now let us examine the position. The first question will be: Is it desirable that such an institution should come into existence? The second question will be: Is it practicable? The third question will be: Is it necessary that the Government should exert themselves and spend public funds in such a matter? As I stated, it is not so much for us to express an opinion on the desirability of the institution, it is more for the zamindars themselves to make up their minds about it; but when once aid from public funds is sought for such a purpose, then it becomes our duty to explain what our position is in such a matter. It is only in that view and not with the view of offering advice to them who can take care of themselves, but merely with a view to see whether we, as members of the public, should contribute to such an institution that I bring this resolution. The wording of the resolution is, as you might have noticed, rather general, that is to say, that there should be no contribution from public funds for the building and the maintenance of a separate college. In bringing forward this resolution, I may say that one of my objects is to lift the veil which seems to overhang this important question. Till 1909 or rather till 1910, the public were taken into the confidence of the Government in the disposal of this question. I shall briefly retrace the history of the question. In 1909 so far as I am able to see, a proposal was made by the then Raja of Bobbili, now the Maharaja, to the Government that this question of a separate college for Rajkumars should be taken up. Then the Government appointed a representative committee to go into the question and report upon its desirability and practicability and what aid the Government should contribute towards this object. The committee made a report in 1910. It was placed on the Editor's Table in G.O. No. 416, dated the 15th of July 1910. It is a very instructive document. Then they pointed out that

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the question of desirability should not be judged offhand, that the committee were of opinion that it might be desirable to start such an institution, and it was pointed out that 'if it is found that the zamindars when appealed to, fail to support the present scheme, there is an end of the matter. The Committee would merely urge that the question should not be pre-judged.' Then with reference to the existing institution, namely, 'Newington', which is under the charge of the Court of Wards, a statutory body working under a statute, they pointed out that the unpopularity of Newington was due to several causes and they also pointed out 'it is also due to a certain reluctance on the part of parents to allow the Court to exercise over their sons that full control and strict discipline which the Court, as a body of guardians and trustees, feels it to be its duty to exercise over its wards. Rightly or wrongly, it has been the policy of the Court to remove its wards at Newington, as far as possible, from home influences. With this end in view, they are made to spend practically the whole year at Newington and they obtain permission to go home only on rare occasions and for a few days at a time. The average parent is naturally not prepared to accept this arrangement. Again, parents would perhaps be readier to send their boys to an institution in the management of which they, or other zamindars, had some effective share. They, and particularly the boys' mothers, not improbably feel some anxiety, however, unfounded, as to whether in an institution entirely under European and official control, the education of their boys will be conducted with strict regard to religious and social customs and prejudices of their community. But the Court of Wards can hardly be expected to admit outside control in the management of its institution (and indeed, it might not be legally justified in doing so) and the facts that the Court is ready to receive suggestions in a sympathetic spirit, and that Government have appointed a committee composed mainly of Indian gentlemen to advise it (a committee, however, of which only half are zamindars and those less easily able to attend the meetings than the other members who all live in Madras), have done little to remove these misapprehensions, and hence the more enlightened zamindars, have sometimes engaged private European tutors for their boys in preference to sending them to Newington.' They also pointed out that the cost of the proposed scheme would be about Rs. 8½ lakhs, of which the Government generously promised Rs. 1 lakh and the Maharaja gave Rs. 1 lakh; and if the remaining 6½ lakhs were forthcoming from the zamindars, the scheme would go on hand. This was in 1910. Then, reminder after reminder went from the Zamindars' Association to the various zamindars in the Presidency and unfortunately it did not meet with sufficient response from that community for whose benefit it was supposed to be intended and the Association had to report that the response was most meagre and inadequate and some people disapproved of the scheme on the score of its cost and some other people on the score that it was not proposed to be worked with strict regard to the religious and social customs and prejudices of the zamindari community. On that, the Government of the day in 1912 dropped or were obliged to drop that scheme. They promised Rs. 1 lakh and they promised also to pay a contribution of Rs. 15,000 for maintenance charges for a period of five years provided the institution could become self-supporting after that period. Notwithstanding all those promises of support the institution had to be abandoned. This was in 1912. In 1914, Your Excellency was approached by a memorial from some zamindars and also there was a representation made from the Court of Wards regarding the great cost attending the Newington institution to the Government. Thereupon, Your Excellency in Council passed G.O. No. 575, dated 30th October 1914, which was also placed on the Editor's Table. Your Excellency in Council pointed out in paragraph 2 of that Government Order 'The Government have since received representations from the Court of Wards and some of the leading landholders in the Presidency, suggesting that the matter might be revived, and, having now reconsidered the whole question, have decided that it is expedient'—I lay emphasis on the word 'expedient'—'to establish near Madras a Rajkumar College which would take the place of the Court of Wards' existing institution for the education of its wards at 'Newington', and would also admit near male relatives, other than wards, of the larger landholders of the Presidency, and the adjoining Native States, and would offer to all these an education and training suited to their status in life and future prospects. It is proposed to place the College under the direct control of His Excellency the Governor in Council in the Political Department and to appoint a committee of representatives of the Court of Wards, landholders and others interested in the College which will be invited to make an annual inspection of the College and have the power of making suggestions as to its general management. Before proceeding further into the matter, His Excellency the Governor in Council resolves to appoint a representative committee to advise upon the details of the scheme and upon the locality where the College should be built."

"So that Your Excellency in Council apparently decided that it was expedient to establish a College and also to place it under the direct control of Your Excellency in Council in the Political Department. Then this committee was appointed, which was a fairly large committee to work out the details and advise as to what the Government proposed to do in this matter and in May 1915 asked the question as to what the Government proposed to do in this matter and how public funds were going to be utilised for this purpose. The reply was that the Government had not made up their minds in the matter. The committee was formed to consider a draft scheme and met accordingly on the 18th of November last. The draft scheme is still under consideration. No decision has been come to as to the financing of the institution."

"Again my Honourable Friend Mr. Ramachandra Rao put a question on the 23rd of November 1916 in this Council:—'Will the Government be pleased to state whether the committee appointed for the establishment of a Rajkumar College for this Presidency has reported on the subject?'

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'If the report has reached Government, will the Government be pleased to state the approximate cost of the scheme and how it is proposed to finance it ?

‘Will this Council have an opportunity of expressing its opinion on the scheme?’

"The reply was: Draft proposals for the establishment of an institution of this kind were considered last year by a committee or by what may be more correctly described as a conference assembled for the purpose. No formal report was made and the subject is still under consideration. There is no intention at present of inviting the Council to consider the matter."

"The matter ended there, and nothing was known to the public about this till March 1917, when Your Excellency made a speech at the opening of the building of the Landholders' Association. Your Excellency then pointed out that it was not for the Government to set a pace in the matter, but it is more for the zamindars to set a pace. Your Excellency promised generously to contribute rupee for rupee towards any funds that they might collect and also to help it. From that, I took it that it was going to be a private institution managed by the zamindars to which grants-in-aid would be given just as grants-in-aid are given to other institutions under private management, whether they be special schools or ordinary schools; but reading this Government Order of 1914 of which the public evidently have not taken note—for evidently they are groping in the dark as to what is happening in regard to the Rajkumar College—the intention of the Government, as disclosed in that Government Order, is to make it a special Government institution, vested in the Government, under the management of Your Excellency in Council assisted, it may be, as in the case of the Law College, by a Council which Your Excellency in Council may appoint. I take it that that is the scheme which Your Excellency's Government had in view and not by way of making a contribution to a private institution under private management by grants-in-aid for which, speaking for myself, I would have no objection, and I think my Honourable Friends also would have no objection. But I do object to make this a special Government institution as if treating the zamindars as a separate community, as it were, as if Your Excellency were offering help for a special subject like the Law College or the Medical College or for a special community like the Muhammadans. The special purpose for which this institution is intended is not for a homogeneous community consisting of one caste or creed, but I see from the latest report of the Director of Public Instruction—he stated in paragraph 136 of his quinquennial report what he understands this institution is going to be—he says what he understands, because it is not in his Department, but it is in the Political Department—he says: 'Progress has been made in the establishment of a Rajkumar College in the vicinity of Madras for the education and training of wards and generally of the sons and other near relatives of the rajas, zamindars and large landed proprietors of good family in the Madras Presidency, Coorg and adjoining Native States.' I forgot to mention that between 1909 and 1912, when an appeal was sent forth to the zamindars, an appeal was also sent to the Native States, but apparently the response was poor. You will notice that it is a comprehensive term—taking the whole landed gentry in the Province. That means to say, that persons who ought to be the natural leaders of the people are to be located in a special college. I know that it is not compulsory on their part to go there; but we know the vanity of people, and people who are not really Rajkumars would wish to pass off as such. I know that this large class of landholders comprises very few Rajkumars indeed. If you look at the list of people who are entitled to vote for the Imperial Council, it goes from the proud Nambudri to the Nadar. The term Rajkumar will be wholly inappropriate to this class of people and I think the real Rajkumars would resent that such people should be in a college intended for them; but, however, that is a matter of detail. I look at it from the point of view of principle. I object to this secluded atmosphere which is sought to be created for the natural leaders of the people. This is merely an enlarged edition of 'Newington.' 'Newington' is not able to stand on its own legs, because the strength of the College has been 8, 10 or 11—or the largest number has been 13, so far as I have been able to gather, who only have joined that institution. Here I have got the words of a nobleman with reference to that institution. In his 'Advice to the Indian Aristocracy,' the Maharaja of Bobbili says 'At present there is an institution at Madras called the "Newington Establishment", at which more or less all the minors under the Court of Wards are trained and taught. But up to the present, the tuition and training given to the boys in that institution are not at all satisfactory to our class of people.' He also says with reference to the nature of the instruction, how the boys should be taught. 'See that he receives instruction in our own religion from Pandits. Allow him at regular times to have conversation with some selected Pandits, relatives and gentlemen. Then he will be in touch with his people, and he will never become a stranger to them. Nowadays, the minors at Newington are entirely cut off from their own people, so that when they leave the institution, some strangers get hold of them and lead them into such habits as are not only unsuitable for a Hindu but ruinous also.' This aspect of it you will have noticed, and the Committee also appointed in 1909 brought it to the notice of Government. Therefore, that is the one danger that lurks under this scheme, namely of cutting off the natural leaders of the people from the people themselves. They become strangers to them, being brought up in an atmosphere of seclusion, and taken away from their homes, they become strangers to their own people, to their own sisters, and they go and look down upon the social habits and customs of the people with whom they have to come into contact in their daily work. Being under the management of the Court of Wards, the institution of Newington was at least open to criticism, but now the institution coming under the management of Your Excellency in Council, it will be more difficult to criticise its management, so that even

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that check will disappear. The institution will be a special institution, not for a homogeneous community but for a community with different habits from the Uriya zamindars in the north to the people in the south of whom you can get only ten or twelve at the most. After Your Excellency's gracious announcement in March last, of a reduction of the fee in Newington, Your Excellency expected a large addition to the boys at Newington, but Your Excellency knows how little has been the response to that appeal and the number remains the same at the end of the year, namely 11. The number is small, for whom this institution can be of any use? It is not for a special community but it is going to be a secluded institution.

“Look at the danger from the other point of view. As Your Excellency just now reminded us, Your Excellency very rightly pointed out ‘This is not done in England, should we do it here? Take that experience.’ I would ask Your Excellency to consider the opinions which have now been recognized and which are referred to by our enlightened Director at page 266 of the quinquennial report I referred to. The Hon’ble Mr. Stone points out : ‘In England the distinction as dependent upon social position or wealth is gradually dying out, giving place to the idea that each member of the community should be educated to fulfill that function in life which he is best fitted for.’ He also pointed out that ‘the artificial distinction between elementary and secondary education remains very sharp in certain countries, for example, in some German States, or at least it did before the beginning of the war’

“Mr. Fisher, who is now guiding the policy of England with reference to the burning question of education, where people are taking more interest in education than even in the war, speaking at Newcastle-on-Tyne about the middle of last year, says this: ‘We need not, therefore, be surprised if there is a general feeling in this country in favour of a large educational advance. There is an old phrase “The Republic of Letters” which sufficiently indicates the fact that, in the sphere of learning and science, there are no class frontiers. Depend upon it that a nation seriously weakens itself if it is not prepared to draw upon all classes in the community for its intellectual workers. There is no class which has a monopoly of intelligence or intellectual sympathy, and we should make a great mistake if we were to fashion our educational system upon that of Germany, where the schools are strictly moulded upon the social divisions of the people.’”

"I was refreshed to hear from the Hon'ble Mr. Rajagopala Achariyar this morning that we need not go to Prussia for an example. I appeal to Your Excellency's Government that we should not go to Germany for an example. Let us take England as the model. In England it is pointed out in the *Daily Chronicle* of 21st of February 1917, 'if we widen the area of secondary education, many of these irrational Chinese walls will tumble down. At the same time, it is very important that in doing so, we should not renounce the idea of character-building which has been the best and perhaps the most distinctive feature in English secondary education. The schools are here face to face with their part of what is possibly the largest moral task before our society—how to get rid of the snobbish side of the "gentleman" ideal, while retaining and developing its deeper moral values.' These are words which appeal to me greatly indeed. I quite agree that we ought to cultivate and encourage all attempts on the part of the enlightened zamindars to enlighten themselves and to take part in the modern delights of learning and culture—I quite welcome the idea; but are we doing it in the right direction, when you drive them to a company of their own, deprive them of the company of a P. B. Sundara Ayyar, a Sir P. S. Sivaswami Ayyar, a Sir T. Muthuswami Ayyar or a Sir V. Bashyam Ayyangar? Is there any opportunity for them to emulate? Where is the opportunity for them

Ayyangar? "Where is the opportunity for them to emulate? Where is the opportunity for them to get up literary debating societies of the Christian College or the Presidency College, if you confine them to a college like this, confined to a few people of Raja and Maharaja families? I quite agree that they ought to live apart, live respectably, and live in decent surroundings and all that is an argument for a separate hostel; but certainly it is no argument for drive-houses—all that is an argument for a separate hostel; but certainly it is no argument for drive-houses—classes of people may resort to it; but I ask 'is it desirable in public interests, is it desirable in the national interests, that we should start a special institution for this special class of people?' With all respect to those who take the other view, I venture to think—I hope my friends will pardon me—that I spell a great danger in allowing such an institution to come into existence.

I am now urging these words merely as words of caution. It is

“But be that as it may, I am now urging these words merely as words of caution. It is more for them to decide about it. As regards that aspect of it, namely, whether there is a pressing need for the expenditure of public funds, if it is taken as a Government institution, the annual maintenance will fall upon the Government and whether zamindars make the contribution or not, it will be more taking a contribution than giving a contribution to a private institution. In this connexion, I wish to call attention to what the Honourable the Director of Public Instruction said in his report. ‘Financial difficulties have also been experienced and it has been necessary to postpone for consideration after the war many desirable schemes.’ I ask your attention to the picture he has drawn on account of the great financial difficulties of the state of elementary education in this country.”

His Excellency the PRESIDENT:—"I must ask the Honourable Gentleman to bring his remarks to a close. He has already been for over five minutes over his time."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"With Your Excellency's permission I will finish it in five minutes. The subject is of very great importance and I ask for the forbearance of this Council in this matter. This is what he said about the numerous elementary schools in

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the province. There are about 22,000 schools under private management, aided or unaided. Twenty-two per cent of these are under mission management. The rest are called 'Teacher-manager' schools. He says: "Teacher-manager" schools continue to be the least efficient, though there are, as might be expected, exceptions. Many of them are ephemeral in character, are ill-staffed, ill-housed and ill-equipped. The teacher-manager has no funds to fall back upon and has to depend upon his grant and payments from parents partly in money and partly in kind. He ekes out his precarious living as a stamp-vendor, petition-writer, medical quack or priest, and in his endeavours to secure his bodily sustenance, is less regular than he should be in providing the necessary mental pabulum for his pupils. That is the way in which the 20,000 elementary schools which are supposed to give instruction to the poor people, are seen to be. Having regard to the pressing needs in that direction, for whose benefit are we running this institution—for the benefit of a class of people who can well afford to help themselves. If you look at the figures at the time of the permanent settlement their income was supposed to be Rs. 75 to 80 lakhs per year; now we find their income is Rs. 240 lakhs. Therefore, their income has trebled. They contribute only Rs. 49 lakhs to the public exchequer; whereas the ryotwari tracts, which comprise the same area, contribute Rs. 700 lakhs to the public revenues. The Zamindars are contributing only about Rs. 50 lakhs to the public revenue and their income has more than trebled itself. I quite gratefully recognize the aid and the great services they have rendered in facilitating education; but they are doing their duty and we gratefully recognise it. But is that a reason why, at the public expense, a special institution for this small class of people should be brought into existence? I do not mind if they learn to manage their own institution privately, aid being given by the Government in the shape of grants as in the case of schools for Europeans and Muhammadans; but my great objection is that there should be a state expenditure, a state exertion in starting a state institution for this class of people at the public expense.

"In this matter, I ask your Excellency in the words of His Excellency the Viceroy which he uttered at a meeting of the Directors of Public Instruction last January 1917: "Education is not a subject to be wrapped up in mystery and discussed behind closed doors." Here notwithstanding the information sought by Honourable Members of this Council in 1915 the matter is being pushed behind the screens and notwithstanding your Excellency's words of advice, I am obliged, your Excellency, to propose this resolution and to move it.

"I strongly commend this resolution for the acceptance of this Council."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I beg to second this resolution. I have had some knowledge of the people that have been trained and educated in the Newington institution. Probably I have not been very happy in the inferences, I have had to draw from the education received. But the main point that weighed with me in seconding this resolution is the question of the institution becoming a Government institution to educate not only the minors of the Court of Wards but other people including big landholders. We heard the other day that the cost will be fairly heavy for each boy, so that it could be paid only by the really big landholders, zamindars and Rajkumars. That being the case, why should it first be a Government institution? Secondly, why should it be Government managed? Thirdly, is it to the interest of those people to have it so managed? These are the three points. My Lord, my first submission is that there is no reason why it should be Government institution. The Hon'ble Mr. Ranga Achariyar has said enough about it. My submission for that position is that they can well take care of themselves and any special attention that may be paid by the Government towards supervising an institution of that kind will perfectly do. If they are capable of owning so many estates and if they can, for the general benefit of the people, maintain so many colleges and high schools, there is no reason why Government should be anxious to step into their place and maintain an institution for them. The number of zamindari colleges and high schools in the Presidency will count fairly large.

"The second point that I raise is the question of Government management. I have even stronger reasons, my Lord, for objecting to Government management. I do not want that the young landholders and zamindars and rajas should be without touch with their own leaders, with the leading zamindars or other persons who might well constitute themselves into a committee to manage the institution. Irrespective of the fact that there is one Indian Member of the Executive Council, there is no doubt that the Members of Government cannot see eye to eye with all that goes on in a zamindar's family in several places, or with the several customs and manners of the household of each of the landholders in the province. To keep them under Government control on the lines suggested and then leave them when they are about 21, or even earlier to go and mix with people whom they probably look down upon as soon as they go there, without having had the chance of moving amidst them all the time and keeping with the level of associations round them,—my Lord, it appears to me that it would considerably spoil these people when they go back to their families and when they could not suit themselves to the surrounding circumstances. I do not want to make personal references, but I am satisfied and I have personally seen instances in which people that have been kept like that for nearly ten or fourteen years do feel that they cannot adjust themselves to their circumstances when they return home. I think they could not get on properly even with their own family circles. On the other hand, suppose it is a zamindar council that manages this college and it is a zamindar secretary that is in charge of the institution and of the hostel with private secretaries and others who will take charge of the immediate business to be attended to. Certainly, they will know how to train up these children, how to send them for occasions good or bad, to their families, how to

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make them follow their own customs and manners and how to see that their religious bent and inclinations are duly developed so that, when they are sent out, they will be perfect models of the superior society of men that they are.

"I do not think westernising them or putting them in charge of gentlemen who are western in all habits and manners improves them properly at all. That is a serious consideration which, I want, should be noted by the Government in this connexion.

"The third point that I am referring to is the general question of public funds being spent on an institution like that. There may be weighty arguments, even for urging that for the sake of a few students public funds ought not to be given even under the Grant-in-Aid Code especially when these few are people that can well take care of themselves and have a lot themselves to do on charitable purposes. While they have themselves a lot to spend on education for others, there is no reason at all that public funds even to any of the smallest extent should be given to them for the purpose of regularly maintaining this institution.

"Apart from that, the great loss to society is in their influence and position, not being utilised to shape them and other students in public institutions. In fact, the Rajkumar students will shape themselves properly when they attend public institutions and will also give a tone to the other students that live and study there. It will be a reciprocal effect; and in that view too, I submit, my Lord, the country ought not to lose their company in the ordinary college. So that, I do not think in any view the institution should become either a Government one or a Government-managed one. As has been already pointed out by the Hon'ble Mr. Ranga Achariyar, I do not see why if the Government so feel, they ought not to give the ordinary grant that is given to other institutions, leaving the college to be managed by the zamindars themselves; but more than that, to make it a special institution under the control of Government maintained by their funds will, my Lord, be quite improper.

"With these words, I beg to second this resolution."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, the Council which has listened to the two speeches which have been delivered on this resolution must, I think, feel some doubts as to where the Honourable Members who moved this resolution and seconded it really stand. They made it so very difficult to understand what they themselves thought. But what their resolution says and says distinctly is:—"This Council recommends to His Excellency the Governor in Council that the Government may be pleased not to give effect to the proposal to contribute from the public funds towards the building and the maintenance of a separate college for the sons of zamindars". That is the proposition which the Council is asked to accept—that the Government may be pleased not to contribute towards the maintenance of a separate college for the sons of zamindars. There is nothing in it about the institution being controlled and managed by Government. It speaks only of contribution to a separate institution for sons of zamindars. I wish the Council to bear in mind that that is the proposition which they are asked to accept.

"Your Excellency, the practice of having a separate institution for the sons of ruling chiefs and zamindars and sirdars and the like is one which has been recognized in almost every Province in India. Honourable Members are doubtless aware of the existence of Chiefs' Colleges at Ajmere, Indore and Lahore and of other colleges for Talukdars, Sirdars and the like in Lucknow, and in the Central Provinces. There is another one in Bombay in Kathiawar and I believe His Highness the Maharaja Scindia maintains a Sirdar school of his own in the Gwalior State. It may be perfectly true that in more advanced countries than India these institutions do not exist. In England, for instance, the nobility go to colleges which are not specially appropriated to them, but in which commoners of various degrees can attend, if they can afford the fees. But what we have to consider is not really what the practice is in England, but whether that practice is a possible one to be adopted in India. India has got a certain social organization and certain social customs and manners; and the Government, though they may be foreign, have to take into account those manners and customs. One of these prejudices which have to be respected, is that members of the higher classes in the country do not approve of their sons being sent to colleges which are commonly utilized for the whole mass of the population. This is not merely my own opinion, but it has been recognised throughout India.

"In a Conference held some time ago by the Government of India where a large number of ruling chiefs were present, the Begam of Bhopal who is known to all for her reputation as one of the most enlightened and sagacious ruling chiefs in India, gave her own opinion about it. I should like to read to the council the words which she used.—"In a country like this, and in circumstances like ours, a free and easy intercourse of our sirdars and jagirdars with the ordinary students of Indian Universities should not be viewed from the standpoint of desirability, but from that of possibility, for there are many amongst us who would strongly object to their boys mixing freely with the students of University colleges. My own inclinations lie in the direction of a free and easy intercourse between boys of all classes, and your Highnesses may be aware that I have my youngest son who is studying at the Aligarh College, from whose Principal I have constantly been receiving the most complimentary reports about him. But in a matter like this, we ought to put our individual predilections into the background and defer to the views and the wishes of the majority. The hostility of the bulk of our class to any levelling down of class distinctions is to be reckoned with. His Highness the Jam of Nawana-gar at the second meeting of the Delhi Conference called attention to a passage in Mr. Hill's letter which, to use His Highness's words "abundantly testify that at Ajmere, chiefs and sirdars

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are most reluctant to allow their boys to associate with and come under the influence of sons of persons of lower status to be swayed by the undesirable influences which often pervade hostels of colleges in India."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"May I know who said that?"

The Hon'ble Sir ALEXANDER CARDEW:—"The Begam of Bhopal. That is the experience of a great ruler of a great Indian State. And it coincides with what is well known to be the feeling in all parts of India on this subject. The question for the Government to consider then is: are we to wait until public opinion among these classes is altered, or are we to recognize the existence of that opinion and endeavour to arrange to pave the way for a change of view by educating the members of those classes? It seems to me that the second is clearly the right way. It is not as if in this matter this exceptional treatment was peculiar to the zamindars. I should like to ask the Hon'ble Mr. Ranga Achariyar how many Christians and Paraiya boys are admitted into Pachaiyappa's College and I should like to ask whether a Brahman vakil would like to see his boy freely mixing up with Panchama boys."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I send my sons to the Christian College."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Certainly. We would have no objection."

The Hon'ble Sir ALEXANDER CARDEW:—"I am advised that there is not a single Panchama boy to be found in any of the great high schools in Madras,—that they are not admitted. This democratic principle which sounds so fine is not in practice carried out by the gentlemen who advocate it for others. Until India alters,—I am certainly in favour of the alteration—it is a great drawback to this country that these caste distinctions should exist; but so long as they exist, we must bow to their existence. We cannot exclude from grant-in-aid a school which will not admit of boys of the lower classes, and the Council would no doubt agree that we could not do that. We have to recognize the existence of these prejudices. It is only common sense that as long as those prejudices exist, the Government must recognize them and utilize funds for the education of the classes which suffer."

"In this particular matter, what tremendous justification for promoting the education of the zamindars there is can be seen from what the Honourable Member himself told us—that they are the natural leaders of the people. They own something like 22½ millions of acres and the population on their estates is nearly one-fifth of the population of this Presidency. Is it not of tremendous importance that the children of these great landholders should be educated, should be encouraged to come forward and learn liberal views and should receive liberal education? What can be more beneficial to the whole community—what can be more advantageous than that the sons of great landholders should receive this education? I know of one who has spent particularly large sums of money, himself having received the benefits of English education and having assimilated it and having seen the valuable results of it; in this case, he has spent large sums per annum in educating others. What a great advantage would it be if we could get twenty, thirty or forty boys to come to our institution and learn to do likewise? It would be the most short-sighted policy to adopt the attitude of the Honourable Member who moved this resolution. We ought to help these people as far as possible. All education is an investment to fit people for the future. And in this case we are investing in what is perhaps the most remunerative stock—the great landed aristocracy on whose future beneficence and good conduct the welfare of millions of our fellow countrymen here depends. Therefore, I think my Honourable Friend Mr. Ranga Achariyar on consideration will see that the Government are doing entirely the right thing in helping forward this attempt to provide special instruction to the zamindar class. It is not as if the Government are doing this entirely out of public funds. We have received most generous assistance from the zamindars already. Very large sums have been promised in support of this movement and we hope that still larger sums will be forthcoming. I am not prepared on behalf of Government to tie myself down to the exact terms of the Grant-in-Aid Code; but in principle, the grant-in-aid principle has been utilized in that the Government are giving aid to those who are ready to come forward to help themselves. It would not be relevant to the resolution, and I do not think it is necessary for me to go into the details of expenditure. We are discussing the question of principle—whether or not Government should assist these classes to obtain good education under those conditions under which alone they are prepared to take it. I submit that there is the clearest possible reason for doing so. I hope the Council will show by their vote that they entirely approve of the action of the Government in the direction in which we are moving."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"The Honourable Member has not explained in what direction the Government are moving."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"Your Excellency, I beg to propose that under rule 4 of the Business rules, the further consideration of this item be adjourned to the April meeting of this Council. My reason for making this proposal is this, the motion which I intend moving is in these terms: that the further discussion of item No. 18 on the agenda be adjourned to the April meeting of this Council. My Lord, I have heard the Hon'ble Mr. Ranga Achariyar and the Hon'ble Mr. Rama Ayyangar in favour of the resolution, and the Hon'ble Sir Alexander Cardew in support of the Government view. So far as I have been able to follow the Member who spoke on behalf of Government I have not heard what the total commitment of the Government would be in the maintenance of this college."

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The Hon'ble Sir ALEXANDER CARDEW:—"I do not know."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"The Hon'ble Sir Alexander Cardew says that he does not know. I think we, at any rate, in this Council are anxious to know what this important item, namely expenditure, would be on this institution. I would suggest for the consideration of the Honourable Member that as much information as possible, with regard to the proposed constitution and the working of this new institution, should be published with a statement of the net probable cost as far as it is possible to ascertain it. I do not say that it should be exact to rupees, annas and pies; but we should know and I think it would be possible to ascertain, how much the ultimate net cost both recurring and non-recurring would be on this institution. I am not discussing the merits of this proposal. I am not addressing the Council on the subject, but I trust the Honourable Members of this Council should have as much information as available and as may be made available with reference to the financial side of this proposal."

"It has been stated, my Lord, that it is one of the functions of this Council to examine financial proposals and assist Your Excellency's Government by our suggestions and criticisms and comments. In this particular case, it looked at one time that the Government did not contemplate the undertaking of the liability for this institution. Especially in view of that fact, I trust that it is not at all an unreasonable request on the part of Honourable Members that they should know what the ultimate cost of this proposal is likely to be. Your Excellency's Government specially in view of the Hon'ble Sir Alexander Cardew's statement that he is not in a position to make any statement in the matter will, I hope, allow this matter to remain adjourned till the April meeting and to afford facilities to acquaint ourselves as far as possible with the details of the scheme."

The Hon'ble the RAJA OF RAMNAD:—"Your Excellency, I second that motion for adjournment."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, it appears to me that there are a number of currents here in this Council which are running in contrary directions and some of which are not based on correct information. I am afraid the Hon'ble Mr. Ramachandra Rao's main idea in moving this closure is merely to avoid conflict among non-official representatives. Sometimes it may be wise not to bring up points of difference. But it appears to me that when a resolution seeks to put forward a grievance strongly felt, it is just as well that it should be discussed, unless too great a harm is done by discussing the evil. In this case, I think this Council will be stultifying itself and creating a bad impression if really our inability to manage business should be the cause of our adjournment."

"At the outset, the Hon'ble Mr. Ranga Achariyar wanted to make out what it is that he wanted to move, and it is very unfortunate that Your Excellency refused him permission to amend his motion; and the Hon'ble Sir Alexander Cardew did not meet the Hon'ble Mr. Ranga Achariyar's real difficulty. There is no use in saying that there is something on the paper and Achariyar's real difficulty. Both the Honourable Mover and the Honourable Seconder have clearly stated that what is contested is the question of Government control and management, and the exclusion of the institution. Before discussion could run on those lines, I should say that closure would be undesirable."

"Even under the rules that we have to obey, it would be possible for us to have an amendment, on which the matter which the Hon'ble Mr. Ranga Achariyar wanted to discuss, could be discussed. The resolution on the paper is untenable. I do not think any man of common sense believes that the zamindari class should be totally refused grants. It is by some accident that the resolution has run that way. It is such a great pity, when the great object of the mover was to elicit information, that the information should not be forthcoming as to how far this institution is going to be controlled by Government and in what manner and whether it is proposed to keep the entire class of zamindars separate. On that point information that is vouchsafed to us is practically nil. Again, as to the extent of financial support I do not think it would be so very difficult to get the information. If the Hon'ble Sir Alexander Cardew pleases, in less than half an hour he can get it from the Secretariat. We will be really proving the worthlessness of the Council Rules or our inability to turn out proper work if we agree to this closure. I therefore oppose this closure."

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"My Lord, I should like to say a word in favour of the amendment. I think it is desirable that the discussion of this matter be put off till April at least, because the full information regarding this matter is not now known. If we carefully examine the terms of the resolution, as has been observed by the Hon'ble Sir Alexander Cardew, it asks and recommends that no aid shall be given by Government either as aids or building grants to the Rajkumar College, and it is pointed out that it is a special institution for the benefit of a special class of people, the zamindars."

"Sir, when the Government are giving building grants and maintenance grants for special schools and communities, like the European community and the Muhammadan community and so many other communities, I do not see any reason why the Government should not come forward to make some grant for a special institution, however large it may be, for the purpose of a special class of people. If we look at the resolution from a wider aspect, and not circumscribe or limit our discussion only to the terms of the resolution and to the wording of the resolution, it raises so many other issues, about which it is not possible either for the Government or for the zamindars who are interested in this matter to definitely say one thing or another."

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"As regards the cost, it is pointed out by my Hon'ble Friend Mr. Narasimha Ayyar that if the Government choose, they can supply the information in a few minutes. It is not so easy a matter. It is possible that this institution may be run without any liability being incurred by Government themselves. It is possible and it may be possible that the Government may have to supplement something towards the maintenance of this institution. The whole thing is so unsettled that I am not now in a position to say anything about the details regarding this matter. If the institution could be run as it is proposed to be run, there will not be probably much liability to be incurred by Government for its maintenance. As regards the building under grant-in-aid rules, this institution may be entitled to a grant as also for maintenance grant. Whatever that may be, this matter will be better discussed at a future meeting than at this meeting. I, therefore, support this amendment that it shall be adjourned."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, I would like to draw the attention of my Hon'ble Friend Mr. Ramachandra Rao to the terms of rule 16 at page 102 of the rules for the discussion of resolutions which says: 'The discussion of a resolution shall be limited to the subject of the resolution and shall not extend to any matter as to which a resolution may not be moved.' The proposal is that we should postpone this resolution till April. When April comes, we shall have the same resolution to discuss."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"I contemplate this resolution will be in the same form."

The Hon'ble Sir ALEXANDER CARDEW:—"The resolution does not raise the question of cost at all. It only raises the question of principle. For, it says that there should be no contribution from Government towards the building and maintenance of a separate college. I am delighted to hear from the Hon'ble Mr. Narasimha Ayyar that he regards that as absolutely untenable. I suggest to Honourable Members that the best way out of the difficulty in which the Council find themselves is to negative this resolution and then we can go on to other points. What we have to decide is the principle whether the Government may contribute towards the cost of the building and the maintenance of a separate college. Let us settle that point first and then you can raise the question whether it should be a Government college or an aided college or whether the cost should be so much. Then, we shall have a fair basis to go upon. But the first thing is to decide whether the Government may or may not contribute to a separate college for the sons of zamindars. The second point is whether we shall be able to give anything definite by way of information before April. In the first place, we have yet received no information from the zamindars to what extent contributions will be given. As I intimated before, we have received munificent contributions and we hope to receive more. But we cannot press people to come forward on the spur of the moment; we hope that they will come forward but until that is settled we do not know what the cost will be. Therefore, from the point of view of cost, there is no use in adjourning till April."

"As regards any information that is available I shall be pleased to lay on the table a communiqué embodying the steps taken from 1914. I do not wish to keep the Council in the dark. As regards the cost, I cannot give full information and I cannot give you even approximate information. In any case, let us clear the way first on this resolution, which the Honourable Member on the right says is quite untenable."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"The Honourable Member says he will give us information. Will the Honourable Gentleman say whether it is going to be a special Government institution?"

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"The statement made by the Hon'ble Sir Alexander Cardew is, I think, a fair one. I am inclined to agree with him. I am in favour of the adjournment, as I want to give time to it."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"My Lord, I only wish to point out that rule 4 of the Rules of Business governs the discussion of all questions relating to resolutions. Under that rule, any motion for adjournment of any particular item on the agenda may be moved at any stage of the proceedings. Therefore, rule No. 16 to which the Honourable Member has referred has no bearing on this motion."

"As regards the merits of this motion, my point of view is this: if any of us had put forward a proposal in this Council merely to affirm a principle without knowing the ultimate financial cost of giving effect to that principle, I am sure the Hon'ble Sir Alexander Cardew as Finance Member would jump upon us and tell us that we are men who are asking for a principle to be carried out without knowing what it would really cost the administration in the end. As I said, perhaps my Hon'ble Friend Mr. Ramanuja Achariyar has already indicated to some extent his own view; and I am not quite clear myself as to whether the original motion should be carried. I really wish to know more about the subject. I trust Your Excellency's Government will not see any objection to afford us facilities as far as possible. The Hon'ble Sir Alexander promised a communiqué. When we are starting an institution of this kind, it is far better that we consider all the aspects of it, independently of any other questions and secure unanimity in this Council in giving effect to what your Excellency's Government have considered necessary for the education of these zamindars. It is in this view that I would suggest that the further consideration of this subject might be put off till the April meeting."

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Rev. Mr. Pittendrigh; Sir Alexander Cardew;
Mr. Ranga Achariyar; Mr. K. R. V. Krishna Rao.)

His Excellency the PRESIDENT:—"If you will allow me to speak the real truth is that we shall not be able to tell you more in April than we can now. It is no good to put off the motion; I suggested to the Honourable Gentleman that he had better not move it. It is his own responsibility to have moved it; and I told him that if he chose to move it, it was on his own responsibility. What the Hon'ble Sir Alexander Cardew says is entirely true. We can adjourn the matter till April, it is quite a simple matter but it would not help you in this particular matter to have it adjourned. That is the real truth. I suggest that the simplest way is that this discussion might end now. You are perfectly free to discuss it in any other form. It will be months before the scheme really matures. There is a kind of idea that there is a mystery about it. There is really no mystery whatever. Everything that we can state to the public has been already stated to the public. The Honourable Gentleman quoted my speech of last March in which we stated everything that we had done. There is no mystery about it. I can assure Honourable Gentlemen that this is perfectly plain sailing. There is some idea that we are going to construct a college in a mysterious way."

"I assure you that it is not the case. If you want to postpone it I have no objection, you can have the order paper with this motion on it. I will put the motion. But the point is that you gain nothing by postponing it to April. The simplest thing is to let the discussion end."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Would the May meeting suit the Hon'ble Sir Alexander Cardew?"

His Excellency the PRESIDENT:—"Is that a business-like proceeding?"

The Hon'ble the Rev. G. PITTENDRIGH:—"Your Excellency, I should like to urge upon my Honourable Friend Mr. Ranga Achariyar to drop the motion in the meantime as your Excellency has suggested. My reason for it is that I cannot vote for it, in the way in which it is worded; more than that, the discussion both of the proposer and of the seconder added, I think, to the confusion, because they argued against such a college in any form and said at the same time that they had no objection to a college if it were on the grant-in-aid system. I cannot understand it at all. I think it would be advisable to bring it up in some other form at a later date and drop it in the meantime."

"Your Excellency, there is one question which I should like to ask the Hon'ble Sir Alexander Cardew. I am not sure whether I heard him rightly. I did not like to interrupt him. Did the Hon'ble Sir Alexander Cardew say that not a single Panchama boy was admitted into any of the great high schools in Madras?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"That is what he said."

The Hon'ble Sir ALEXANDER CARDEW:—"I should have specified the high schools. I had in view the Triplicane High School and the Muthialpet High School. There are two more. I will give the Honourable Member the references."

The Hon'ble the Rev. G. PITTENDRIGH:—"It is not necessary. My point is this. I know of Panchama boys that have been admitted into a high school."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I wish to state this: your Excellency stated everything in your Excellency's speech in March last. Your Excellency's speech in March speaks of a contribution to a private-managed institution, like a grant-in-aid to a private institution. That is how I read your Excellency's speech. Your Excellency said that there was no mystery about it. There have been two confidential meetings about this subject, one in June and one in December, and I should like to know whether this is going to be a Government institution or not. This is the first information that I want, if there is no mystery about it."

His Excellency the PRESIDENT:—"The character of the institution must depend upon the final support given. The whole scheme is not finally mature. It will not be mature, either now or before April. That is a fact."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"As your Excellency states that the question will be prematurely discussed now, I wish to withdraw this resolution for the present."

With the permission of His Excellency the President, the resolution was withdrawn.

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"I propose an adjournment of the Council. I am not going to move resolutions Nos. XV* and XVI†. We can resume discussion to-morrow."

* The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—

XV. This Council recommends to His Excellency the Governor in Council to amend Board's Standing Orders Nos. 92 to 94 so as to render it compulsory on the part of Collectors or other officers of Government to consult the Advocate-General or other law officer of Government against private individuals, and

(a) filing suits on behalf of Government against private individuals, and
(b) compelling private parties who have given notices under section 80 of the Civil Procedure Code (Act V of 1908) to launch on civil litigation

† XVI. This Council recommends to His Excellency the Governor in Council
(a) that in suits decreed against the Secretary of State for India recognizing the claims of private parties, intimation of the decision be promptly given soon after the appealable time is over by the Collectors of districts to their subordinates concerned with orders to enforce the decision from the date of the decree by rectifying any action taken to the contrary before the date of such communication, and

(b) that when a test suit has been adversely disposed of against the claim of the Secretary of State, Government may be pleased to instruct the district officer or officers concerned to consider such decision as appealable to cases of similar nature so as not to compel private parties to file suits in such similar cases against the Secretary of State for asserting their rights.

336 RESOLUTIONS RE CONTRIBUTION FROM PUBLIC FUNDS TOWARDS
A SEPARATE COLLEGE FOR SONS OF ZAMINDARS AND SUB-
DIVISION AND SEPARATE REGISTRATION OF CERTAIN CLASSES
OF HOLDINGS.

(The President ; Mr. K. R. V. Krishna Rao ;
Mr. Ranga Achariyar ; Mr. Siva Rao ;
Mr. Narasimha Ayyar ; Mr. M. Ramachandra Rao.) [13TH FEBRUARY 1918.

His Excellency the PRESIDENT :—" Does the Honourable Gentleman propose to move resolution No. XVII ?"

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU :—" Yes, but I shall move it to-morrow."

His Excellency the PRESIDENT :—" Several Honourable Gentlemen are anxious to know what the position before the Council is. It would be for the convenience of Honourable Members to know it. What about resolutions Nos. XIX ‡ and XX § ?"

The Hon'ble Mr. T. RANGA ACHARIYAR :—" I am going to move them."

The Hon'ble Mr. P. SIVA RAO :—" Resolution No. XXI ¶ will be moved, but XXII ¶¶ will not be moved. XXIII ** will be moved."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" I propose deferring XXIV ††, but XXV will be moved."

His Excellency the PRESIDENT :—" That is the business before us to-morrow. Will the Council kindly inform me how long it will take as they are asking for luncheon arrangements to be made ?"

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—" We might sit till 2 p.m."

His Excellency the PRESIDENT :—" I understand resolution No. XVII will not take a long time. Will the Honourable Gentleman kindly move it ?"

RESOLUTION RE SUBDIVISION AND SEPARATE REGISTRATION OF
CERTAIN CLASSES OF HOLDINGS.

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU :—" The resolution that I propose to move runs as follows :—

'XVII. This Council recommends to His Excellency the Governor in Council to amend—

(i) paragraph 2 of clause 13 of Board's Standing Order No. 31 relating to joint pattas of Government jirayati lands, and

(ii) paragraph 1 of Board's Standing Order No. 58 relating to joint pattas of minor inams and inam villages so as to permit the subdivision and separate registry of the liability of the holders of any portion of lands held under joint pattas to the payment of Government dues on the portion so held without the necessity for the consent of the other joint pattadars.'

"My Lord, the joint registry of pattas is governed by these two Standing Orders of the Board of Revenue, Nos. 31 and 58. Board's Standing Order No. 31 refers to jirayati holdings and Standing Order No. 58 refers to whole inam villages and inams. In the 13th clause of Board's Standing Order No. 31, it is said as follows : 'In the case of change of names in joint pattas on account of death, the procedure will be the same as that specified for cases of decrease in single pattas.

"In the case of a change of name in joint pattas made at the request of a person desiring to transfer his interest in the joint holding, the previous consent of the co-sharers is unnecessary. But a separate patta defining the area transferred cannot be granted without the consent of all the joint pattadars. The procedure is the same as for transfer of single pattas."

"In cases in which the partition of a joint holding is evidenced by registered documents binding on all the joint pattadars and specifying sufficiently clearly for identification on the ground the portion enjoyed by each of them, subdivision and separate registry may be allowed on the application of any one of the parties even in the absence of the consent of all the parties concerned, after the publication of a notice in the district gazette to the effect that the subdivision and separate registry will be made at the end of three months unless an injunction is received in the interval from a civil court of competent jurisdiction. Such notice should also be served separately on all the parties concerned.

"It means that if a single jirayati holding is in the name of a number of joint sharers the change of name of any co-sharer of that jirayati land may be made even though the consent of the other co-sharers is obtained, but when the exact holding of the particular co-sharer who wants to have it declared and have a separate patta given to him and the share due to the Government from him have to be defined, the consent of the co-sharer becomes necessary. Similarly in the case of inams and inam villages, which are governed by Board's Standing Order No. 58, the same obligation is imposed upon the co-sharers. It is not easy for a co-sharer to

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obtain the consent of all the other shareholders in the inam ; whether it be a minor inam or a whole inam village, or a palaiyam consisting of a number of villages, it is not easy to get their consent readily and without difficulty. In that case, it is said that he will have to file a suit against the other co-sharers and obtain a decree in which case it is said that registry should be made. The decree that is contemplated in clause 5 of Board's Standing Order No. 58 appears to be such a decree, a decree obtained by one co-sharer against other co-sharers. Therefore, it comes to this ; if a co-sharer in an inam village or in a palaiyam consisting of a number of villages wants to have his share separately registered and his liability to Government separately determined and defined, he has to file a suit against the other co-sharers and obtain a decree, even though this particular shareholder happens to purchase it in a court decree or if he happens to prove adverse possession for over twelve years, or even if he happens to prove by a registered conveyance deed his title to that portion. This necessity of obtaining the consent of all the co-sharers was found necessary to avoid difficulties ; but it gives a great deal of difficulty and hardship for co-sharers who want to have their share separately registered and their liability to Government separately determined and their portion assessed. I, therefore, want that these two Standing Orders should be so amended as to enable co-sharers in inams and inam villages to obtain separate registry of their portion without the obligation of obtaining the consent of the other co-sharers. My Lord, in the case of a whole inam village or a palaiyam consisting of a number of villages, it is not difficult to assess the portion of the shareholder who applies for separate registry, because the portion is marked in the village on the land itself and it is being separately leased out and separately enjoyed. Under such conditions, it is easy to determine the value of that portion and the assessment and the annual yield that is obtained by the shareholder in his portion and determine the liability of the Government on the portion which has to be separately registered in the title-deeds. In the Government accounts, in village accounts, these joint holdings are registered in the name of all the joint holders, the names of all the joint shareholders being given in the register. If the joint holder's name is to be changed for another joint holder, that can be done very easily without the consent of the others being obtained. It is only in the case of a particular shareholder who wants to have his portion separately demarcated and his liability separately determined, that these difficulties occur. Even there, the difficulties can be very easily avoided if the Standing Orders are suitably amended so as to have a notice served upon the other joint holders on the application of any particular shareholder for separate registry, their objections heard, and the whole thing demarcated and his portion separately assessed. If there is a grievance for the other shareholders, they will of course obtain relief against the person who obtains a separate registry of his holding in the regular civil court. There will be no liability to the Government at all. On the condition of the person who wants to have his share declared separately bearing the responsibility of contesting any dispute by the other shareholders, subdivision may be ordered and these two Standing Orders altered so as to enable the joint holders to obtain separate registry and separate determination of their liability to Government in a particular portion. This is not a very difficult question and it is not likely to give great complications and troubles, if it is suitably handled and if the Revenue authorities manage it carefully. I hope that the Board's opinion may be invited and the suggestion embodied in this resolution favourably considered and accepted.

"With these words, I propose this resolution."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—" Your Excellency, I beg to second this resolution. If the facilities contemplated by this resolution are afforded, I am sure it will give considerable relief to joint pattadars and inamdars. It is certainly undesirable that they should be driven to file suits and obtain decrees at considerable expense for the purpose of obtaining a separate registry in their names. It will be found that there would be no practical difficulty in giving effect to the principle embodied in this resolution. In Board's Standing Order No. 31, clause 13, paragraph (ii), it will be found that the procedure is the same as that described in paragraph 3 of the same order and paragraph 3 describes the procedure to be followed thus : In cases where an application is filed with the consent of all shareholders and also in cases where the application is by one of the parties to the transfer, the necessary safeguards are provided that it must be a duly registered deed and it is also provided that it would be duly notified in the district gazette and it also provides for objections being received within a period of three months and inquired and then the holding is changed. I do not find any difficulty in the same procedure being adopted in the case of separate pattas being granted as suggested in part 1 of this resolution.

"When we come to the case of joint inamdars referred to in Standing Order No. 58, I may state that there is still less reason for insisting upon a decree and for not granting subdivision upon the application filed by one of them, because the provisions of the order make it clear that the levy of the quit-rent on the inamdars has been very properly safeguarded. It is provided that, even in cases, where application is filed with the consent of all the inamdars, each recognized and recorded individual share of the inam shall be held first liable to sale for the recovery of the Government dues on account of it, should the sale of the defaulters' other property have proved insufficient ; but that, in the event of the Government demand being still unsatisfied, the Collector shall be at liberty to recover the balance outstanding from the rest of the shareholders by the sale of their shares in the inam concerned.' That is the provision

‡ Vide page 352 infra.
§ Vide page 355 infra.
¶ Vide page 342 infra.

¶ Vide page 351 infra.
** Vide page 360 infra.
†† Vide page 366 infra.

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made even in cases where application is filed with the consent of shareholders. In any case, there is no fear that Government dues cannot be collected and that persons can escape payment of the dues. Even in the case of inamholders a similar provision can be made though, without the decree of a court, there is a subdivision of inams. It is hard that persons should be driven to file suits and subject themselves to the unnecessary inconvenience and expense for obtaining a subdivision.

"For these reasons, I second the resolution."

The Hon'ble Mr. A. BUTTERWORTH :—"Your Excellency, it is with some pain that I heard this morning the tone of levity with which the Hon'ble Mr. Aziz-ud-din referred to the Board's Standing Orders. I am not very much acquainted with that work myself, but I have always alluded to it with befitting respect. The study and comprehension of the Standing Orders like that of any other fine art demands the devotion of a lifetime, and it was with a feeling of sympathy and no feeling of surprise that I found that the greater part of this resolution has been based upon orders which have been superseded. The elusive amending slip has not unnaturally been overlooked. As a fact, the present rule with regard to ryotwari tracts is that joint registry of transferees and separate registry of subdivisions can be effected upon the application of a single person. The only provisos are that notice must be served on all the parties interested and their objections heard, and further that, if it is a case of creating subdivision, the subdivision must be durably marked on the ground. In the case of minor inams, the rules are exactly the same, so that the Honourable Gentlemen who have moved and seconded this resolution will see that as regards two-thirds of it, their desires have already been fulfilled.

"There remains the case of whole inams, that is to say, grants of the revenue appertaining to one or more entire villages. As regards these, the rules are that subdivisions can only be effected with the consent of all the co-sharers; such consent must be intimated by means of a stamped and registered agreement, and the agreement must contain particulars as to the position, the rental and so on of the subdivision which is desired. There is a particular provision that in the case of a holder of a decree of a civil court it is unnecessary for the applicant to take the consent of the other sharers. To both cases the general provision applies that the Government reserve the right to proceed against the whole inam in respect of arrears. In other words when a subdivision has been effected and the quit-rent thereon has been apportioned, if it falls into arrears, process will be taken against the subdivision in the first instance but, if the subdivision proves insufficient, the balance may be recovered from the remainder of the inam. The Honourable Mover of the resolution proposes to alter this rule and to give authority to make subdivisions upon the application of a single co-sharer even against the will of other co-sharers and further to remove the reserved liability of the whole estate, or, in other words, to render the subdivision and that alone responsible ultimately for the quit-rent apportioned thereon. We have first to consider whether there is a demand for this change. The number of enfranchised joint whole inam villages is, or was some time ago, over 4,000, and it might, consequently, be expected if the rules operated very harshly that there would be a considerable demand for change. I am rather doubtful whether there is any such demand. In my long experience as Collector, so far as I remember, I received only one complaint about the stringency of the rules, and that was from a holder of a civil court decree in whose case, at that time, though the reverse is true now, there was no provision in the Board's Standing Order. However, I am not now concerned to say that cases of grievance do not occur. I quite imagine that they do and it is possible in some cases that this grievance may even amount to a hardship, and I further concede the position that, if grievances exist, it is the duty of the Government to see whether the rules should not be amended. That duty I will now attempt to discharge.

"There are, unfortunately, difficulties in the way of giving effect to the resolution though, on the merits of the case, I am sure that the Government would be ready to comply with the request of the Honourable Mover and Secunder. The first objection that occurs to me is a legal one. Have we power without legislation to deprive a co-sharer of an inam of any portion of the security now afforded to him by the liability of the whole inam? This question was considered by the Board of Revenue in 1866, and that authority then expressed the opinion that, unless an Act were passed, it was not open to the Government against the will of the co-sharers to convert a joint into a several tenure and liability to the immediate detriment of any defaulter among the co-sharers. The matter came up again in 1902, and the Board again expressed the opinion that the provision as to the consent of all the holders could not be dispensed with without rendering Government liable to a suit. It must be remembered that a revenue defaulter is not only liable to have his movable and immovable property attached, but in certain circumstances he is also liable to be arrested and imprisoned. A defaulter in a whole inam has, at present, behind him by virtue of the title-deed which, in the case of enfranchised whole inams, constitutes a sort of contract with the Government, this security that the whole inam is liable for his default. Suppose that a village is divided between A and B and that A falls into a state of poverty. Very naturally B would find it desirable to get a subdivision of his share of the estate and to get rid of all responsibility for the possible defaults of A. But we may be perfectly certain that A would find any such arrangement distasteful. It may be perfectly equitable to loosen perforce the hold which A has on B. But the question is whether Government can do that by an executive order, when A and B or their predecessors in interest have entered into a contract with the Government that they will pay a certain amount of quit-rent on the condition of the

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liability of the whole estate. I am sure of one thing, namely, that the resolution is in the interests of the richer members among the co-sharers—although it may not be intended to be so—and that we should find that the poorer members are not in favour of it. However that may be, I have shown that there is a legal objection and I leave it to members of this Council who are more competent to deal with it than I am to consider whether it does not form a grave objection to the acceptance of this proposal.

"There are also certain practical difficulties. How are you going to ascertain what the subdivision is? It sounds very easy, but it is not always so easy to do it for you must remember that in some cases the number of registered joint holders is actually more than 200 in a single inam village. The share may be fugitive or temporary; or the title to it may be hotly disputed by all the remaining co-sharers and it would be exceedingly difficult in such cases for a revenue officer, who has not the opportunities that a Civil Court has, to determine whether the applicant's claim is a just one. But let us suppose that the share is a permanent one, and that it is easily ascertainable on the ground, and that the applicant's title to it is quite clear, and let us suppose also that, with the aid of the list furnished to the Collector under the Local Boards Act, we are able to make out a valuation so accurately that we are able to apportion the quit-rent on the basis of it. Even then, you will not necessarily arrive at a correct basis of apportionment. There may be a longstanding private arrangement whereby the applicant has to pay a proportion of the quit-rent which the area or the rental of the subdivision does not warrant. What is the revenue officer to do then? Is he to accept the arrangement in the face of what seems to be clear justice, or is he to override the arrangement in the interests of symmetry of apportionment? In either case, he is likely to find himself involved in any suit which the aggrieved party may choose to bring. It is in connexion with difficulties of that sort that the Government in 1867 made the following remarks:—

"The difficulty arises that in many cases consequent on the system under which actual occupation and enjoyment of the lands in these inams shifts from one year to another, the individual shares of the liability cannot be apportioned on the land, while in other cases, where a recognised subdivision of the actual land exists as a private arrangement among the shareholders, it is by no means a necessary consequence that the subdivision of land and liability are equally apportioned, or in other words that the actual share of the land enjoyed by an individual shareholder constitutes an adequate security for the portion of the Government demand for which such individual is liable according to the mutual agreement. At the same time any attempt at a more exact reapportionment of the liability with reference to the relative actual value of the several recognised shares in the land would certainly meet with opposition from all those shareholders who may at present occupy apparently an unduly favourable position acquired in former times probably by superior influence, but not impossible for a valuable consideration rendering the arrangement perfectly equitable as between the shareholders, although it may not be such as can be accepted by Government."

"Under the present system, we have no such difficulties arising, because when the co-sharers apply jointly for subdivision, they commit themselves to consenting at the same time to the apportionment of the quit-rent on the basis afforded by the particulars as to the area and rental which they themselves have furnished.

"There is one other small point to which I may allude though I admit that it is not of much consequence. The Government may find a difficulty in accepting any scheme whereby they will be compelled on the application of a single party to register a subdivision and at the same time to remove the liability of the whole estate for arrears accruing on the subdivision. This course might result in a certain danger to the revenue. It would be possible to subdivide the inferior parts of the estate, allow them to fall into arrears and throw them on the hands of the Government so that the final result would be that the best part of the inam would be held on a lower quit-rent than it ought to bear. I am afraid I may not have dealt very convincingly with the resolution but I think I have shown Honourable Members that if the Government find it necessary to oppose the resolution which they are obliged to do, it is not on account of mere *vis inertiae* nor because they are out of sympathy with the object which the Honourable Member has in view, but simply because there are substantial difficulties in the way of giving effect to this proposal. I would suggest to the Hon'ble Mr. Krishna Rao that in view of the fact that two-thirds of the resolution has already been met by the amendment of the Standing Orders and that the remaining one-third is evidently open to difficulties he might possibly find it advisable to withdraw his resolution."

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU :—"From what the Hon'ble Mr. Butterworth stated I find that there are certain legal difficulties in the way of complying with the suggestions embodied in my resolution and I do not therefore choose to press it. He said that there were not many applications at present, there are a number of joint holders who desire and who are anxious to have their portions, if possible, subdivided and their liability to Government determined. I know some instances of palayams consisting of a number of villages and also whole inam villages held jointly by a number of shareholders not as many as 200 or 20, but 4 or 5 or 6 or even 2 and 3 and these people are anxious, but in the face of these two Standing Orders of the Board of Revenue they are fighting shy and they are finding it hopeless. Since the Government dues are liable to be paid by all these jointly and severally and since these

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dues can be collected from any one of them or all, for dishonest shareholders, it has been a great deal of help and it is also giving a handle to dishonest village officers to collect more from these joint holders than what they have to pay for their own share. In view of all these difficulties, I hope that the Government can find some means of minimising the hardships of these joint holders.

"I do not press this now, because, I am convinced that there are certain legal difficulties as explained by the Hon'ble Mr. Butterworth."

With the permission of His Excellency the President, the resolution was then withdrawn.

The Council then rose for the day.

R. A. GRAHAM,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Thursday, the 14th day of February 1918.

P R E S E N T :

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.I.E., Governor of Madras—*Presiding*.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O.

The Hon'ble Mr. A. BUTTERWORTH, C.S.I.

The Hon'ble Mr. M. E. COUCHMAN.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble Lieut.-Col. G. G. GIFFARD, C.S.I., I.M.S.

The Hon'ble Mr. R. A. GRAHAM.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. A. R. KNAPP.

The Hon'ble Mr. S. B. MURRAY.

The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.

The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).

The Hon'ble Mr. J. H. STONE, C.I.E.

The Hon'ble Mr. C. G. TODHUNTER.

The Hon'ble Mr. T. RANGA ACHARIYAR.

The Hon'ble the Rev. G. PITTENDRIGH.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

The Hon'ble Mr. P. SIVA RAO.

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.

The Hon'ble Mr. B. V. NARASIMHA AYYAR.

The Hon'ble Mr. K. SADASIVA BHAT.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.

The Hon'ble Mr. K. RAMA AYYANGAR.

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU.

The Hon'ble B. RAJA RAJESWARA SETUPATI *alias* MUTTURAMALINGA SETUPATI Avargal, Raja of Ramnad.

The Hon'ble Mr. B. VENKATAPATI RAJU.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.

The Hon'ble Mr. K. KUMARAN RAMAN KAVALAPPARA MUPPIL NAYAR.

The Hon'ble YAQUB HASAN SAHIB Bahadur.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBHI MARAKKAYAR SAHIB Bahadur.

The Hon'ble Mr. GORDON FRASER.

The Hon'ble Mr. C. H. HIGGINBOTHAM.

The Hon'ble the Most Rev. JOHN AELEN, D.D.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.

The Hon'ble Mr. T. RICHMOND.

The Hon'ble Sir FRANCIS SPRING, K.C.I.E.

The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.

The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Bobbili.

(The President; Mr. Siva Rao.) [14TH FEBRUARY 1918.]

RESOLUTION *RE* ABOLITION OF COMPULSORY PLAGUE MEASURES.

The Council re-assembled at the Council Chamber at 11 a.m.

Resolution No. XXI which stood in the name of the Hon'ble Mr. P. Siva Rao was as follows :—

"XXI. This Council recommends to His Excellency the Governor in Council that all compulsory plague measures may be abolished and that the local bodies may be vested with full discretion and control in organizing and enforcing them."

His Excellency the PRESIDENT :—"The Honourable Gentleman wishes to move the resolution in this form. The motion as put now will read as follows :—

'This Council recommends to His Excellency the Governor in Council that the local bodies may be vested with full discretion and control in organizing and enforcing the plague measures.'

The Hon'ble Mr. P. SIVA RAO then moved the resolution in the above form and in doing so, said :—“ Your Excellency, the resolution I propose to move is that the local bodies, whose duty it is in the first instance to carry out these measures in cases of epidemics, should have the discretion and control, as to the measures to be taken, vested in them. Before we proceed further, we shall just see how the matter stands now. Under the plague regulations now in force, the plague officer means ‘ the district medical and sanitary officer in the district and the revenue divisional officer within his jurisdiction and any other person who may be appointed by the Government as plague officer over any definite area.’ Then, the regulations go on to define who the assistant plague officer is. In any municipal area it means the chairman of the municipal council, and in other areas the tahsildar or deputy tahsildar and includes any other person appointed as such by the Collector. It is thus plain that the chairman of the municipality occupies a very subordinate position—that of the assistant plague officer, whereas the revenue divisional officer, otherwise known as the revenue deputy collector, is the plague officer. Then section 24 of the Standing Orders lays down : ‘ The general control of all measures connected with plague is vested in the Collector of the district unless Government in any case otherwise direct, and all officers of Government, of local boards and of municipalities, and all plague and assistant plague officers must obey and carry out the Collector’s orders.’ It is thus evident from this provision that the Collector of the district is in supreme charge of all the plague operations that are to go on in the district, whether in municipal areas or outside. The revenue deputy collector is the special plague officer, and he has got all the powers under these plague regulations, whereas the chairman is working as assistant plague officer under the revenue divisional officer. It is thus obvious, Your Excellency, that no chairman of a pretty big municipality with any sense of self-respect or decency in him would care to work and carry out plague measures under these humiliating conditions. So far as Bellary is concerned, the special plague officer is the revenue deputy collector. If the chairman of the municipality goes to work under him, he has to obey him, take instructions from him at every stage and from the assistant plague officer, the town sub-magistrate or the stationary sub-magistrate. There is no difficulty whatever in areas other than municipal areas, because the revenue divisional officer happens to be the president of the taluk board in most cases, and it does not matter very much if the revenue divisional officer is allowed to carry on the plague operations. But in municipal areas there comes the difficulty, especially as it is provided by the same regulations that all expenditure on account of plague will have to be borne in the first instance by the municipality itself. Section 32 of the Standing Order lays down : ‘ Each municipality will bear its own plague charges.’ Then section 37 says : ‘ If any district board or municipality finds its funds unequal to the burden of plague charges, it should revise its budget by omitting all avoidable expenditure and in the last resort may apply for an advance from Provincial funds or for a loan from the Government of India.’ So the state of things comes to this, that the local bodies have to bear all the expenditure in the first instance, but they are deprived of all control over them. As it is, the assistant plague officer, that is, the sub-magistrate or deputy tahsildar, sends up indents freely for the articles required by him, and the Collector appoints the staff and asks the chairman to note them. All these bills for the staff and the articles are countersigned either by the revenue divisional officer or the deputy tahsildar or sub-magistrate, and they are sent up to the chairman for his passing them. He has absolutely no voice in the matter; he has no option but to pass them. As I have had occasion to characterise it, the chairman is a mere cash-keeper who pays bills without having any initiative or discretion in the matter. I will take some instances. The chairman of a municipality or a local body may possibly differ from the Collector or from the revenue divisional officer, for instance, about rat-trapping operations as they are known. These operations are prescribed as preliminary or precautionary measures. The municipality should purchase a number of rat-traps and engage a set of able-bodied men at ten annas wages per diem and distribute the traps to every house-holder and supply baits for the rats. The total expenditure, so far as Bellary is concerned, comes to about Rs. 250 per mensem. These rat-trap operations were continued even when the town was in a thoroughly hopeless condition—in a highly infected condition—when it was useless to carry on these operations. When the chairman wrote to the

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special plague officer that there was no utility in carrying on these operations the chairman was told that they were able to exterminate like 20,000 rats in the course of eight months, and the special plague officer said that but for the rat destruction the whole town would have been in a state of conflagration and would have been devoured by the plague-bacilli. They did not take note of the vital statistics such as the birth and the death rates among rat-kinds; they only cared to find out how many rats were killed. But if they took care to find out how many rats were born during the same period, it would be evidence of the futility of measures of this kind. I mention this simply to show that these measures are costly and if it is left to the municipality they may or may not incur such expenditure and there are occasions in which there are such differences of opinion.

“ I will just say a word about this disinfection. Disinfection is supplied to all persons indiscriminately, rich or poor. There is no reason why the kerosine emulsion, whatever the cost of the stuff, should be given to all public offices without any charge. I know as a matter of fact that a house or residence or public office is disinfected any number of times. Just imagine what the cost of disinfecting a public office like the Collector's office or the district Court office would be. I do not see any reason why the municipality should bear all this expenditure, when these offices can afford to get their premises disinfected. In such cases all that could be required of the municipality or the local body is to ask them to keep a stock of this stuff and to go on distributing it gratis in the case of poor persons and in the case of others at a reasonable charge. If the municipality had a voice or control in the matter, they would have pressed these views. As it is, I am constrained to say there has been a reckless use of this disinfecting stuff. A building is disinfected a number of times without the least manner of control. Without multiplying instances, I may also allude to the number of plague inspectors. Though there was no plague this year in Bellary, there are half a dozen or eight inspectors drawing Rs. 30 or 40 per mensem. The chairman complains. If he had a voice in the matter he would have protested. These are matters in which the municipal council should be consulted. Before it expends any money on these schemes, the council ought to be consulted as to how their finances stand with reference to these schemes and whether these schemes would tend to promote the welfare and will go to alleviate the sufferings of the people by reducing plague.

"I may also add in the same connexion that these plague measures are, some of them, very drastic. The Collector is given the power of ordering the evacuation of the houses; if there is a suspicious rat-fall in a house, he has got the power to order evacuation of the whole block or whole locality. In a matter like this, is it not desirable, I ask, that the Council with three-fourths elected strength on it, should be consulted, and its elected representatives should be consulted in a matter like this? When there is a rat-fall, sometimes the whole block is ordered to be evacuated. There are places and places, and whatever I say must not be taken to apply to all places. In a town like Bellary surrounded on all sides by the cantonment, the people can only go to certain outside camping places which are surrounded by black cotton soil. Just fancy the difficulty and hardship when people are turned out to go and live in outside camps just because there is a stray rat-fall in some house. What sort of camps have they? They cannot afford to live in canvas camps; they have to live in thatched sheds. If that is so, what protection is it against sun and rain? Then this idea of compulsion implies a duty on the part of the authorities who enforce compulsion to arrange for camping places with wells and all other conveniences. The authorities who insist on evacuation must make all proper arrangements for safeguarding the houses evacuated, but in so many cases when people evacuate their houses, dacoits and criminals take the opportunity to loot the houses. What about the security for the people when they have to go and live outside the town? These are all the problems. The seasons have to be consulted and the convenience of the people have to be consulted. Various circumstances have to be taken into consideration, whether a particular house or block has to be evacuated. I ask whether the Collector standing by himself would be a desirable person to carry out these measures or the council can decide upon the policy.

"I do not mean to say that the chairman, if he is given the power of control, would not care to take the advice of the District Medical and Sanitary Officer. Of course the Collector is the supervising authority. Under the Municipal Act he can have any resolution suspended; he can suspend any work; if he thinks that no work has been done by the municipality, he can order the work to be done and recover the cost. He has got such rare and exceptional powers. Where patients are suffering from bubonic or pneumonic plague the rules provide that the patient should be isolated and he is afterwards dragged to the so-called plague hospital. It is a misnomer to call it a plague hospital; it is a miserable hut. Under the notions that prevail the farther the plague hospital, the safer for the town; and the plague hospitals are situated two; three or five miles outside the town. As was very well described by the '*Madras Mail*' some years ago, when a patient is removed to a plague hospital he feels he is removed to a mortuary and he dies more from shock. There is no attendant; he gets shock which hastens him to death. The Collector is vested with more drastic powers such as burning sheds, the closure of markets, disinfection of grain and other produce. Just picture the difficulties such as of a grain merchant who is to have all his stock of grain brought out for disinfection. The Collector ought to consult the leading citizens. It is highly desirable that the carrying out of all these measures, the success of which depends on the co-operation of the people should be entrusted to the leading representatives of the people. As I said at the outset, it does not mean that if the council were entrusted with this power, they would not get the opinion of the District Medical and Sanitary Officer or the Surgeon-General. It might request the Sanitary Commissioner to visit the place and give them practical advice. It does not mean that they would set at nought the valuable advice given to them by the Surgeon-General or by the Sanitary Commissioner."

344 RESOLUTION RE ABOLITION OF COMPULSORY PLAGUE MEASURES.

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"In April last year, I moved a resolution that as the local bodies had little or no control over plague measures, they must be relieved of the burden of bearing the expenditure on them. The Hon'ble Mr. Rajagopala Achariyar said that my resolution violated fundamental principles; I quote his very words. He said, 'My chief objections to this resolution is that it sins against the fundamental principle that plague charges like other epidemic charges should fall upon local bodies'. He took shelter under the provisions of the Local Boards Act and the District Municipalities Act which lay down that it is primarily the duty of the local bodies to look after the public health of the areas in their charge, and that it is the duty of the local bodies to combat epidemics, malaria, cholera, smallpox, etc. He took his stand upon that and he said also in the same connexion 'In regard to the administration of the plague measures, if the Honourable Member who moved the resolution considers that local bodies have not got sufficient discretion in administering those measures, or that the whole thing is being administered by the Collector and they are being called upon to pay the charges, as he observed, as a cash-keeper, that may be a proper argument for modifying the rules regulating these measures.' Later on in his final reply, the Honourable Member said 'I have very little to say except that I agree that it cannot be quite right to have the administration in our hands when the local body pays the expenditure and the whole administration is outside its control.' That is the point I have been contending for, the body which pays for the service must have the control. If the Government decide that we should not have the control, let them by all means relieve us of the expenditure. That is the principle that was approved by the Honourable Member in charge in April 1917. As things now stand, the deputy tahsildar who is the assistant plague officer says, 'I appoint so many plague inspectors for you and he writes, half a dozen plague inspectors have been appointed on Rs. 30; you had better take note'. The Chairman has merely to take note of the appointments, so that at the time when the bills are sent he might verify and scrutinize whom to pay and at what rate. In the case of all indents, it happens that so much of stationery, so much of kerosene oil, so much of sunlight soap have to be paid for without absolutely any control. Whenever they make any suggestion, they think in their wisdom that we have no right to interfere: they say that but for their interference the whole town would have been swept away. That is the spirit in which they are working. I earnestly request the Government to seriously consider whether in a matter like this it is not casting a slur upon the municipality not to trust it with the exercise of these powers.

"I know there is a fear expressed in some quarters that the municipalities and local bodies may not be quite competent to cope with the task. Sometimes it is stated they are not efficient enough and they are not competent enough to deal with plague measures. Your Excellency, if after all this length of time, during which the local bodies have been on their trial, the Government hesitate to entrust them with these simple functions of combating plague under the advice of the District Medical and Sanitary Officer, the Sanitary Commissioner and the Surgeon-General, which is available to the Collector as well as to the chairman,—if they cannot be trusted to carry out plague measures, I have very little hope for the future of local self-government in this country. 'Why this bother?' 'Why should we become unpopular?' why not we leave it to the Collector?' That is the feeling of some chairmen: "It is a most unpopular measure which we have to thrust on unwilling people". That is not the correct standpoint. Whether popular or unpopular, it is a legitimate function of ours and we must take it upon our shoulders and exercise that function. Let us have it; we may make mistakes: we are not going to do away with all the plague measures. When the proposal to increase the function of these local bodies is being made, does it stand to reason for anybody to argue that we do not want this function? Is it reasonable to suggest that this function of ours which is our legitimate function should be taken away from us? I am quite willing that it should be taken away from us only on one ground, that we should not be mulcted in the cost of measures for which we are not responsible. With these words, Your Excellency, I commend this resolution to your acceptance."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, I beg to second this resolution. In doing so, I shall only have to repeat what the Honourable Mover has said. Therefore I shall only confine myself to a fact or two within my particular knowledge. I have been connected with the Salem municipality for nine years. The Salem Municipal Council has a way of asserting itself in all matters and trying to lead the way in respect of reform found necessary. With reference to this resolution, I may point out that the Salem municipality has acted as if this resolution were already in force. That the local bodies may be vested with full discretion and control in organizing plague measures is the resolution which is now put forward in respect of those municipalities which have not such powers. The Salem municipality passed a resolution unanimously that every step taken by the plague officer must be placed before the municipal council or its committee previously, otherwise the municipal council would refuse to sanction the same. The plague officer was kind enough to agree to send up all proposals as quickly as possible. Sometimes he came up with a costly proposal to cover up the shandy at an expense of Rs. 400; the committee would have to pass it; otherwise the municipal council would not pass it.

"Another instance is they found that in their opinion the issue of notifications was a perfect nuisance. They found within the knowledge of several councillors themselves that this was used as an engine of oppression and corruption, and therefore they resolved that they would have none of this notification. So you find that when other councils have been entertaining staffs for issuing the notifications, the Salem Municipal Council has refused to entertain a staff, so that there is no notification staff at the Salem station. The Government have

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allowed them to have their own way, because they believed that it was not essential for the safety of the people. As the Salem Municipal Council was of that unanimous opinion, they were able to carry out the reforms in the direction pointed out in this resolution.

"The net result of what the Honourable Mover wants is that a similar concession should be extended to other municipalities in the light of these facts. I may point out the reason why we should allow some latitude in this matter. The facts are that in certain places plague has ceased to be very serious; cholera is much more serious than plague in Salem. In some places plague has become a recognised disease, and the people have gone out in hundreds and put up in the fields and take very good care; with a little bit of aid they are able to manage their own affairs. Plague has ceased to be a matter of provincial importance. Here in the Madras Presidency, the municipalities were asked to bear the expenditure because the management of local health is in the hand of municipalities and local boards under the Acts constituting them. It is not a matter of provincial or imperial concern, but is the concern of each local body and therefore the payment is with the local bodies. That is a well-recognised principle which has been insisted upon even by the Decentralisation Commission, that he who pays the piper must call the tune. Therefore, as many of the local bodies pay the piper, it is but right and proper that they should call the tune. In certain municipalities it is absolutely essential that they should take compulsory measures, and it is worth while spending a sum of money in putting up sheds to keep off plague. In a place like Salem no human ingenuity can prevent plague. So there is no use of Government issuing a general rule applicable to all areas. The orders must be issued so as to suit the circumstances of each locality. There must be a certain amount of discretion and this resolution asks that that discretion should be the regular rule."

The Hon'ble Diwan Bhadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the resolution before the Council is that this Council recommends to His Excellency the Governor in Council that local bodies may be vested with full discretion and control in organizing and enforcing plague measures, which means that it shall be left to each local body to organize plague measures or not to organize them, that it shall be left to each local body to enforce plague measures or not to enforce them. That is really the resolution which is before the Council. That this construction follows from the wording of the resolution and is not far-fetched will be evident from the fact that the Honourable Mover and the seconder both dwelt upon one particular aspect, namely that a great deal of the expenditure on plague preventive measures is needless and avoidable. The Hon'ble Mr. Narasimha Ayyar has told us that in the Salem Municipality they have taken it upon themselves not to carry out certain plague rules. That is a different matter. I am simply mentioning the line of argument taken to show that what is asked for is absolute discretion to each local body to enforce plague measures or not to enforce them. This claim is put upon the ground that we are now engaged in enlarging the functions of local bodies and here is a line in which we can with very great advantage enlarge them, namely by leaving them to deal with plague in each locality as each locality might think best. Let me say at once that I have very little to quarrel with the general principle laid down by the Honourable Members. I have, time after time, said that our policy is to enlarge the functions of local bodies and reduce the volume of interference with them by the executive officers of the Government. Your Excellency, only yesterday in winding up an important debate endorsed that aspect of the matter. If, therefore in regard to plague the policy that is being pursued may appear to be opposed to the general policy, if we see no sufficient reason to make a change just now, it is necessary that the Council should know clearly what are the reasons which influence us in keeping the general control of plague measures in the hands of the executive officers of the Government.

"The first thing that I wish the Council to thoroughly realize is that plague is a contagious disease of a particularly virulent kind. It is contagious to a much greater extent than, for example, cholera. The Surgeon-General is a much greater authority than myself, and subject to his correction I may point out that cholera is a water-borne disease. We can tell people in a cholera-stricken locality 'boil the water adequately before you drink it' and that gives considerable immunity. Plague however is a disease from which immunity is extremely difficult to able immunity. Plague however is a disease from which immunity is extremely difficult to secure in localities which are once infected. It is an extremely infectious disease, it is carried through fleas and rats to men. Any preventive action with regard to it has to be very prompt. Unless action is prompt, it would not meet the case in regard to an epidemic such as plague. Once plague settles down in a place, it is extremely difficult to eradicate it. In many cases it has been found by experience that, if only action is taken promptly, the thing could be eradicated.

"Then again the remedies for plague unfortunately happen to be extremely unpopular. They are just the kind of remedies which it is difficult to get ordinary people to enforce. One of the important remedies is segregation. The moment a man gets plague he has to be segregated. Our people do not like the idea of their being removed from their kith and kin and relatives. It appears to all of us to be so cruel, but yet it is one of the most necessary things to be done. The Hon'ble Mr. Siva Rao points out, how hard it is to remove a sick man from his house to a hospital three or four miles away. It is necessary in the interests of those who remain. Another remedy is evacuation, and that is another thing very difficult to enforce. It is so very difficult for a large mass of people to move suddenly, to vacate their houses and go away and live in huts outside the town or village. I am mentioning all these things to show that the nature of the disease and its character are such that action to be of any efficacy has to be prompt, and the remedial measures happen to be particularly unpopular in view of the sentiments and feelings of the people. They are the reasons, along with another which I shall mention later on, which have induced the Government to place the whole plague administration of the Province in the

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hands of the chief executive officers of the districts. The Collectors of the districts are responsible for the plague administration of their districts. They use the machinery of the local boards and municipal councils but the Government look to their own officers to see that the plague administration is carried on satisfactorily.

"It has also to be remembered that this is one of those things in which it is necessary that there should be co-ordination of activities as between different districts and different municipalities over a wide area. It is no use, for example, of a place like Adoni taking stringent preventive measures and being careful for five miles round, while a different municipality, a neighbouring one, takes the view that 'plague is sent by Providence, let us not battle against it; all the protection which man may provide is of no avail.' This is one of those things in which if action to be efficacious it has to be co-ordinated over a wide area. The only machinery that we have for taking prompt action and for enforcing particularly unpopular measures and for enforcing uniformity over a wide area is the machinery of the district staff, the Collectors and the Divisional officers; and that is why that machinery has been employed till now and, unless we are satisfied that public opinion has so far advanced that local bodies all over the Presidency could be trusted to enforce plague measures with promptitude and to enforce them with efficacy and with some reasonable uniformity—till we are satisfied about that, we shall not be justified in relaxing the provisions of the plague regulations and in leaving each local body to do or not to do as it likes in regard to the combating of plague. The question is: has public opinion so far advanced within the last few years that we can take this further step? I am much grieved to say that it has not.

"The Hon'ble Mr. Siva Rao was good enough to quote what took place in this Council on a previous occasion in regard to this thing. I quote from that very discussion to show what exactly is the spirit in which the Honourable Gentleman who represents the Bellary Municipality will probably approach this question the moment we give him complete freedom to do as he likes in his town. This is what he said. He has quoted from my speech in which I said that it was a matter for consideration if we might not give a larger measure of discretion to local bodies. I am presenting the other side. I shall quote from his speech. This is what the Honourable Gentleman said 'These plague measures are costly; and the policy connected with it is laid down for us by the Government. If the whole thing is left to us, we will do away with all plague measures.' It is open to him, Sir, to do away with all the plague measures, but what will be the position of the unfortunate people of the town, I leave it to the Council to imagine. I imagine his fellow townsmen would not be prepared to accept with equanimity his view that plague measures may be done away with. Then it is a matter for consideration, what is the position of the adjoining area when this principle is being enforced in Bellary under my Honourable Friend's control. If his Council had free hand, he said 'if the whole thing is left to us we will do away with plague measures,' do away with inoculation, do away with segregation, do away with disinfection. The Honourable Member said "If they had a free hand, the municipality will say 'we shall not incur any more expenditure.'" That is the free hand which is aimed at so far as the Bellary Municipality is concerned. 'That option we do not have now.' It is that option which he wants, the option namely to do away with all plague measures. 'Some policy is imposed upon us'—evidently by the Collector or by the Government—'We have to provide for compulsory evacuation and provide health camps. When the municipality says "we cannot bear the thing", the Act says "you must look after public health"'. I do not know if the Act is so very wicked when it says that you must look after the public health. That is the gravamen of the charge. 'If you give power, surely we will do away with all this.' He wanted to make that point clear, so that I need be under no delusion as to what he would do the moment that freedom were given. I am simply quoting what exactly has been his attitude. I do not blame the Hon'ble Mr. Siva Rao for taking that view. That is just the kind of view which I believe most of us are apt to take in regard to all sanitary, plague and cholera measures. There is a general feeling in the country, which I share with all of you,—why not let these things alone, let things take care of themselves, why continually bother ourselves with sanitation, cleanliness, disinfection, evacuation and all that thing? There is that general feeling. You may call it fatalism. I simply want the Council to realise that, till that feeling changes, till an active feeling of a different kind takes its place, a desire to combat this thing, a feeling that, if we take effective measures, we may succeed in saving mortality, it would be our duty, as long as we are responsible in the last resort for the public health, not to disturb the only system under which there is anything like a reasonable chance of efficient plague administration. I trust that I have explained to the Council what exactly is the position of the Government.

"Then the other argument put forward is 'we are paying the money'; but you are not paying the whole expenditure. I do not want to trouble the Council with details, but the plague regulations lay down a number of rules for regulating the expenditure, and I have just ascertained that during the year 1917-18 the local bodies incurred upon plague preventive measures Rs. 1.61 lakhs and Provincial funds bore Rs. 1.57 lakhs, half and half practically. So, it is not so wholly a question of the Collector controlling the whole machinery and the local bodies paying the piper, as the Honourable Member called it, but it is really a question of Provincial funds and local bodies' funds sharing the plague expenditure. The local bodies' advice is invaluable, and while I know that no Collector could carry out his plague administration satisfactorily except with the co-operation of the municipality, or the taluk board, the fact remains that the Government are carrying out a number of measures, many of them unpopular and as will not meet with public approval, and are incurring half of the expenditure

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incurred in the Province, and also be it remembered that plague expenditure does not always fall wholly upon the particular locality. It so happens that there are certain classes of expenditure which, being for the benefit of the whole province, is debited to the whole of the local bodies in the Presidency. There are a certain number of observation circles which are intended to watch the coming in of plague, and as they serve not only, say, Bellary, but a number of other districts all over the Presidency, the rules say that while Bellary district pays one-third of the expenditure the other districts share the balance of the expenditure. The other districts pay a substantial portion of the cost of these preventive measures and they would naturally prefer that the central Government to which they owe allegiance should look after the whole administration. It is hardly fair that either the Bellary Board or Municipality should be absolutely free to incur a lot of expenditure that other boards or municipalities should pay for.

"I am sorry to say that I cannot give a more satisfactory answer than this. This is not a matter so much of expanding the functions of the local self-governing bodies or of extending them. I think Honourable Members would permit me to say that this is an even more serious matter. Plague is one of those serious dangers in meeting which we may pause even in pursuing the path of increasing the powers of local bodies. Fortunately our Presidency is less affected by plague than most other Provinces in India, and a large number of districts now rely upon the measures which are now being controlled by the executive officers of the Government to protect them. I think in fairness to them we should not change the system which regulates these measures. I can understand that the Hon'ble Mr. Siva Rao and the Hon'ble Mr. Narasimha Ayyar with their somewhat close acquaintance with plague are not afraid of it; but unfortunately we have got a number of districts where the people have not yet obtained that close acquaintance with this disease and I do hope that they will have that immunity for a long time. In the general interests of the province I would earnestly deprecate any substantial change in the machinery of plague administration which, on the whole, has been giving us a fair amount of immunity in this Presidency."

The Hon'ble Lieut.-Col. G. G. GIFFARD:—"Your Excellency, I do not propose to say any thing connected with the question of enforcing plague measures. That is entirely a matter for the Government, but I would like to be permitted to say a little about the organization of plague measures and of the present position of our knowledge of plague and the present advice which we give to the public as to how to combat plague. If you will pardon me for a moment, which we give to the public as to how to combat plague. If you will pardon me for a moment, I would like to remind you, sir, of the history of plague in India—I mean plague for the last fifteen years and not plague in historic times. The fact must be admitted that when plague first began in India the medical profession knew very little about it, and not only were the Government of India scared by the advent of plague, but Europe also was, and the medical profession was of India scared by the advent of plague, but Europe also was, and the medical profession was found to be in a position in which they could not with any confidence give explicit advice to the Government either here or in Europe. We have advanced since those days. But I still believe there is a certain amount of scare in the treatment by Government of plague as a disease, that we have not yet settled down to a scientifically accurate apportionment of the amount of responsibility which should be placed upon medicine and the amount of responsibility which should be placed upon the Government in the question of combating plague. I am to a considerable extent in sympathy with the municipal chairmen and the Collectors who are called upon to enforce measures against plague. Already Collectors have approached me as to whether we are absolutely on the right line about the question of plague. I am sorry to see that the Sanitary Commissioner is not a member of this House, because he would be much more capable to speak on the subject than I am. But the point that I wish to make particularly is that we are getting to a state in our knowledge of plague when a considerable advance may be made in the actual stoppage of the disease and also if the Government are persuaded thereto considerable relaxation may be allowed in the management of plague measures when once the disease has established itself in a chronic state in a town.

"The Hon'ble Mr. Rajagopala Achariyar has quite rightly told you that our endeavours should be very strenuous when plague is starting. I am afraid that I cannot agree that it is highly contagious in the way in which he has said, I may say that it is highly communicable. The epidemic starts with great rapidity in the beginning. If you go and stamp it out in the beginning you can stop it. It is like fire. Once it gets hold of the people we cannot do much with it. In Bombay they have given up treating plague and plague has come to stay there. They have damped the fire to a certain extent, but they have given up their attempt to put it down. As Medicine is helpless, research is our hope. I was in Bombay the other day and the whole position of research was explained to me. It is extraordinary what scientific research in a laboratory can do and how it will shortly be able to help the Government in their view as to how large plague measures should be enforced. I will give you two examples. Rat destruction has been enforced quite rightly. The rat destruction has been done by poisoning the rats. All sorts of attempts are made to find a suitable bait. When the rats would not take the official bait orders were sent out that it should be sugared. Sugar was added to the bait but the rats liked that less than the official bait. Then various kinds of oils and aromatics were added and so on. These measures were done with medical advice. Now it has been found that by changing the poison by adding a new poison they have been able to find a poison which is two hundred times more poisonous, because two hundred times the number of rats would eat it and die. I have actually seen the two kinds of poison, the new bait and the old bait; they were put together, twenty pills each, and at the end of half an hour only one of the ordinary municipal baits had been eaten but all the experimental (laboratory) baits were eaten. In that

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way research will probably help you greatly. I believe the Sanitary Commissioner would be able to add to the information. Curiously enough somebody suggested that the rat-traps were not of the right type and set to work to experiment upon them. I need not worry you with details but I may tell you that we can make a rat-trap in such a way that it would not catch a rat although it is a charming one. The official rat-trap is unsuitable in that it does not catch any considerable number of rats. The experimental trap may probably catch 200 times the number. Medical opinion is still based upon research and is still in a fluid state. The other day we were faced with an epidemic of plague which was beginning to get in to a hospital where there were 1,700 beds. We were three miles from a town where plague was endemic. I was anxious to see how I could save my wounded soldiers. We were very much concerned. We wanted not to let a single day pass. I am glad to say we got no plague after the first two rats, which died of plague, were found. That exemplifies to this Council that if you stamp out plague at once you can stop it. I should particularly like to emphasise that to-day. It is very important to stop plague at once.

"We then come to the question of rules and regulations which are not my province. In spite of that, myself and the Sanitary Commissioner have to advise Government as to their modification from time to time. I am personally convinced that the plague regulations as printed in that red-book are to some extent out of date. I am already in communication with the Sanitary Commissioner with the Government of India as to how Medicine stands with regard to plague. The mover of the resolution has pointed out many difficulties which already exist in the carrying out of these regulations. I think I can give him a message of hope that the Profession of Medicine will be able in the near future to modify them, so that they will become less unpopular and also a message of hope that our advice, guided by research, will be able to make plague measures far more effective. As I said at the beginning, it is not my province to say how they should be enforced. I think we may say that they will require less enforcing in future and will appeal more to reasonable men."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—"My Lord, I fully appreciate what the Hon'ble Mr. Rajagopala Achariyar has said regarding the anxiety of the Government to take care of the health of the Presidency, and, as he said in the last resort to see in a case like plague that all preventive action is taken and that promptly. I may also state that in the consideration of this question a distinction has to be drawn between the case of districts like Bellary where plague has been known for several years and has taken root and other districts which are fairly immune from plague. But I am afraid that the Hon'ble Mr. Rajagopala Achariyar has not correctly understood the position taken up by the Hon'ble Mr. Siva Rao. In moving this resolution, the Hon'ble Mr. Siva Rao advisedly and very properly omitted the words 'all compulsory plague measures may be abolished.' That portion has been omitted after some consultation and discussion and Your Excellency permitted him to move the resolution in the amended form 'to give full discretion to local bodies in the matter of organizing and enforcing plague measures.' And I think it is hardly fair to the Hon'ble Mr. Siva Rao that his former speech wherein he suggested that local bodies might do away with measures against plague should be quoted and then this question should be begun to be argued. So far as this resolution is concerned he has deliberately omitted those words. The point for consideration is whether it is or is not desirable to give a large amount of discretion and control to local bodies in organizing and enforcing plague measures. If once we are satisfied that the amount of discretion and control vested in local bodies is not quite sufficient, if we are satisfied that it is desirable to give them a larger amount of control, it would be time enough to consider whether they should be given full control and discretion so as to take away the power vested in the Collector. I wish to point out to the Council that at present the time has come when local bodies may be vested with larger discretion and greater control even in the matter of organizing and enforcing plague measures. As was pointed out by the Hon'ble Mr. Rajagopala Achariyar I have not got as much acquaintance as some others, and I am not, therefore, in a position to suggest that they should have full control and discretion in enforcing these measures, because I have not seen the actual working of these measures. But one thing is certain, that so long as local bodies are called upon to spend money towards meeting the charges of plague, it is but desirable that they should be given a larger amount of discretion in enforcing these measures. It is true that that aspect has also been placed before this Council, that it includes districts which are immune from plague, and which are anxious not to have resort to plague measures. When once you find a place in an adjoining district like Guntur or Bezwada affected we actually are anxious to see that plague measures may be devised to prevent plague coming into Nellore. We are anxious to resort to plague measures not to cause inconvenience to the public. As pointed out by the Hon'ble Surgeon-General all preventive measures should be taken in the beginning. It is only in the initial stages that persons have to be careful to avoid the entry of the epidemic. If once you find it takes root in a place, then the work becomes more difficult. I am not one of those to suggest the abolition of plague measures or even to support the former statement of my Honourable Friend, but I would state that the Hon'ble Mr. Rajagopala Achariyar, in spite of all that he said, should consider whether it is not time that sufficient discretion should be given to the local bodies in enforcing plague measures. With reference to the previous speech he said that the municipalities were anxious to do away with plague measures, evacuation and inoculation and it is that fear which induced him to state that this was an exception to a general rule where he would advocate a general increase of powers. I do not think he is justified in making that remark. If local bodies may be safely trusted to discharge other duties entrusted to them and the responsibility for the preservation of the health of the town, they can be safely trusted

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with the discharge of plague measures. I do not think there is any justification for that sort of distrust of local bodies which he has exhibited in enforcing these measures. With these remarks I support the resolution, but I shall omit the word 'full' and would substitute 'larger' discretion and control."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"Your Excellency, it is very seldom that I support the Government view, but in this case I support and endorse the statement made by the Hon'ble Mr. Rajagopala Achariyar. I have had experience of plague measures for three months, and I have found that it is practically impossible to take all the measures which are suggested by the medical authorities unless we have the willing co-operation of the executive. Because the first thing we have to do whenever a plague case occurs is we must remove the plague patients and the contacts from the houses to the plague camp or shed. It is extremely difficult especially where the people are rich. Then we have to secure the assistance of the police to remove them from their houses. Then the medical authorities say that all the contacts have to be removed, that is, not only their family but all those who are living in the street should be removed. For that, additional police force would be required to evacuate the whole street. Whether segregation of the contacts or evacuation of only the patients is necessary is a matter which concerns the medical authorities, because as laymen we cannot give any opinion. But there is one thing which can be usefully taken into consideration by the Government. As the Hon'ble Surgeon-General has suggested, the present plague regulations require some change, because I do find some defects in the administration. When plague occurs newly in a place, the opinion of the authorities is—I had an opportunity of discussing the question with the Sanitary Commissioner, he says the first thing you have to do is—to burn the houses wherever possible. The present plague regulations do not give such a power, unless the plague officer himself takes it into his head to burn the houses and sheds. Then we would find it necessary to burn whole-sale houses to the extent of four hundred or five hundred. When the Sanitary Commissioner suggested that the whole of the fishermanpettah containing 500 houses with 1,000 inmates ought to be burnt it would cost Rs. 10,000. In Vizagapatam, the District Medical and Sanitary Officer has not taken that view because he was afraid whether he could deal with the whole property in that way. Therefore he hesitated because the plague regulations did not help him. The other plague officer, the divisional officer, had not sufficient strength to say that the whole pettah should be burnt, and therefore he had to wait till the orders of the Collector were received that whatever be the cost he must burn them. Therefore it took two months before we made up our mind to burn all these houses, and it cost the municipality more than Rs. 10,000. The immediate effect of it was, prior to the burning, there were deaths to the extent of ten per day in that locality and 70 or 80 people died, but since the huts were burnt, not a single death occurred. Therefore, we have the satisfaction of saving the lives of nine hundred people at a cost of Rs. 10,000 because we thought it best to burn the whole locality so that it might be re-built. As suggested by the Hon'ble Mr. Rajagopala Achariyar, it is true it is an unpopular measure and it is very difficult to secure the co-operation of the councils or even their agreement to such measures at times. Wherever it is absolutely necessary, whether popular or unpopular, to save the lives of so many people some steps, compulsory steps, should be taken if they are advised by the medical authorities. I do not think the present powers of the local bodies, either the district boards or the municipalities, are sufficient to cope with the work of evacuation, segregation and compulsory removal of the people. In those circumstances, I would appeal to my friend, the Hon'ble Mr. Siva Rao, whatever be the condition in Bellary let not his views be extended to other places where they try their best to see that plague is kept out and where there is now immunity from plague. Therefore, I think that at present we need not trouble ourselves with entrusting powers to the local bodies, and we may consider the suggestions of the Surgeon-General how far the present regulations may be modified."

"One of the complaints of the Hon'ble Mr. Siva Rao is that he has to note what is dictated to him by the sub-magistrate. That is really outrageous. He is not even the plague officer. The deputy tahsildar is only the assistant plague officer, the chairman is also an assistant plague officer. How is the sub-magistrate to give directions to the chairman, because he chooses to employ a certain number of inspectors? I would suggest to the Government that the chairman be taken into the complete confidence of the Collector, so that in co-operation they may take measures, that is exactly what is done in Vizagapatam where the Collector would not take any steps unless he consults the chairman or the district medical and sanitary officer. My Honourable Friend's experience in Bellary may be rather unhappy; but I think the Collector of that place should equally secure the co-operation of the chairman instead of leaving it to the sub-magistrate to dictate what should be done. I oppose the motion."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—"I follow the example of my Hon'ble Friend Mr. Venkatapati Raju and oppose the resolution. We had plague within a few miles of Kumbakonam and the president of the taluk board and the divisional officer worked together and stamped out the disease. The people were asked to leave their houses and live in the fields. The president of the taluk board by himself could not do it. The assistance of the divisional officer was very valuable. Therefore, I would maintain these rules as they are. I would go further and request the Government to prescribe some regulations in regard to cholera also. We have cases of cholera in Kumbakonam and we are not able to prevent the people from drinking the dirty water in the two rivers surrounding the town. If there were some regulations laid down, we can stamp out cholera, especially if the revenue divisional officer is called upon to co-operate. I therefore think there ought to be no relaxation in this matter."

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The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU:—"In regard to plague regulations I feel they are already sufficiently relaxed; for instance there is plague in Vizagapatam, and in Gōdāvari district there is no plague at present. But large numbers are now leaving the town of Vizagapatam and going to different places in the surrounding districts. If people coming from infected places are obliged to take out passports and are obliged to appear before medical officers or their assistants for ten days, they can go to any place they like. Now it is not like that. The passports that are given, are sent direct to the district medical and sanitary officer and he sends them to the municipal chairman and he will have to see where these people are living and whether they are suffering from plague or fever or any such thing. If a hundred people were to come to a place like that, we may not be able to know where they are living in some instances, for according to the rules they need not appear before the medical officer. Unless the rules are made more stringent so as to make such people appear before a medical man, I am afraid the disease will be taken to the neighbouring districts and other places. So I oppose this resolution moved by the Hon'ble Mr. Siva Rao."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, here is a unique spectacle which I enjoy most, never mind whether the resolution is carried or not. Here is a spectacle of officials and non-officials freely ventilating their views as they like without any mandate from their constituency or the Government, and expressing their views according to their conscience. I must say one thing in respect of the remarks of the Honourable Member in charge. He began by saying that plague is highly contagious, it is a misconception."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I accept the Surgeon-General's term 'communicable.' I used the word 'contagious' in the loose popular sense."

The Hon'ble Mr. P. SIVA RAO (*continuing*):—"Advantage is taken of my casual remark uttered by me one year ago in April 1917. The Honourable Member in charge deliberately used the word contagious, I only mention it as illustrating the high misconception that prevails as to the origin, growth and propagation of this disease even in high quarters. My aim in bringing forward this resolution is that these plague measures, whatever they are, should be thoroughly examined and brought into conformity with scientific research. In the year 1913, before the famous resolution of Dr. Nayar the Government were equally vigorously defending that now exploded system of the issue of plague passports, and it was substituted by the plague notification system. Though every Collector found it to be worthless, the Government have decided to continue it for another year. For the information of Honourable Members I have got in my hands 'the etiology and epidemiology of plague', in which it is stated 'Pneumonic plague is highly contagious. It is, however, rare (less than 3 per cent of all cases) and plays a very small part in the general spread of the disease.'

2. Bubonic plague in man is entirely dependent on the disease in the rat.

3. The infection is conveyed from rat to rat and from rat to man solely by means of the rat flea.

4. A case of bubonic plague in man is not in itself infectious."

"He went on saying that the patient should be segregated in all cases. If he would only look into the plague regulations, he would find that the patient need not be moved except in the case of pneumonic plague. It is laid down here 'If the patient is suffering from pneumonic plague, and not otherwise, the village headman or other local officer should segregate him in a separate camp.' In no circumstances is it necessary in cases of bubonic plague to segregate either the contacts or the patient. I only refer to this as showing the gross misconception under which these regulations are worked and the working is supervised by the head of the department. I may also say that he began by saying from the casual remarks I made in March 1917 that I wish to do away with all plague regulations. It only meant that in all probability if I was given the sole lead I would do away with the coercive plague measures. That is my personal view. That, I do not think can be used as coinciding or as being identical with the opinion of all other chairmen of other municipal councils. Even if the chairman holds that personal view, there is the council to control him, and the Surgeon-General to advise him as also the district medical and sanitary officer. It is not likely that the chairman will be carried away by his own personal views without any deference to the views of experts. I only meant that there should be no coercive measures as far as possible. If I had to give a programme, I shall explain to the Honourable Member I would have inoculation and health camps and a first-rate plague hospital and I would have disinfection, but I would not distribute the stuff gratis except to poor people; in the case of others I would charge something for the stock we supply. Your Excellency, it was said that if Mr. Siva Rao was entrusted with plague measures he would do away with all measures. Let the Honourable Member ascertain what has been done in Bellary for the last two years. There have been absolutely no plague measures adopted. The Collector is in charge of the operations. He consulted the Sanitary Commissioner, there were a number of memorials received from Bellary that the measures proposed to be taken were very stringent, and the Government were pleased to advise the Collector to drop all coercive measures and to take mild measures. Under the guidance of two Collectors there were no plague measures. If only the chairman had done it, he would have been criticised but because the Collector did it no blame was laid upon him. The Honourable Member in charge need not think that there would be any catastrophe if Mr. Siva Rao thinks of doing away with coercive measures. As a matter of fact, the Honourable the Surgeon-General said that in Bombay

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experience had taught them to drop it altogether. In Bangalore they dropped it. The financial straits to which they were brought taught them to drop it. It cannot be said that Bangalore has been sent to rack and ruin or Bombay is under a deluge. We only flatter ourselves that by these plague measures we can do something. But from my years' experience of plague measures in Bellary they are absolutely futile. The way of doing help to the people is by the provision of health camps and first-rate hospitals.

"My Honourable Friend Mr. Venkatapati Raju thought fit to oppose the resolution. I may tell him that his experience of plague is very limited: probably that is the very first attack he had to deal with. It is a pity that he confesses to a sense of weakness that he cannot do anything without the help of the police. If he wants to burn houses and huts, not only would he want the help of the police but probably also the military. In Poona they did enforce measures with the help of soldiers when there was bloodshed and murder. The Hon'ble Mr. Venkatapati Raju is not satisfied with carrying out the ordinary plague measures; he wants to burn the houses. He wants to set fire to the residences which are not provided for in the regulations. They only burn the huts and sheds; but he wants to set fire to residences; God forbid that he should invoke the help of the police or the Collector for such a thing. Yesterday I was listening to speeches to the effect that there may be advisory councils and an expansion of the functions of local bodies. They were very eloquent and said that in that matter the Collector was an autocrat for the present. I mentioned that this plague policy was one of the matters which should be settled by the Collector after consulting the local bodies. But now they are abdicate function after function. Even if the Government may be disposed to give this function they say, 'we do not want them, we do not want the odium, we do not want the bother, we do not want the power.' What are the powers which the Honourable Members want I cannot conceive. Instead of the Collector ordering evacuation or segregation, let the rules say, the Chairman shall do it or the municipal council shall do it. There is section 188 of the Penal Code which could be as well utilized by the Collector or deputy tahsildars as by the Chairman of the municipality. In the same strain other Honourable Members who happen to be Municipal Chairmen, whose experience of plague is limited, went on saying that they wanted the help of the executive. It is a sheer sense of weakness on their part to say so. I think, if it is left to the municipalities, we can carry out these measures with much ease and without any friction or hitch on the lines of least resistance. I assure the Government we can do it much better, especially if the measures are supported by the elected representatives of the people. As the Honourable Member said, the circumstances in Bellary are rather peculiar. It has become 'seasonal' to use the words of the plague research commission. There is a recrudescence in certain months and seasons. There is a curve which rises and falls, it goes up on a particular occasion and it suddenly drops. In November it breaks out and subsides in the middle of March. It becomes seasonal in the active period when the rat fleas are active and in other months it is dormant. With the knowledge and experience we have gained we know the futility of the plague measures.

"The Honourable Member said that this was a most serious matter. The Government has made it more serious. Smallpox carries away more persons, nobody thinks of it, and malaria carries away more persons; nobody thinks of spending money on them. In Bellary plague has carried away 800 or 900 men, but malaria would account for something like 2,000. There are various other diseases as highly contagious as this. On account of the plague measures and the particular attention and undue prominence given to its treatment, the Government are creating this scare.

"Lastly there is the message of hope held out by the Honourable the Surgeon-General; that is the only redeeming feature of the debate. I am perfectly willing to be satisfied with that assurance that these plague measures will be revised and brought into conformity with scientific facts. The Government will think, though not today, at least on some other day, of paying more respect to local bodies and think better of their competency and efficiency to cope with this work. I expect a day will come when they will be given their due and when the Government would not think of divesting them of the legitimate duties which appertain to them under the Act. With these remarks, I do not press the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE FOOD ARRANGEMENTS ON RAILWAYS.

The next resolution No. XXII which stood in the name of the Hon'ble Mr. Siva Rao was as follows:—

"XXII. This Council recommends to His Excellency the Governor in Council that a Special Officer may be deputed to inquire and report about the adequacy of the accommodation and other arrangements for providing refreshments for the Indian passengers on the railways in this Presidency."

His Excellency the PRESIDENT:—"As regards resolution No. XXII inquiry is going on."

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, subsequent to the motion made by the Hon'ble Mr. Narasimha Ayyar in April last year the Government have issued orders for

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an inquiry to be conducted. Orders were sent to the Senior Government Inspector of Railways. He has co-opted Mr. K. S. Venkatarama Ayyar of Negapatam and he is touring through the Presidency and looking into the condition of the Indian refreshment rooms."

The Hon'ble Mr. P. SIVA RAO :—“ I do not move the resolution.”

RESOLUTION *RE* AMENDMENT OF CERTAIN PROVISIONS IN THE MADRAS
CIVIL COURTS ACT, 1873.

The Hon'ble Mr. T. RANGA ACHARIYAR:—“ I have the honour to move the following resolution :—

'XIX. This Council recommends to His Excellency the Governor in Council that they may be pleased to take steps to obtain the sanction of the Government of India required by section 79, clause (2), of the Government of India Act, 1915, for amending the Madras Civil Courts Act III of 1873 in respect of the following matters:—

(a) Amending sections 6 and 7 of the said Act so as to vest the power of appointing subordinate judges also in the High Court as in the case of district munsifs.

(b) Amending also section 23 of the same Act so as to vest the powers similar to those conferred on district judges under section 22 in subordinate judges and district munsifs in respect of the appointment, suspension and dismissal of the ministerial officers of their respective courts subject to the control of the district court.'

“ Your Excellency, as Honourable Members will notice, the resolution consists of two parts. The first part deals with the question of the powers of control and appointment of subordinate judges, and the second part deals with the powers of the appointment, suspension and dismissal of the ministerial officers of these provincial courts. I may point out at once that this Act was passed in 1873, so long ago, at a time when the High Court was perfectly new, the High Court having been constituted about the year 1865. Under that Act,—I have to give certain details for the information of the lay Members of this Council—there are two grades of the subordinate judiciary, the subordinate judges and the district munsifs. The district munsifs as you all know, draw salaries ranging at present from Rs. 200 to Rs. 400; there are four grades. Among subordinate judges there are three grades and the salaries are Rs. 500, Rs. 650 and Rs. 800. Under the Madras Civil Courts Act, 1873, which was passed in the Imperial Legislative Council, the constitution, number and qualifications for the appointment to these judicial posts and all the powers to frame regulations with reference to these things and to determine the number of courts are vested in the Local Government in consultation with the High Court. So far as these matters are concerned, I do not propose any alteration, so that the Government will have full power to determine the number of courts, the various qualifications required for the appointment and various other things which are to be left altogether unchanged. The only thing I suggest, so far as the first portion of the resolution is concerned, is to make the power of appointment uniform. Under the law the High Court have got the power to appoint district munsifs. Under the same law the power of appointing subordinate judges vests in the Government. In the case of district munsifs, the High Court having the power of appointment, special power is reserved to the Government to veto any appointment for special reasons that may exist. I want to bring the power of appointing subordinate judges into the same line. They are recruited from the same ranks as district munsifs, and that is one reason why I commend this resolution to your acceptance.

"The second reason which I would urge in favour of the resolution is that the High Court as at present constituted consists of ten permanent judges and two temporary judges, and it is likely to continue in that state as we were told yesterday for some time to come. Even taking the permanent strength at ten, you will have four Indian Civil Service Judges who will have had considerable experience of the mufassal and four barrister judges and probably two or three Indian judges as the case may be. The constitution gives a guarantee; and according to the later practice prevailing in the High Court the whole body sits in committee for the appointments of district munsifs and therefore we have a body who are specially qualified to deal with this question. Once the number and the qualifications are laid down, the rest may be left to this expert body who have peculiar knowledge, and are able to judge of the qualifications and the necessities of the situation and the question of appointments should be within the peculiar province of the High Court. That is the second consideration which should weigh with us in giving this power to the High Court.

"The third reason is, it is not as if the power of appointment is delegated to any particular officer but to the highest judicial officers in the province for whose opinions the Government have entertained and continue to entertain the greatest respect. In fact, what I suggest is merely to legalise what has been the practice observed by the Government. Although under

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the law the power of appointment is vested in the Government, as a matter of fact and practice we know that almost invariably, if not invariably, the High Court are consulted in making the appointments, and it is but right that in the case of judicial appointments the highest court in the land should have a voice. I want to make it a statutory provision, so that, what is being done in practice may be put on a statutory basis. In fact there might have been occasions, I believe there have been occasions, when this practice has not been adhered to, but they are rare and very few. In my long experience I have not heard of more than one or two cases in the last twenty years of appointments that have been made without consulting the High Court. That being the practice there is no reason why it should not be given effect to as a statutory provision, so that it may be made perfectly clear.

“The next reason that I would strongly urge upon the attention of the Government is that in the case of judicial appointments it is but proper that the Government as the Executive Government should have as little to do as possible. I do not thereby imply that the prerogative of the Crown of appointing servants of the Crown should be done away with, but with due respect I must say that the case of judicial appointments stands on a different footing. It is a case where the power of selecting and appointing should be vested in the highest judicial court. Therefore the prerogative of the Crown is not in any way affected. In fact, it is recognized in the case of district munsifs, who are also highly-paid judicial officers dealing with questions of importance. Therefore, if this power is given in the case of district munsifs, and the High Court have the power of appointment subject to the veto of the Government, I submit that the same reason should commend itself also in the case of subordinate judges. The case of the district judges stands altogether on a different footing, because they are recruited under the present rules from the Indian Civil Service over which the High Court has no control, so that they could not in any way be brought in in a consideration of this matter. We are now dealing with the Provincial Judicial service. After all, it is only a difference of grade, they are called district munsifs and subordinate judges and draw different salaries; but when we look at it properly they are merely different grades of the same service, though differently denominated. They may all be called subordinate judges just as we have deputy collectors from the first to the seventh or eighth grade. Therefore it is a case of sub-judges of different grades, and there is really no distinction or difference so as to make the two things stand on a different footing. Especially as the Government have to be parties to litigations in these courts and as one of the bed-rocks of the British Government on which it has hitherto rested and on which it will continue to rest is the pure administration of justice, it would be in consonance with the prerogative of the British Government to accept this resolution, and advance the faith of the people in the British Government. I therefore submit with confidence that there is nothing objectionable, and it is a question of extending what is already one of the existing functions, and having regard to the time when this Act was enacted and having regard to the present conditions of things I would strongly commend for the consideration of Your Excellency's Government the first portion of this resolution.

“There is one other danger nowadays which I must not omit to mention. I do not think there is any harm done in mentioning it, because there is nothing like straight talk in these matters. That is, the Government of the day are likely to be drawn into the political controversies of the day. That they are being drawn in is self-evident. Therefore when things are taking such a turn, it is but proper that politics should not come into play in matters of this kind. I am mentioning that as one point that ought to be seriously considered in the matter of vesting this power in the High Court who will certainly not be drawn into political controversies. I may also mention that the Public Services Commission have also recognized in their recent report the importance of making a distinction between judicial and executive officers; they have recognized that the power of selection should be put on a statutory basis and should be vested in the High Court subject to the prerogative of the Crown to make the appointment. That also is the view which commended itself to the Commission. I therefore ask Your

“Passing on to the second portion of the resolution as regards the control of these Provincial judicial officers over their ministerial officers, the question has at present led to considerable irritation and unpleasantness between the various judicial officers, namely the subordinate judges and district munsifs and the district judges. When I speak of ministerial subordinate judges and district munsifs and the sarishtadar and clerks drawing above Rs. 50 officers, I include not only the head clerk and the sarishtadar and clerks drawing above Rs. 50 but also the servants, muchis and peons. You will note that under the Act as it is, even the appointment of a peon on Rs. 5 or 6 or a muchi or punkah-puller has to be sent up to the district judge. The nomination has to be made by the subordinate judge or the district munsif and sent up for approval to the district judge. In these matters the sarishtadar of the district court who has often been brought to the notice of this Council plays a very prominent part which does not conduce to smoothness or pleasantness of work between the various heads of the judiciary in the district. I am concerned with that aspect of the question to-day, because oftentimes this unpleasantness in the administrative side affects also the judicial disposal of appeals and any other matters which come up to the appellate authority. After all it must be recollected that we are human; if we get into unpleasantness with one another it affects our judgment when we deal with one another in another capacity. That being so, it cannot be defended in principle that subordinate judges drawing Rs. 800 cannot be trusted with the power of fining a peon 4 annas or 2 annas if he misbehaves and that he should have to report it to the district judge for confirmation. He has now no control at all under the statute; under the section

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as it stands the whole of it has to be done subject to the approval and confirmation of the district judge. That means a lot of correspondence and delay in matters which could safely be entrusted to these respectable independent Judicial officers. In fact they feel it a great reflection upon their position that they are unable to have any control over their subordinates, and in fact the peons, the nazars, the amins and various other people can easily carry tales to the sarishtadar. In such matters I would ask the Government to consider seriously whether these officers should not be placed on the same footing as Collectors, tahsildars and deputy tahsildars under the Board's Standing Orders. A distinction is drawn between appointments under Rs 30 and those above Rs. 30 on the revenue side. Why should not these sub-judges and district munsifs have the same power with reference to the appointment, removal, suspension, or dismissal, or fining as these revenue officers have on the executive side of the Provincial service? In reason they ought to be entrusted with those powers.

"My resolution is rather wide, namely I include all appointments. As far as that is concerned, it is a matter of detail as to whether you should fix a limit, say appointments carrying salaries up to Rs. 50 may be controlled by these officers and those above may be dealt with by the district judges. Subject to this I do not see why they should not be entrusted with these powers. Under the law as it is at present the Government cannot do this by an executive order. That clause as to appointment, suspension and removal has been construed also as including the power to fine, and to grant leave. Even in the matter of granting leave, the district munsifs and subordinate judges have to report it for confirmation to the district judge; that is the subordinate judge who the day after to-morrow will be a district judge, if he grants leave for a month, has to report it for confirmation to the district judge. Certainly that is not consistent with his position, and it cannot be expected that the subordinates over whom he has so little control will have any respect for him. He cannot be expected to exercise such discipline and control over them.

"It is not possible for this Government to amend the Act without getting the previous permission of the Governor-General in Council, this being a Government of India Act of 1873. Whether I am right or wrong, it is safer to get the previous consent of the Government of India before further steps are taken. That is why I recommend that steps may be taken to obtain their sanction. It is an old Act which requires amendment. I expect if this proposition is accepted it will lead to a better state of things, and so far as the first portion is concerned, it will give a great deal of satisfaction to the public and the Government themselves. It will lead to the efficiency in the administration of justice if the second portion of the resolution is carried. For these reasons I commend this resolution for the acceptance of the Council."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR seconded the resolution.

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, as stated by the Hon'ble Mr. Ranga Achariyar, the Madras Civil Courts Act makes a distinction between the appointment of district munsifs and of subordinate judges, and I think there are very solid grounds for that distinction. In the first place you must remember that the men who are appointed as district munsifs are young vakils about whom the Government can have no information and about whose fitness the High Court, relying on the reports of district judges, are certainly in the best position to decide. These are young men at the outset of their career, whereas in the case of the subordinate judges you have got to consider the fact that their selection is of considerable importance having regard to the fact that some of them are eventually likely to rise to the higher post of district judges. It is the privilege and the duty of every Government, of this Government and I think of every Government in the world to make appointments to the higher offices of the Crown. That privilege and prerogative has been exercised in all cases in consultation with the head of the department which in the case of subordinate judges is the High Court. The remarks which have fallen from the Hon'ble Mr. Ranga Achariyar will, I think, convince you that in this matter the Government and the High Court have always worked most harmoniously and that the recommendations which are always called for from the High Court are generally accepted. There is no doubt of course that the High Court are the best judges of the work and ability of the district munsifs who are coming on as subordinate judges, but I am not prepared to accept the position that the Government have not also means of information as to the conduct and character of these officers. The Hon'ble Mr. Ranga Achariyar says that he has brought forward this resolution purely for the reason that he fears that in these days of political controversies the Government may be led away by some views of their own in regard to the selection of judges. I can only say in reply that Your Excellency's Government have never permitted and are never likely to permit any views that they might hold on political subjects to interfere with their work in the matter of appointing important judicial officers in the land. The conclusion on the first part of the resolution is that there is no reason to interfere with the present arrangement and that the power of the Government to sanction and approve the recommendations of the High Court has not only worked well but is also beneficial.

"Coming to the second part of the resolution I may say at once that the proposal which has been made by the Hon'ble Mr. Ranga Achariyar has previous to the tabling of it, been suggested by the Government to the High Court, and the Government are in full agreement with his recommendation that appointments of ministerial officers of the Courts subordinate to the district judge should be made by the presiding officers of those courts, subject only to the

RESOLUTIONS RE AMENDMENT OF CERTAIN PROVISIONS IN THE 355
MADRAS CIVIL COURTS ACT, 1873, AND NON-OFFICIAL COMMITTEE
TO ASSIST IN INQUIRIES AT RE-SETTLEMENTS.

14TH FEBRUARY 1918.] (Mr. Gillman; Mr. Ranga Achariyar.)

control of the district judge. That matter is now under correspondence between the Government and the High Court. Your Excellency, I accept the second part of the resolution, but I am not able to accept the first."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I press for a division on the first part."

The first portion of the resolution was put to the Council and lost.

The second portion of the resolution was accepted by the Government.

RESOLUTION RE NON-OFFICIAL COMMITTEE TO ASSIST IN INQUIRIES
AT RE-SETTLEMENTS.

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Your Excellency, this is an old friend of the Council, only it comes in another form; that is the question of re-settlement operations.

"The resolution runs as follows:—

'XX. This Council recommends to His Excellency the Governor in Council that the rules contained in the Manual of Instructions for conducting re-settlement in the Madras Presidency be so amended as to make it obligatory upon the officer appointed for conducting re-settlement operations to secure the assistance of a committee consisting of three non-officials of the tract to be resettled in conducting the necessary inquiry and making the report.'

"Honourable Members of this Council are familiar with the important duties which are cast upon the officer who is deputed to conduct re-settlement operations. Honourable Members have often been also reminded times out of number about the vital importance of the question affecting the people of the country. We had only an instance only last year or the year before last when the question of the settlement operations in South Arcot was brought up by my Hon'ble Friend Mr. Subbarayalu Reddiyar. It was elicited then that even such a distinguished member of the district as one who rises to the position of the president of the district board of that district was not aware of the inquiry or of the nature of the inquiry conducted by the re-settlement officer appointed to investigate the conditions of the tract. That shows how little public notice is given in respect of these matters. At any rate rule 6 lays down, 'the settlement officer should also, by a careful inspection of the different tracts and localities of each taluk and by consulting revenue officials and intelligent ryots, acquire such a thorough knowledge of the circumstances of the district or tract to be resettled as will enable him to proceed with confidence in framing his proposals for the re-settlement.' I take it that my Honourable Friend who is an intelligent ryot has not been consulted, because it has happened that he did not know what was done. The rules are excellent in themselves and have been modified by amendments which Your Excellency's Government have made. Now 4-A has been added and he has to give public notice, and also under rule 5 he has to collect information on any other point, such as the effects of famine, droughts, indebtedness of the people, which he may deem necessary for the elucidation of the economic conditions of the people in the tract to be resettled. Again, I find by a Government order of June 1917, as a result of the Government accepting a resolution of this Council, the Board of Revenue was required to amend the Re-settlement Manual so as to compel the re-settlement officer to inquire into the economic conditions of a few families. Therefore, the importance of the inquiry, the minuteness attending it, the knowledge of details which has to be obtained apart from the various other matters which can be obtained by a reference to the records—having regard to all these special circumstances, I think that the re-settlement officer on whom this great responsibility is cast will derive considerable assistance if he takes in the assistance of a committee such as that I propose in this resolution, namely, three non-officials from the tract who have some stake in the country and a stake in the inquiry about to be proceeded with. You will have on one side the settlement officer whose desire will be, if he can, to enhance the prevailing rates and you will have the opposing influence of the persons who have got an interest and who have got something to lose, who have a stake in the country—I do not mean merely non-officials who have no landed property but I take it that the non-officials who will be selected will be persons who will be hurt or who will be profited by the operations of the settlement officer. I have left it vague in the resolution, I leave it to the Government; I take it that that will be the course which will be adopted. I do not want to tie the hands of the Government or the re-settlement officer. I leave it to them to take such course as they think proper; I leave it to his best judgment to select these people who will have a vital interest and who are paying Rs. 500 and upwards and who will have knowledge of the locality. The rules themselves demand that he should consult intelligent ryots of the locality, but he does not know who the intelligent ryots are. The settlement officer is oftentimes a new officer to the district. That has been of late our experience. We are placing on this special duty officers who are not familiar with the conditions of the district. That is the information I have and I think it was so in the case of the officer who was put on duty in South Arcot; persons who have no previous knowledge of the district are posted. That is another reason why they should be assisted by a committee. The committee will be useful in selecting the villages and families.

(Mr. Ranga Achariyar ; Mr. Subbarayalu Reddiyar ; [14TH FEBRUARY 1918.
the President.]

"Also there was one objection which I remember was very forcibly pointed out by my Hon'ble Friend Mr. Couchman speaking on the previous occasion that people object to being subjected to an inquisitorial inquiry. If you have people of the tract who will be known to the ryots there will be less difficulty in getting information. After all the object of this inquiry is to come at the real condition of the tract. That being the object, it cannot be denied that the re-settlement officer is perhaps not quite so conversant with the language of the district or with the inner life of the people. However much the civilian Collectors may try their best—I give them credit for that—to acquaint themselves with the manners and customs of the people, still they are foreigners and they do not go into the inner compartments, they do not know the real conditions of the people. How little are they able to distinguish? Persons who have spent twenty and thirty years in a district cannot distinguish a Hindu from a Mussalman. A fellow traveller of mine who had lived thirty years in Bombay asked me if I were a Mussalman! It is but right that these officers who are oftentimes placed in charge of responsible duties should have the assistance of a committee. Therefore, I do not think I need waste words on this resolution. It is a proposition which is self-evident and it is a proposition which I trust Your Excellency's Government would accept."

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR :—"I beg to second this resolution, Your Excellency. For the purpose of understanding this resolution I have again read the rules in the Manual of Instructions for conducting re-settlements. The principal rules that bear upon this subject are rules 4, 4-A, 5 and 6. Rule 4 runs thus: 'The first duty of an officer appointed for conducting re-settlement operations is to make a careful study of (1) the conditions of the existing settlement, (2) of their effect on the economic condition and material progress of the district or tract taken up for re-settlement.' 4-A is a subsequent addition to the rule, and runs thus: 'Before commencing re-settlement operations in any tract the settlement officer should publish in the village sheet of the district gazette a notice in English and in the vernacular stating that he is about to undertake such operations and is prepared to receive and consider representations, oral or written, from persons interested as to the economic condition of the people in the tract. The notice should also state the address at which the officer will receive representations. Every person who desires to make representation should be given all reasonable opportunity of doing so in an informal way.' Rule 5 as amended runs thus: 'In addition to the statistics referred to in paragraph 4 and the information, if any, gathered under paragraph 4-A, the settlement officer should collect information on any other points such as the effects of famine, droughts, indebtedness of ryots, which he may deem necessary for the elucidation of the economic condition of the people in the tract to be resettled.' Rule 6 runs thus: 'The settlement officer should also, by a careful inspection of the different tracts and localities of each taluk and by consulting revenue officials and intelligent ryots, acquire such a thorough knowledge of the circumstances of the district or tract to be resettled as will enable him to proceed with confidence in framing his proposals for the re-settlement.'

"Although these rules have been prescribed so long ago, as a matter of fact the settlement officer does not seem to pay particular attention especially to rules 5 and 6. No doubt under rule 4 he draws up statements, but he ignores the existence or the subsistence of rules 5 and 6. This was exemplified amply at the recent re-settlement operations in South Arcot. There the settlement officer never paid sufficient attention to, for instance, the economic condition of ryots, as he was called upon to do under rule 5, or to the indebtedness of the ryots as he was called upon to do under the same section; nor did he pay attention to consulting intelligent ryots as he was called upon to do under rule 6; so much so that the Government had to go through the trouble of sending back the proposals for the re-settlement of South Arcot for further investigation after observing rules 5 and 6. Whether he has paid sufficient attention to rule 5 or rule 6 it is a matter for the Government to know. I take it that the object of the resolution of the Honourable Mover is to save the ryots from excessively harsh treatment, and with that object he has come forward with the resolution. The object evidently is to request the Government to accept this resolution and to issue instructions to settlement officers for the purpose of making rules 5 and 6 more efficient and operative. Therefore, I would suggest to the Government while seconding the resolution that to the two rules which I read, in which reference is made to the settlement officer being bound to consult revenue officials and intelligent ryots and 'to acquire a thorough knowledge of the circumstances of the district or tract to be resettled as will enable him to proceed with confidence in framing his proposals for the re-settlement,' an addition may be made in the following form: 'In order to secure this confidence, the settlement officer should appoint a committee of intelligent and leading ryots of the tract to be resettled, not exceeding three in number.' My friend says a committee consisting of three. I say a committee not exceeding three in number. I would request the Honourable Mover to adopt my suggestion. As I say this resolution means substantially that to rule 6 the words that I have suggested may be added. I need hardly add that this committee will be helpful if appointed in arriving at a conclusion on the question of the cost of cultivation, increased amenities of life, indebtedness of the ryots and so on. With these observations I second the resolution."

His Excellency the PRESIDENT :—"I do not know whether the Honourable Mover has adopted the suggestion."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"I do."

His Excellency the PRESIDENT :—"Will the Honourable Gentleman hand up the amended motion in writing to be placed before the Council?"

14TH FEBRUARY 1918.] (Sir Alexander Cardew ; Mr. Ranga Achariyar.)

The amended resolution which was handed in and was placed before the Council was as follows :—

"This Council recommends to His Excellency the Governor in Council that rule 6, section 1 of the Manual of Instructions for conducting re-settlement, be amended, by the following addition at the end: viz. 'In order to secure this confidence the settlement officer should appoint a committee, not exceeding three in number, of intelligent and leading ryots of the district or tract to be resettled.'"

The Hon'ble Sir ALEXANDER CARDEW :—"Your Excellency, I do not think this resolution need detain the Council very long. The whole question is whether the measures that are now taken to give the population of the district information of the fact of the re-settlement and opportunities for representing their views are adequate. In 1915 the Hon'ble Mr. A. S. Krishna Rao moved a resolution recommending that there should be a public inquiry. In the course of that debate, as Your Excellency will remember, the Government undertook to direct that whenever the re-settlement of any tract was undertaken the special settlement officer should give public notice of the operations before they commenced and should inform them that he was prepared to receive and consider representations from persons interested about the economic condition of the tract. The Government carried out that undertaking in a Government order issued in June 1915. The Honourable Mover of the resolution told us that the Hon'ble Mr. Subbarayalu Reddiyar did not know that re-settlement was actually going on in his own district. I see in Mr. Watson's report—Mr. Watson was the Special Settlement Officer in South Arcot—that he says in last paragraph: 'In Board's Proceedings No. 203, dated 14th July 1915, it was ordered that a notice shall be published in the district gazette announcing that re-settlement was under progress and inviting representations regarding the economic condition of the people of the district. The notice was duly published in the village sheet of the district gazette for August 1915. Towards the end of June 1916 a request for an appointment was received, but although a date was fixed and communicated at once, the deputation did not appear.' That is the special settlement officer's report. It proves that the Government have carried out the undertaking which they gave, that the intimation was duly received by the public at large, but sufficient activity was not shown by the people and no deputation actually took the trouble to visit the settlement officer. I, therefore, submit to the Council that, so far as the case of South Arcot is concerned, this is fair evidence that everything that need be done was done and any failure to take advantage of it was on the side of the public. Under the modern system of resettlement there are two ways of making a re-settlement; one is an elaborate inquiry on the basis of the old original settlement in which the cultivation expenses, the crop outturn and other details are taken into consideration, and the other is the method of percentage enhancement based upon the rise in prices. It is within the knowledge of this Council by this time that the reclassification of soils, an elaborate inquiry such as the early settlements involved, is not now undertaken. The real method that is followed is merely a percentage enhancement based on rise in prices and with reference to the economic condition of the ryots. So that the only inquiry that is necessary is whether or not the tract can bear an enhancement equal to the rise in prices. As the Council knows, the percentage of enhancement is never anything like the rise in prices. The great rise in prices renders it difficult for us to enhance the people's tax to an equal extent. We cannot enhance the tax 70 or 80 per cent all at once. Even when the prices have risen 70 or 80 per cent the Government have only increased the assessment by 25 per cent. Therefore the only question from our point of view is whether the rise should be 20 per cent or 25 per cent. Evidently the South Arcot people thought that there was not very much to argue about as to whether it should be 20 per cent or 25 per cent. They tried to make out that the district had gone to rack and ruin. But fortunately the facts were too strong to enable them to prove it."

"Re-settlement is a taxing operation and it is a very disagreeable operation. It is not a pleasant thing to have to decide how much extra tax the people have to pay. I do not think it will be easy to find a body of non-officials who would be able to really advise the settlement officer very fairly about that. Of course they would try their best, but they would be very much warped as they are persons closely interested in the matter. I suggest therefore that they would not be in a position to give fair and unbiassed advice. The Hon'ble Mr. Ranga Achariyar spoke of the settlement officer as having a desire to enhance as much as he can, but this is not a fair view of the matter. The rate of enhancement hardly matters to the settlement officer in any way. He is doing his duty. His duty is not to enhance the assessment. Under the modern conditions with a great rise in the price of grain some enhancement is necessary, but those who study the settlement reports will see how carefully the special settlement officer looks at these matters, and how where necessary he revises the classification of sources and the grouping of villages so as to remove inequalities. The special settlement officers do try to take a fair view of the matter and do not want to wring the last anna from the people. Is it to be supposed that an enhancement of 20 or 25 per cent will be more welcome to the people, because it is recommended by a non-official committee? I do not think so. I noticed that the Surgeon-General told us that rats in Bombay ate 200 non-official baits which they ate one official bait, but I do not think the enhancement proposed by a non-official committee would be better liked."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"I said it should assist him."

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The Hon'ble Sir ALEXANDER CARDEW (*continuing*):—"The assumption underlying it is that the proposed assessment is excessive and goes too far. The officers do their best to arrive on the facts at a fair amount of enhancement. It has been proved again and again that the enhancements which are put on are very much less than what might be put on. Nobody can controvert that statement that it is enormously less than that which could be put on. I do not think the assistance of a non-official committee such as that suggested would be of any good. On the other hand, as I have tried to show, ample opportunities are afforded to the public to make known their wishes and to make their representations. The responsibility after all must rest on what the Hon'ble Mr. Narasimha Ayyar called yesterday the few foreign officials. It must rest upon the officials. I do not see any reason to suppose that any benefit would result from this committee of non-officials. If the Honourable Member wants any further publication or any further opportunities, then he has got to show in what direction they are necessary."

"This is a proposal to attach to the settlement officer a committee of non-officials. If three responsible non-officials in the district like to form themselves into a committee and assist the settlement officer with their advice, I shall be delighted; but I am not prepared to say that the settlement officer should share the responsibility with a body of non-officials. The odium must rest upon him. It is fitting that he should bear it. In these circumstances, I cannot recommend the adoption of the recommendation made in this resolution."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU:—"I am afraid, Your Excellency, that the Hon'ble Sir Alexander Cardew has not looked at this resolution from the proper perspective. The Honourable Member has reminded the Council that this is an old subject. It is within the recollection of this Council that within the last five years there have been several occasions when questions affecting re-settlement have been brought forward and discussed; questions specially affecting the re-settlement of the districts of North Arcot, Chittoor, South Arcot and Madura and questions suggesting the modification of some of the re-settlement operations have been before this Council during this period of five years. I only wish that the Council would pause for a while and understand what the thing signifies. What is the reasonable inference to be drawn from that circumstance? So far as I understand the situation, the only possible conclusion at which one can arrive, be he official or non-official, is that there has been a good deal of dissatisfaction with the mode of conducting re-settlement operations. I am not now, on this resolution, trying to show whether those who are dissatisfied are correct, or these officials who think that everything is proper are correct. That is not the purpose of the resolution. I do not propose to trouble the Council with any remarks on that point. While it is recognized as a fact that the people are really dissatisfied with the present method of conducting re-settlement operations, is it not the obvious duty of the Government to find out and inquire by any reasonable means whether that cause for dissatisfaction can be removed? I believe this is one of the methods that can be suggested which will be calculated to remove such dissatisfaction."

"The Hon'ble Sir Alexander Cardew has told us that in 1915 a Government order was issued requiring the settlement officer to give public notice of the inquiry and that in pursuance of that Government order Mr. Watson gave public notice, but there was not sufficient response in South Arcot district. Assuming it is so, what is the lesson to be drawn from that circumstance? Does it mean necessarily that the persons were satisfied with the inquiries made by the settlement officer? Does it follow as a logical sequence that they had no complaint against the enhancement of assessment proposed by him? Or does it mean merely that the persons did not have due notice of the publication and that the method suggested did not serve the desired end? That method having failed, is there any difficulty in trying the experiment of associating a committee of three non-official leading ryots of the place to co-operate with the settlement officer in the matter of the inquiry in connexion with the settlement operations? If it is suggested in this resolution that the Settlement officer is to be bound by the recommendations of the committee, if it is suggested that the Government cannot go beyond the recommendations of the committee, I can understand some reason for opposition. But no such suggestion has been made. Why not secure the assistance and co-operation of non-officials who are willing to co-operate in the matter of the inquiry; why not take them into confidence; why not the settlement officer be asked to pass his recommendation after such proper inquiry? That is the substance of the resolution. I fail to understand any danger or any difficulties that will arise from that course being adopted. It is to be expected that persons who will be affected by the re-settlement will be in a position to select three proper persons who are to advise the settlement officer in a proper manner. If this object is not satisfactorily served by means of the inquiry, the Government can have the satisfaction that the people's wishes have been satisfied and the method suggested by them has been accepted and they have done their part in removing the dissatisfaction."

"The Hon'ble Sir Alexander Cardew has stated that there is an assumption underlying this resolution that the assessment is unfair. I would only request him for a while not to oppose this resolution on the strength of any possible assumption underlying it. The resolution has to be judged on its merits. There are certain differences of opinion which cannot be helped. The Government officers, including the Hon'ble Sir Alexander Cardew, think that the assessments are very fair and reasonable; probably there may be others who may think that the assessments are excessive and not proper. These differences might exist, but is that a reason for opposing the resolution which does not say anything specifically against the assessment either imposed

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hitherto or to be imposed hereafter, but only suggests a slight modification of the rules for conducting the inquiry? It is a reasonable and modest request, and I can find no justification for its being refused."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Your Excellency, I believe this resolution puts forward nothing more than pointing out one specific direction in which the consultation of intelligent ryots is to be made under rule 6 of the Manual of Instructions. Ampler evidence of the need for a proposal like this cannot be obtained than from the speech of the Honourable Member for the Government who replied to the resolution. Here we find in South Arcot a notice was issued and ample time given, and yet the Honourable Member for Government complained that no body was forthcoming to respond. In such a case there is certainly need for probing a little deeper into the causes of such failure. Very often self-respecting people find it difficult to approach these Special Settlement officers and suit their convenience in representing matters to them. The very large majority of the agricultural people are not in a position to approach him and intelligently discuss with a competent civilian officer who is generally deputed to take care of these settlement operations. In those circumstances the proposal put forward in this resolution seems to me, as I believe it must seem to any body who takes a broad and fair view of things, is one proper, and after the instance of South Arcot, very necessary method of consulting intelligent ryots of the tract that is going to be resettled. It only seeks to appoint a committee, a committee whom the special settlement officer will be able to rely on to help and co-operate with him in arriving at a decision as to how that particular tract can be resettled without loss to the interests either of the Government or of the people. Such a committee, I think, can reasonably be granted and granted without the present position being in any way altered. I should think that the action of the Government, if they should accept such a proposal would be not only to get rid of a little more of their unpopularity that very often succeeds these re-settlements and the proposals for enhancement which invariably follow them rather than otherwise. So I think there is every reason why our Government who are certainly anxious to do all they can to make their actions as popular as possible should accept the views put forward by the representatives of the people and carry them out in all settlement operations. With these remarks I earnestly trust the Government and the Hon'ble Sir Alexander Cardew will accept this resolution which will not only strengthen his hands but the hands of the settlement officer as well as of the people at large in arriving at a fair decision on the merits of each re-settlement."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"The reply of the Hon'ble Sir Alexander Cardew has somewhat confirmed me in my impression that even civilians who have been here for such a length of time as my Honourable Friend has been are not quite conversant with the conditions of the people in the villages. The Hon'ble Sir Alexander Cardew said that in South Arcot a notification was published in the village sheet of the District Gazette. Does not the Hon'ble Sir Alexander Cardew like ourselves know that, very few people indeed are competent to look at the Gazette and fewer people actually read them or get them. The Hon'ble Sir Alexander Cardew with his experience must have known that. The very fact which he has stated is confirmatory of that, namely, that there was one deputation which was promised and which never came. We are often times reminded of Your Excellency's reference to the unthinking masses of this country who are not drawn into the vortex of the agitation which a few unscrupulous agitators carry on is most true."

His Excellency the PRESIDENT:—"Is the Honourable Member quoting me?"

His Excellency the PRESIDENT:—"Your Excellency's speech last May."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Your Excellency's speech last May."

His Excellency the PRESIDENT:—"I do not recollect it. There is a great deal of incorrect quotation in this Council. There is an old fashioned rule in the House of Commons which provides that when people quote, they must immediately verify the quotation. Memory is found to be positively very often inaccurate."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I beg Your Excellency's pardon. It is within the experience of many of us here how many of us look into the publications in the Fort St. George Gazette. It is only when an acute controversy goes on in the newspapers and some discussion is raised in the Legislative Council, attention is drawn to the subject. That aspect of it my Hon'ble Friend Sir Alexander Cardew is aware of. The other fact which I mentioned, namely, that even such leading people like my Honourable Friend did not know of this inquiry going on in South Arcot, is in itself confirmatory of the utterly futile nature of this notification. I hope the rules in the Resettlement Manual are intended to be observed. If that is the intention of the Government in enacting these rules, I take it that they will take all steps to see that they are observed. It is clear that the object of this resolution is to secure publicity and confidence both of which are aimed at in rules contained in the Resettlement Manual. It will secure due publicity for the inquiry which is being conducted, because there will be a committee always assisting the settlement officer in the inquiry and you cannot hide the committee in a hole whereas an officer may hide himself in his tent or in some stray travellers' rest-house. A committee cannot be so hidden. So you secure publicity. You secure also confidence because the inquiry is conducted with the assistance of, I may say, three assessors, three ryots of the tract who will know the conditions of the tract and who will be able to give all the information which it is not possible for the Civilian foreign officer to get at. After all, it is to secure information. That is the object of the rules. I take it that it is the

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AT RE-SETTLEMENTS AND SPECIAL OFFICER FOR ORGANISING
FOREST PANCHAYATS IN CERTAIN DISTRICTS.

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object of the rules to secure information to guide the Government in fixing the percentage enhancement. I think the proposition is an entirely harmless one; on the other hand it would be useful and I trust it may be accepted by the Government.

"There are certain arguments advanced by the Hon'ble Sir Alexander Cardew—the difference between the original settlement and the resettlement. I am perfectly aware of it, but I may characterise that argument as irrelevant to this discussion. I am only pointing out that the rules regarding resettlement require certain investigation and inquiry, and I ask that the mode of that inquiry should be prescribed in the rules themselves instead of groping in the dark as to in what way the inquiry should be conducted. I therefore earnestly press this resolution upon the attention of the Government. No doubt the Government are contending that they are doing the just thing, but I assure the Government that the people are not at all satisfied. It is not a matter to be trifled with. Unless you secure confidence of the people in the matter of re-settlement, which is a matter which affects the vast millions of people, which is a troublesome question and irksome question, irksome both to the Government and the people—so long as you do not take steps to secure the confidence of the people—I can assure you that discontent will grow deeper and deeper."

The Hon'ble Sir ALEXANDER CARDEW :—"Your Excellency, the object of the resolution is to secure publicity and confidence. It may be the case that a great many people do not read the village sheet of the district gazette or have an opportunity of doing so. But throughout the district before the actual work of the re-settlement officer begins, special staffs are going to every village, and although gentlemen like my Honourable Friend Mr. Subbarayulu Reddiyar, living in the headquarters of the district, may not hear of these things, the villagers know all about them. They know that the special staff is going to their village and, as they call for applications for transfer of the registry with reference to the re-settlement, they are well aware that re-settlement is actually imminent and about to commence. So far as publicity goes, I do not really think there is any ground for further action, but if any other means of obtaining it can be suggested, I am quite prepared to consider it, for instance publication by beat of tom-tom."

"As regard the second point, confidence, I doubt whether any one feels much confidence in proposals to raise taxation. I do not believe that a committee of this sort would be of any help. What it would do is it will divide the responsibility of the Special Settlement Officer. He would say 'here is a committee and it recommends so much; I must be guided by them.' And they would say 'the responsibility is on the settlement officer; we only give him advice.' There will be a fatal division of responsibility which results in irresponsibility and recrimination. It is better to put the responsibility on the man who makes the inquiry and let him decide the matter."

"The Hon'ble Mr. Chidambanatha Mudaliyar said that this was only an amplification of rule 6. He said that it involved that we should consult three intelligent ryots; but the rule goes further, that he should consult intelligent ryots generally. If the Honourable Member thinks it would be a good thing to consult three intelligent ryots, let them form themselves into a district committee for the purpose of re-settlement and put themselves in communication with the settlement officer. There is no difficulty whatever in that being done. There is no difficulty in the district association, which is in existence in every district, putting on a sub-committee of three members to work up this question—they did something like that in Madura—and submit their views to the settlement officer. I submit to the Council that that is the proper course. It is for the local people to appoint a sub-committee to work up their case and put it before the special settlement officer. It is not wise to reduce the responsibility of the settlement officer by giving a quasi-official position to a non-official body. I can assure the Honourable Member that I shall be very glad to see that steps are taken to ensure that full information is given to the settlement officer, but I do not think it will be wise to have a committee formally attached to the special settlement officer. Therefore I cannot recommend the Government to accept this resolution."

His Excellency the PRESIDENT :—"Does the Honourable Gentleman wish to press this matter?"

The Hon'ble Mr. T. RANGA ACHARIYAR :—"Yes."

The resolution was put to the Council and lost.

RESOLUTION RE SPECIAL OFFICER FOR ORGANISING FOREST
PANCHAYATS IN CERTAIN DISTRICTS.

The Hon'ble Mr. P. SIVA RAO :—"The resolution which I have the honour to move runs as follows :—

'XXIII. This Council recommends to His Excellency the Governor in Council that a special officer may be appointed to organize forest panchayats in the Kurnool and other districts where there has been no satisfactory progress in this direction.'

"The Council is well aware that as a result of the recommendations of the Forest Committee the forests were classified into four divisions and some of the forests in the fourth class were recommended to be handed over to the management of what they called 'forest panchayats.' In

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pursuance of this recommendation a special officer was appointed for some time, Mr. E. A. Davis who continued on special duty for the purpose of accelerating the introduction of panchayats for the management of forests, and his special duty terminated on the 21st August 1916. What the progress that has now been made is given in the administration report of the Forest department for the year 1916-1917, where it is stated : 'All the forests of the Presidency have now been classified in accordance with the recommendations of the Forest Committee. There has been a satisfactory increase in the number of panchayats, which now number 290 as compared with 147 last year. The area under management is now about 479 square miles of reserved forests and unreserved lands which have been declared reserved lands for purposes of panchayat management compared with 210 square miles last year.' While I note with satisfaction the improvement that has been effected from year to year—the area has been increasing twofold almost and the number of panchayats has increased twofold—while I view this progress with satisfaction, I hold that there is considerable room for improvement in this direction. I have been in a position to know what has been done in the Kurnool district which I represent. In February I put the first interpellation, and I was told that no forest panchayat had been sanctioned for the Kurnool district. In the month of April, I put the same question in another form, whether any forest panchayats had been since formed, and I also suggested the desirability of appointing a special officer for the formation of such forest panchayats in that district. The reply of the Government was that they had no information and that the matter was engaging the attention of the Board of Revenue and the Government did not propose to appoint a special officer. The same question was repeated in another guise in May 1917. Then the Government came out with certain principles on which they ought to proceed. It is interesting to read them. The question was : 'Will the Government be pleased to direct the Board of Revenue to take immediate steps for the formation of forest panchayats in the district of Kurnool.' The answer was : 'The policy of Government in regard to the formation of new forest panchayats has been explained in paragraph 3 of G.O. No. 2913, Revenue, dated 15th December 1916, which has been laid on the Editors' Table. It is desirable at present to limit the formation of panchayats to villages in which there is a real desire for them as well as a good prospect of success. These conditions have been found not to exist at present in Kurnool. The Government are therefore not prepared to issue any orders which would have the effect of practically forcing the formation of panchayats in that district. The matter will continue to receive the attention of the Board of Revenue and the local officers.' So this answer was meant to convey that before they started a forest panchayat the people themselves should express themselves in its favour and also to show some willingness to take over its management of forests and there should also be a good prospect of success; otherwise the Government said they were not willing to force them upon the villagers. Now the difficulty arises in this way : How are the Government to know whether the villagers of a certain village are willing to form themselves into a panchayat and to take over the management of reserved forests unless some special officer approaches them and ascertains their wishes first hand? It is not in the way of the villagers to come out and speak out their views freely, come out in public and correspond with the district forest officer and express their willingness to take over the management. The institution is still in its infancy. The matter has to be explained to the villagers and their attention must be drawn to the desirability of their taking over the management of forests. It should be explained to them that this institution of village panchayats is meant for their benefit and it will go far to mitigate the evils that the people are suffering from at the hands of the petty forest subordinates. All these points should be explained to them, and care should be taken to start these forest panchayats when the people in the villages are not advanced enough to come forward voluntarily for the purpose. In my view it is desirable to have a special officer. I do not want an officer drawing a very high salary. Even a deputy collector or a tahsildar would do. He is wanted just to stimulate this branch of activity. I wish to know from the Honourable Member in charge how many more square miles there are which could be handed over to these forest panchayats and what are the further possibilities of development and what has been done in the case of Kurnool. I dare say there is a lot of more forests which could be entrusted to these forest panchayats. I sincerely desire that something should be done in this matter. It cannot be said that the scheme I propose, the appointment of a special officer, would be very costly and it would be a serious burden on the finances of the country in view of the war and so forth. Anyhow, before I say my last word, I wish to know what the Honourable Member in charge has to say to oppose such a harmless resolution."

The Hon'ble Mr. K. RAMA AYYANGAR :—"I beg to second this resolution. I have only to add that it may be necessary even in the case of panchayats already started that instructions should be given by a competent officer visiting the places where they have been formed. I know that the officer who was specially deputed to this duty did attend some districts and formed panchayats, but he has not been able to go to other districts. However, on the instructions given by him panchayats have been started in other districts, for example, Tinnevely and a portion of Ramnad. They have started panchayats; only proper instructions have not been given and there have been complaints. I referred at the last meeting to some of the complaints from that area. In fact the want of a proper officer who can give proper instructions has created considerable difficulty. I should very much like that one officer is put on special duty for a short period to see that in those districts, where no panchayats have been started,

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panchayats are started, and in the case of districts where panchayats have been formed give instructions both to the officers who are to work the panchayats and to the panchayats themselves. In this view the proposal may be accepted, and it be would very proper at this stage for the Government to see that they are formed properly and kept up properly. Already I see from the latest administration report of the Forest Department that three panchayats had to be closed for the reason that they have not been working well. I should like to know if proper advice has been given. I have no doubt there is considerable confusion in the minds of the district officers and subdivisional officers who have formed the panchayats. They are not sure what they are doing. An expert officer sent out would be able to advise them definitely on this matter. This confusion might be avoided by an officer being put on special duty for some time so that the whole thing might be put on a proper footing at the very commencement. We have already had 279 panchayats. In some districts they have worked very well, but not so in some others. For all these reasons I support the resolution and I hope that the Government will accept it in the spirit in which it is moved."

The Hon'ble Mr. M. E. COUCHMAN :—" Your Excellency, it was in 1915 that the Government, on the proposal of Mr. Kesava Pillai, appointed Mr. E. A. Davis as a special officer to accelerate the formation of forest panchayats. Mr. Davis visited a great many places, and he was successful in starting a number of panchayats in several districts. He has given instructions to the district officers and villagers with considerable success. On the conclusion of his special duty, the Government expressed the opinion that the movement was well-started and could be carried on by district officers without further help. The Hon'ble Mr. Siva Rao wants to know why the Government are unwilling to appoint another officer now to do the same kind of work. The general reasons are that the more favourable soils have been already cultivated and most of the districts that have panchayats have made considerable progress in starting panchayats and other districts are rather unsuitable for the purpose for various reasons. This is not a mere excuse for not starting this small reform in other places. It was foreseen at the very commencement. In 1915 the Board of Revenue reported that in certain districts the panchayats would never be successful at all, and they give a list of other districts which were classified as districts in which panchayats would have a limited success and Kurnool was one of them. The Hon'ble Mr. Siva Rao asked me to explain what the conditions were in Kurnool which made it so unsuitable. I think the best way of answering this resolution is to give him some details as to the reasons why Kurnool is unfavourable.

"To make panchayats a success you must first of all have a keen demand for grazing in forest areas. In the second place, you must have a spirit of co-operation among the people themselves. In the third place there must be a feeling that the oppression of forest subordinates amounts to something considerable and the people are willing to undertake the management of forests in order to escape or minimise that oppression.

"In the first place I think I must say that experience shows that the Forest Committee rather exaggerated the oppression by forest subordinates. The committee in its report said that forest oppression was an open sore in every village affected by the Forest Department. The reluctance of the people to take up reserves under the panchayats, I think, shows that it is an exaggeration. If an open sore really exists in every village on account of the oppression of the forest guard or watcher, the people would come forward unanimously and apply the remedy provided by the committee and by the Government by taking up the forest reserves under their own management and thus entirely getting rid of the oppression that exists. I think Honourable Members are often recommending to us the appointment of a mixed committee of officials and non-officials. I am glad to see that the Hon'ble Mr. Siva Rao has recommended only a special officer, but one danger of these committees is that they necessarily consider the subject more important than it is. It would be an absurd position for a mixed committee to find that the grievances they were appointed to report upon, in fact do not exist at all. They must find some grievance, and in this case I think by concentrating their attention only on the complaints against the forest officers by the ryots they overlooked the fact that the ryots have a perfect genius for creating an atmosphere through which it would appear that the village is in a desperate condition. I have no doubt that in every village they visited, hundreds of ryots came with complaints but the object of these ryots was not to obtain forest panchayats but a complete abandonment of the forest reserves, so that they could denude the forests at their will, and pleasure. Therefore I say that one of the reasons why panchayats in Kurnool are not a great success is that the oppression is not great. Serious efforts have been made in Kurnool to introduce panchayats. I have a letter from Mr. Stokes, the present Collector, in which he says that in Boduvanipalli an attempt was made but it failed, mainly because the villagers concerned could not be got to take any interest in it; and in Dudyala reserve the people were not inclined to undertake the management of a forest panchayat; they considered the trouble involved would be out of all proportion to their gain. He is now trying to get up a panchayat in the Yerragondapalayam reserve. It is quite evident that very genuine efforts were made and are being made but that the conditions are quite unfavourable.

"Another condition is that there must be a keen demand for grazing in forest areas. That does not exist in Kurnool. I have compared the areas available for grazing in Kurnool and the number of cattle there with those of Coimbatore, a typical east coast district. In Kurnool there are 800,000 acres of waste land for about 400,000 cattle. In Coimbatore, there are about 550,000 acres of waste land and 800,000 cattle. Coimbatore is one of the districts in which the panchayat is successful. I think one obvious reason is that there are three times more cattle for one acre than there are in Kurnool. Without trenching on the reserves, in Kurnool there are two acres of

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unoccupied land available for grazing for every cow. Another reason is that Kurnool is largely a district of black-cotton soil and the ryots in such tracts never keep very many cattle. What cattle they keep are very expensive and such cattle are never sent to the reserved forests at all; but they are kept in the house and are most carefully hand-fed. They are the most cherished members of the family. If you go into a Kurnool ryot's house the first thing you find occupying the front room (or the drawing room) is the cattle and the ryot is found sleeping among them wherever he can. Cattle thieves are numerous and the cattle are too precious to be allowed to go outside the houses, and therefore they are not sent out to graze at all. That is one of the conditions which make it unfavourable for forest panchayats. The people do not want forest grazing because they are accustomed to feed the cattle in their own homes.

"Another reason with which the Hon'ble Mr. Siva Rao must be familiar in the course of his professional career is that the people are very turbulent people and there are violent factions in every village. When a panchayat takes over the management of a forest, a committee is appointed for collecting the fees to make up the assessment fixed on the reserves. When there is a faction in the village, it is almost too much to expect that the pressure of the panchayat will not be utilized for harassing the enemy by collecting a higher rate of fees and there will be reprisals. Even if the man attempts to assess the grazing revenue fairly among the ryots of the village, the Collector reports 'the panchayats will probably incur serious unpopularity which in this district is apt to find forcible and unpleasant expression.' It is stated that a man who is unpopular in Kurnool does not live very long. That is one of the reasons why panchayats are not very successful there.

"There are other general reasons. Kurnool is a backward district. I was looking into the report of the Registrar of Co-operative Societies and I saw that even in that sphere he finds Kurnool one of the worst districts in the Presidency. He says that the movement for a district bank is still weak in Kurnool and it was too early to think of forming banks. Looking at the figures of societies the transactions were among the lowest, and the unrecovered balance was among the highest in the Presidency. I dare say it is also true that those whom the Hon'ble Mr. Ramachandra Rao described yesterday as 'public workers' experience the same difficulty as regards other public movements. I do not think Kurnool has taken a very active share in, say, the agitation for the constitution of an Andhra province or the immediate grant of responsible government. These are some of the reasons which prevent panchayats having a good start there. The soil is a barren one for co-operation and adoption of the co-operative idea and of other progressive ideas. I hope these reasons would convince the Honourable Member that there is no use of forcing the panchayats on Kurnool. At present genuine efforts have been made and are being made to introduce them, but owing to the peculiar features of the district it is not likely that they will ever attain any success there."

At this stage the Council adjourned for a short interval.

The Council re-assembled at 3 p.m. when the discussion of the resolution on forest panchayats was resumed.

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" Your Excellency, the position to-day on the subject of forest panchayats reminds me of the case of the man, who went out to get wool but came home shorn. The Hon'ble Mr. Siva Rao has pleaded for an increase in the number of forest panchayats and with that object has brought forward this resolution. The Hon'ble Mr. Couchman in replying to that resolution on behalf of Government has expressed himself in a manner suggestive of either his or the Government's preparedness to throw overboard a great deal of what underlies the report of the forest committee. The statements and the conclusions evidently suggested by the Hon'ble Mr. Couchman cannot, therefore, be allowed to pass unchallenged in this house.

"I wish to point out that once again he has illustrated, by his remarks, the great necessity there is for a person to be in close touch with the people before his opinion as to the exact state of affairs in the interior can command sufficient respect. The Hon'ble Mr. Couchman, I suppose, will admit that he at any rate, at present, is not in close touch with the vast masses of the Presidency and it is the ignorance engendered by that circumstance that is responsible for his statement that the forest committee has overdrawn the picture of the sufferings of the ryots in connexion with the forest administration as conducted by the forest subordinates. I am a man who is coming in daily contact with the vast masses of the people in the interior; and I have, besides, made it a hobby of mine, whenever I get a chance to go out into villages near the forest reserves, and I have been steadily making an attempt to make out the condition of the people near the forest reserves. I am, therefore, able from direct knowledge to contradict the assumption, for nothing else can it be, of the Hon'ble Mr. Couchman that the forest committee's picture of the woes of the ryots near the forests is overdrawn.

"The point is that the forest committee has hardly done sufficient justice to the real situation. I shall narrate only one incident to the Council to show what the situation is in forest areas. Myself, a sub-magistrate, a few officials and a few friends were going deep into a reserve, towards the Cauvery river. We wanted milk badly. Somebody was passing by and we wanted the milk that he was carrying. The sub-magistrate made a request to the ryot that we wanted the milk that he was carrying; but the owner of the milk refused. Some of the milk might be given to us for our necessities; but all that failed. There was a forest subordinate in us tried to use our persuasive influence, but all that failed. There was a forest subordinate in the grove; and directly the forest subordinate addressed himself to that particular ryot, the milk was forthcoming, with a readiness that the sub-magistrate remarked that it was worth while being a forest guard rather than being a sub-magistrate, if one has to obtain what he wants.

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"It has been repeatedly mentioned by the various ryots, when I asked them why they could not have a larger number of sheep than they had, 'we are living close to the forest reserves and whether we transgress or not—sometimes we would transgress when our sheep get out of hand and even if they do not—the forest guard insists upon the payment of the *mamul* and if we listen to you, gentlemen, who advocate liberty and individual self-assertion, we are nowhere and that we have to lose all our capital live-stock.' I have had these complaints, times without number, and I may say that the forest committee's bases are perfectly sound.

"Proceeding next to the application of the conclusions of the forest committee to the districts concerned—incidentally I may remark that the Hon'ble Mr. Couchman said that it was an open sore, but as far as my recollection goes I think the term used was 'a running sore,' and I think it is still running—with reference to the application of the remedies suggested by the forest committee, the Hon'ble Mr. Couchman has gone off the main line. He has addressed all his arguments to Kurnool, as though the resolution asked for the appointment of a special officer for Kurnool. The resolution does not say that Kurnool district only is affected; but besides Kurnool there are other districts where the forest panchayats have not gone on satisfactorily. Of such districts, I should single out one district, with which I have close acquaintance. Take Salem. I can point out to the Hon'ble Mr. Couchman and to the rest of the Honourable Members here, that not one of his arguments can possibly apply to Salem. To take the last first, he said that Kurnool was a sort of Rip Van Winkle; it had not taken part in all the agitations for the demand for self-government or for the Andhra province and was not abreast of the times. Salem is almost at the top, if not at the very top; it never lacked in fervour or in enthusiasm, so far as matters of advancement on popular lines were concerned. In Salem I have had to complain that the formation of forest panchayats has lagged very far behind what it should have been. I had to bring this matter to the attention of Honourable Members in connexion with a resolution of mine which the Government were pleased to accept. That was a resolution to the effect that the officials concerned might be informed that they were to seek the co-operation of non-officials in the formation of forest panchayats. The Government were pleased to accept it, and I hoped at that time that action would be taken. But to my great surprise, I found that the resolution which was accepted was absolutely ignored. At any rate so far I have been able to see, it has been ignored; but if any Honourable Member knows that it has been acted upon and that to his knowledge non-official co-operation has been invited in his district, I should be glad to know. But to the best of my knowledge, I find that such co-operation has not been invited; and in consequence, no further step has been taken in this direction, in spite of the acceptance of that important resolution.

"This is useful in meeting the other arguments advanced by the Hon'ble Mr. Couchman. He says the reason why Kurnool has not had advanced is that the picture of woes of the ryots is overdrawn and the ryots are perfectly contented and happy. In one sense, in a sense not intended by the Hon'ble Mr. Couchman, they are, in certain respects, some of them, happy. But who are they that are happy? When I went over with the Collector of Salem to form forest panchayats, we came to a forest where we roused the village from its slumber to form a panchayat. The leading man came out and asked what were his duties. We then explained to him his duties; but he said 'why all this trouble; why should we accept all this responsibility.' The Collector thought that we had struck an unfavourable soil and that we had better move on. I asked him to move on and I lagged behind to ask whether the man had not had any forest difficulties. I knew that there was a lot of grievance and I asked him 'Are you not feeling any difficulties with regard to the forests?' He said he did; and he went on to say 'If I tip the forest guards I can have what I want. The Collector wants me not to take fuel; but if I pay the *mamul* to the forest guard, I can take what I please.' The District Forest Officer who was present, when I communicated this to the Collector, did not find it quite a compliment. It is not possible for District Forest Officers to put down corruption. I am only incidentally mentioning this circumstance to show that the only palliative for the woes of the ryots appears to be something which we cannot recognize, namely, corruption in the lower rungs; and corruption, if we are to tolerate it, takes the form of extortion in some cases. Therefore, it is correct to say that, in a sense not intended by the Hon'ble Mr. Couchman, the woes of the ryots are not very many and have been exaggerated. There are other persons who have not the means and in some cases the desire to apply that palliative; and, therefore, we have to take note of the situation, as it presents itself to any honest and straightforward ryot. In these cases, what is the right remedy? The forest committee has recorded its conclusions. The Hon'ble Mr. Couchman's argument, if accepted in regard to Kurnool, may go to show that the forest committee's report may be torn up and that we do not want any forest panchayats. We have only to state the position in that way to show that it is absolutely untenable, and I hope that the Hon'ble Mr. Couchman's argument does not show the way in which the Government wind is blowing. I hope that this Council will never lend its aid in trying to tear up to pieces a paper the value of which is hardly appreciated by the Hon'ble Mr. Couchman. We must make an honest endeavour to carry out the recommendations of the forest committee. This resolution presupposes that this Council and the Government honestly adhere to the policy and support the policy of the forest committee's report. The only question that arises is whether we should have a special officer. On that matter, if the Government say that they have not got the necessary money, I have nothing to say. But to raise the objection on the grounds advanced by the Hon'ble Mr. Couchman is absolutely wrong.

"The only other argument that he applied to Kurnool would not apply to Salem, that is, the argument that there was not sufficiently keen demand for cattle grazing. I know that there

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is a keen demand in Salem. Three years ago I was moving from forest village to forest village, collecting the people and enquiring into their grievances with a view to form provisional panchayats, long before the Government started their panchayats. Various obstacles were thrown in their way and voluntary panchayatdars were prosecuted before courts. I find that the one reason why the resolution which was proposed by me and which the Government were pleased to accept has not been carried out is that the various divisional officers and other officers have quite enough to do, and I really think that it is much better that we should provide a special officer to go about this matter. Salem is very little developed in this matter and although I drew the attention of the Collector, divisional officers and forest officers, I still find very little is done. I have, therefore, great pleasure in supporting the Hon'ble Mr. Siva Rao's motion. Unless it is a case of lack of men and money, I hope the Government will be pleased to reconsider the situation and accept the resolution."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I have carefully listened to the remarks of the Hon'ble Mr. Couchman and I hardly expected that he would seek to impeach the deliberate findings of the Forest Committee in a side discussion like this. It was a committee deliberated over by Mr. Horne and of which the non-official members were Mr. Kesava Pillai and the Hon'ble Mr. Ramachandra Rao. It is very unfortunate that the Hon'ble Mr. Ramachandra Rao is not here to defend his report against the attacks that have been made against it. It was a unanimous finding arrived at by the committee, it was endorsed over by the Government, and it was with a view to relieve this sort of harassment that is complained against and which was brought forcibly to their notice that this classification was recommended. It is too late in the day for the Honourable Member to go back upon the findings of the committee and to set at naught or seek to fritter away the effects of such findings to remedy which all these beneficial measures were suggested. I can see from the attitude of the Honourable Member that the formation of forest panchayats will stop here. His standpoint seems to be that unless a set of villagers come forward and express their willingness to form a panchayat there will not be any attempt to form one. As I said, the villagers are not far advanced; they do not know what a forest panchayat is, and the authority attached to it and also what their liabilities and rights are. Naturally all these things have to be explained to them at the outset.

"The Honourable Member began by saying that the district of Kurnool was not advanced and that it had not asked for an Andhra Province or responsible government or Home Rule. All that is perfectly true, when he speaks of the district of Kurnool. As for the matter of that, the Ceded districts are not so far advanced as the other districts are. I quite concede his statement. But that is exactly the ground why this sort of humanising work should be attended to with more care in those districts. The Government have in my humble view to pay some attention to the formation of panchayats in these districts, as they have been doing in the case of the co-operative movement, for instance. They are trying to foster and develop the co-operative movement by the appointment of Registrars and so on. Similarly in the case of forest panchayats, they must try to do their best. I have been in touch with my constituents, and though I have not got letters from them to produce before this Council, yet I know that in some cases they are willing to form themselves into panchayats, but there is nobody to encourage them. It all depends upon local officials; if they will only go and explain to the villagers the benefits of forest panchayats, they are sure to express their willingness to form panchayats.

"Then as to want of co-operation, less demand for grazing and comparative freedom from harassments, these are the characteristics not peculiar to Kurnool only; they also exist in the other Ceded districts—Bellary, Anantapur and Kurnool. In Bellary for instance 79 or 80 forest panchayats have been formed and in Anantapur also some panchayats have been formed. What is the distinction or difference between the districts of Anantapur and Bellary. Bellary is full of Kurnool as compared with those of the districts of Anantapur and Bellary. Bellary is full of black cotton soil and the cattle are stall fed or hand fed. These are the disabilities which exist in Bellary. While they have been able to form 80 panchayats in Bellary, why they should not have been able to do so in Kurnool puzzles me. To the arguments that have been advanced, I have given every care and attention, to see if the Honourable Member would at least assure me that he would make it a point to instruct district officers and other executive officers that the Government pay very great attention to this branch of work. If he undertakes to instruct them to stimulate this branch of useful work, I shall feel somewhat satisfied, but he does not do even that. The appointment of a special officer is not a costly matter and the Honourable Member has not based his objection on that ground, and therefore I need not traverse that ground."

The Hon'ble Mr. M. E. COUCHMAN:—"Your Excellency, I am rather surprised at the line that the Hon'ble Mr. Narasimha Ayyar took up in speaking on this motion. He used several expressions which seemed to me exaggerated—that I desire to throw overboard the conclusions of the Forest Committee and that I want to tear up the conclusions of that committee. He did not limit these expressions in any way. I made incidentally a remark that experience in Kurnool showed that the grievances of the ryots were not so very acute as the Forest Committee thought; otherwise we should not have had the spectacle of the villagers being reluctant to take up the panchayat management even under the greatest pressure from the Collector and the revenue divisional officers. I do not think that any one can possibly deny the force of

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that remark. If the grievances in Kurnool were so acute and if they amounted to a sore—whether it is a running sore or an open sore I do not care very much, but if it amounted to a sore—and if the Government provided a remedy and said ‘you had better take up the forests under your own management’ and if the ryots still refused to apply that remedy, I think I am quite justified in concluding that the Forest Committee overdraw the picture and exaggerated the extent of the oppression by the forest subordinates.

“Both the Hon’ble Mr. Narasimha Ayyar and the Hon’ble Mr. Siva Rao misunderstood me when they thought that I wished to discourage the formation of forest panchayats or to stop them. Nothing of the sort. If they will read the Government Order on the subject, particularly the one in which the Government accepted the policy all along, they will see that we have been putting the strongest pressure on the district officers to encourage the formation of forest panchayats. As the Hon’ble Mr. Siva Rao just remarked, it all depends upon the local officers. That is one of the chief reasons why we object to the appointment of a special officer. It is only the local officers that will have the necessary influence over the ryots; they have power over them in many ways and the ryots are much more likely to listen to local officers than to a special officer. I merely wish to say that Honourable Members may rest assured that we wish to push the formation of forest panchayats in every way and the progress hitherto has been very satisfactory. There has been an increase of more than 100 per cent in the number of panchayats in each year and we wish to give every encouragement to that movement, and there is no justification in my speech for the Hon’ble Mr. Narasimha Ayyar to draw the conclusions that he did, that we wish to tear up all the conclusions of the Forest Committee.”

His Excellency the PRESIDENT:—“Does the Honourable Gentleman wish to press the resolution?”

The Hon’ble Mr. P. SIVA RAO:—“As the Hon’ble Mr. Couchman has said that he would make every endeavour to push on the formation of forest panchayats, I do not wish to press the resolution and I therefore withdraw it.”

His Excellency the PRESIDENT:—“That is the intention of the Government; the Government have also in the past followed that policy. That is, what I understand the Hon’ble Mr. Couchman to say.”

With the permission of His Excellency the President the resolution was withdrawn.

EXTENSION OF TOTAL PROHIBITION AREAS.

The following resolution which stood in the name of the Hon’ble Mr. B. V. NARASIMHA AYYAR was not moved:—

“XXIV. This Council recommends to His Excellency in Council that steps may be taken for extending the principle of total prohibition of liquor by creating and increasing the number of total prohibition areas and by other suitable steps.”

RESOLUTION *RE* EXTENSION OF THE SYSTEM OF TRIAL BY JURY.

The Hon’ble Mr. A. S. KRISHNA RAO PANTULU:—“I have the honour to move the following resolution:—

“XXV. This Council recommends to His Excellency the Governor in Council that steps be taken to extend the system of trial by jury in Courts of Sessions.”

“Your Excellency, I intended to move this resolution at the meeting held on the 6th February last year; but as some of my honourable friends suggested that it might be taken up later, I postponed it. Having in the meantime ascertained the views of several others, I have given notice of it for this meeting, thinking that there is no justification for postponing it any longer. So far as the main principle underlying this resolution is concerned, I take it that there cannot be any serious difference of opinion, much less any doubt or hesitation about the recognition of the principle underlying it. It is an old subject with which every one in this Council and elsewhere must be familiar. The system of trial by jury, as is, under some misapprehension, supposed by some, is not a novel institution in this country. It is an indigenous institution dating from time immemorial. The village panchayats which exist throughout the country and which are being organized are but examples of the existence of this institution in years gone by. Even the ancient Hindu law texts provide for assemblies of townsmen and traders as court for dispensing criminal and civil justice. Even coming to the history of this question after the advent of the British rule in India, we find that so early as 1793, Lord Cornwallis ruled that there should be trial by jury. Sir Thomas Munro drafted a Regulation which was passed in 1827, when the Regulation embodying this principle was accepted. But matters did not stop there. The Indian Law Commissioners appointed under the India Act of 1853 examined this question thoroughly and recommended the present double system of jurors and assessors in the trial of important cases. It is on the strength of their report that the first Criminal Procedure Bill was introduced in the Supreme Legislative Council in 1859; and the select committee appointed to consider its provisions thought that a mixed system of jurors and assessors would

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not serve any useful purpose. They recommended that there should be a general system of trial by jury. That was their recommendation. The Council then accepted their recommendation. With what result? The matter was referred to the Secretary of State for India for approval and he made further suggestions and approved of the recommendations of the Commissioners. The despatch sent out by the Secretary of State for India on that occasion is worthy of serious consideration, because it embodied the principles which I would like to refer to even at present. The despatch, dated the 31st December 1859, stated as follows:—‘The course proposed by the Commissioners appears to Her Majesty’s Government to have been a very safe and judicious one. Under a system intended to be ultimately adapted to the whole of India including Presidency towns, it was necessary to secure the binding nature of the verdict of a jury as to matters of fact. This was done and the trial by jury was to be at once extended as far as it appeared to the Commissioners it could safely be done by a mere act of legislature. Beyond this it was proposed to associate natives of the country as assessors with the judge in conducting criminal trials and thus to prepare them for taking hereafter a more decided and efficient part in the administration of criminal justice than they now appear to be prepared for; and in such cases the decision was to be left with the judge in order to provide against failure of justice arising out of religious or other prejudices.’

“In accordance with this despatch of the Secretary of State, the necessary amendments were made and we find the Criminal Procedure Code of 1861 was enacted, containing provisions for trial by assessors in some cases and trial by jury in those cases to which the provisions of the Act were extended by the Local Governments. When the Criminal Procedure Code came up for revision again in 1870, the question of trial by jury again came up for discussion. According to original intention of the legislators, a finality was given to the decision of the jurors. But in 1872 it was thought expedient to provide for the contingency of the jurors coming to a wrong decision, and with that object we find that the provisions corresponding to those of section 307 of the present Code were incorporated. The judge was empowered to refer the matter to a Superior Court, where he disagreed with the verdict of the jurors. That provision was incorporated in the Act of 1872. When the Criminal Procedure Code was again amended in 1882, no material alterations were made in that respect.

“We find that the Province, of all other Provinces in India, which has been given the privilege of having the benefit of these provisions was the Province of Bengal. Immediately after the Criminal Procedure Code of 1861 was passed we find that by notification, dated 7th January 1862, in certain districts in Bengal offences coming under Chapters VIII, XI, XVI and XVIII of the Indian Penal Code were to be tried by jury. You will find that the offences which were held to be tried by jury in certain districts in Bengal so early as 1862 comprised the following offences:—offences against public tranquillity; false evidence and offences against public justice; offences affecting the human body; offences against property; and offences relating to documents and to trade or property marks. Almost most of the important offences were thus held to be tried by jury so early as 1862 so far as the certain districts of Bengal were concerned. As years went on, we find that there was a doubt in the mind of the then Lieutenant-Governor of Bengal and he proposed to withdraw certain of these offences from the jury and he made a proposal to that effect on the 22nd June 1891. The proposal was also approved by the Government of India on 20th October 1892. What was the result? There was any amount of opposition to the proposal to withdraw those offences from the cognizance of the jury. What is now known as the famous Jury Commission was appointed, consisting of eminent judges and eminent jurists, and they collected valuable evidence; and though the matter arose in Bengal, they collected the opinions of the Madras judges also. After collecting all the necessary materials, they found that there was no justification for withdrawing any of these offences from the cognizance of the jury, and they sent up the report on the 23rd March 1893; and within three days after that, the Government of India cancelled their original order of the 20th October 1892.

“This is the history of the question of the trial by jury. There have been no material alterations in the law so far as that point is concerned. But as under section 269 discretion was given to Local Governments, these Governments were competent to develop the system of trial by jury according to their pleasure and as they thought best. The section provides—

“(1) The Local Government may, with the previous sanction of the Governor-General in Council, by order in the official gazette, direct that the trial of all offences, or of any particular class of offences, before any Court of Session shall be by jury in any district, and may, with the like sanction, revoke or alter such order.

“(2) The Local Government, by like order, may also declare that, in the case of any district in which the trial of any offence is to be by jury, the trial of such offences shall, if the judge, on application made to him or of his own motion, so directs, be by jurors summoned from a special jury list, and may revoke or alter such order.”

“Having stated so much about the history of this question, let me now place before the Council the facts tending to show how this system of trial by jury has made progress in various major provinces in India and how we stand to-day so far as trial by jury is concerned in this Presidency. In the Province of Bengal which had the fortune of taking up this question early, we find that, according to the original notification and amended notification of 1893 and 1895 all the offences mentioned by me already under chapters VIII, XI, XVI, XVII and XVIII also offences relating to marriage under chapter XX were held cognizably triable by jury, offences against persons including murder, offences against property including robbery and dacoity. So far as Bombay is concerned by a notification which was issued in 1885, it will be found that in some districts of the Presidency all the offences punishable

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with death, transportation for life or imprisonment for ten years are all held to be offences triable by jury. You will therefore find that, so far as offences triable by jury are concerned, Bombay had the general rule that in all serious offences a jury should take up the case. It was extended to some of the districts and I will give a further history of it later on. In the United Provinces of Agra and Oudh we find that as per notification of 1884 the following offences are triable by jury: kidnapping and abduction, rape, theft, robbery, dacoity, criminal misappropriation, receiving stolen property, mischief, house-trespass, offences relating to marriage, and abetments of these offences are also being tried by jury. So far as Madras is concerned how do we stand? We find that as per notification of 1883 the following offences only are triable by jury: offences coming under sections 379, 380, 392 to 395, 397 to 402, 411, 412, 414, 451 to 459 and 461. These include, I may inform the Council, theft, robbery, dacoity, receiving stolen property and house-trespass. It would be seen from this statement that so far as offences triable by jury are taken into consideration, this is the Province where very little progress has been made, while other major Provinces such as Bengal, Bombay, United Provinces and Oudh have gone far ahead and even the United Provinces and Oudh where they have been a little more modest than elsewhere they have included kidnapping in the list of offences triable by jury. But in this Province, in addition to the offences triable by jury, there are these, namely, rape, criminal misappropriation, offences relating to marriage. I would request this Council to pause and try to find out whether there can be any justification for this difference between these major Provinces, whether there is any substantial difference either in temperament, culture, education or civilization of the people belonging to these various provinces, justifying this different state of things. So far as I have been able to analyse and judge even from the results available, I have not been in a position to find any satisfactory explanation for the present state of things in this Presidency.

"I shall now try to place before this Council facts tending to show in how many cases it was necessary for judges to differ from jurors, and where their opinions have not been accepted, and whether it is safe to have a further extension of the system of trial by jury. So far as this Province is concerned, it will be found—I shall confine myself to the figures available from the statistics published for Criminal Courts for 1915 and 1916—that in the year 1915 the number of persons accused of offences triable by jury was 1,308, in regard to which we find that their verdict was approved in the case of 1,222 persons and it was not approved in the case of 86 persons. I am now giving cases where the judges thought it necessary to make a reference, and I am giving figures for showing how far the judges found it necessary to differ from the verdict of the jury. You will find from the figures that they differed only in the case of 86 persons out of 1,308. The Council will agree that it is a very small number which does not deserve any consideration. Out of the cases of these 86 persons only in the case of 40 persons judges found it necessary to make a reference to the High Court. In the year 1916 we find that out of 1,318 persons accused of offences triable by jury the judges approved of their verdict in the case of 1,247 persons and disapproved only in the case of 74 persons, and they made reference only in the case of 69 persons. It will be interesting to notice whether in cases triable by assessors judges found it necessary to differ from their opinion in a large number of cases. That will be another test which may be applied. It might be asked that if it is a trial with assessors, it might be open to a judge to pass judgment according to his discretion. If it is found necessary to differ from them in a large number of cases, it was only then the Council could be justified in coming to a conclusion that we are not satisfied with assessors. We find that in the year 1915, out of 1,734 persons accused of offences triable by assessors, the judges agreed with the opinion of assessors in the case of 1,117 persons and differed from some of the assessors in the case of 222 persons and differed from them totally in the case of 395 persons; and in the year 1916 the figures are, out of 1,561 persons accused, the judges agreed in the case of 1,025 persons, and differed with some of the assessors in the case of 215 persons and altogether in the case of 321 persons. Though according to the scheme of the Criminal Procedure Code, there is a difference in the extent of the cases triable by jury and assessors, you will find that, in by far a large number of cases, they accepted the opinions of the assessors, and passed judgment accordingly. With these figures before us, it is impossible to come to any other conclusion but that the trial with the aid of jurors and assessors has been, on the whole, satisfactory.

"I shall now refer you to the remarks made by the High Court as to the working of the system of trial by jury as to what the sessions judges stated. In the year 1915 we find that the High Court stated 'the jury system is reported to have worked with only moderate success,' and referred to the opinions of some judges who were for it and some of the other judges who were against it. When we come to the year 1916, we find an improvement. And it is in these terms that the High Court describes their work:—'The majority of the judges report that the jury system worked fairly well. The Sessions Judge of North Arcot (Mr. Booty) states that the value of the system is not worth the expenditure it involves and that a great deal of time is wasted in vakils' arguments and the judge's summings up to the jury.' I do not think that the Sessions Judge could have avoided the vakils' arguments even if it is a case triable with the aid of assessors. Probably he might have stated that the judge's summing up to the jury might have been avoided. Some of the judges sum up the cases to the assessors, and thus aid them in coming to a conclusion, while some other judges consider that it is not obligatory upon them to do so, and therefore refrain from making any remarks and merely call upon the assessors to give their opinions. But if you find that, in the result, judges differ from the assessors, it is due to a certain extent to themselves. The judges are expected to assist the assessors and if they fail to give them such assistance as they are entitled to expect

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from them they (judges) cannot blame them. Then the High Court goes on to say:—'The Sessions Judge of Madura (Mr. Coleridge) states: I have nothing favourable to report. Even in simplest cases, I received the most perverse verdicts absolutely opposed to the evidence. As at present constituted, a jury is certainly not a success in this district. The jurymen seldom attend to the evidence and rely apparently on the summing up or the arguments of counsel.' He says that as at present constituted the jury system is not a success. We should take serious note of it and see what is the cause. It so happens that the judges themselves might allow the depositions to be taken by others, and wait till the vakils begin to argue their case and it is only then they make up their minds as to which side they should take up. The High Court goes on to say:—'The Sessions Judge, Tinnevely (Mr. Edgington), states that he has nothing to add to his remarks of last year, when he commented on the reluctance of assessors to give an opinion in favour of conviction and gave it as his experience that even in the clearest case it was doubtful what the verdict of the jury or the opinion of the assessors would be. The Sessions Judge of Coimbatore (Mr. Waller) states that the jury system works satisfactorily enough in simple cases. On the other hand the Sessions Judge of South Arcot (Mr. Roberts) states that the verdicts in jury cases were perfectly sound and the opinion of the assessors generally reasonable and that no special defects in the working of the system were observed by him. The Sessions Judge, Chingleput (Mr. Venugopal Chetti), reports that he had no reason to modify the opinion of general satisfaction with the system recorded by him in the previous year. The Sessions Judge, Godavari (Mr. Fernandez), states that the system worked satisfactorily.' Next we come to the remarks of the Sessions Judge of Kurnool. My complaint is that some of the judges would not follow the provisions of the code as to the duties of a judge and duties of a jury, and this is what Mr. Jenkins, Sessions Judge of Kurnool, refers to: 'I have found here . . . that if care be taken to explain the cases at the outset and to direct the attention of jurors and assessors to the main points on which they will have to decide, the verdicts and opinions are reasonable in the majority of cases.' 'The Sessions Judges of Cuddapah, Ganjam, Guntur, South Kanara, Kistna, North Malabar, Salem, Tanjore and Vizagapatam, say the High Court are of opinion that the jury system on the whole worked fairly well.' Then again it will be found from the review of the latest year that, except three or four judges who made some remarks prejudicial to the system of trial by jury—these remarks are capable of explanation by themselves—the judges have reported in favour of the system of trial by jury. Before we can set aside the opinions of these persons, I think we would require very grave reasons.

Another point that has to be taken into consideration is this: that the system of trial by jury has very many advantages in the development of the country, which cannot be ignored. The value of the system of trial by jury, as affording political education to the people, cannot be ignored. It will enable them to take part in the administration of criminal justice, and it will, in itself, afford a training ground to a considerable extent. I do not want to base this portion of my argument on my own observation; I have referred to the despatch of the Secretary of State issued in 1859. He himself suggested in that despatch as one of the principles underlying the system of trial by jury that it would 'prepare them for taking hereafter a more decided and efficient part in the administration of criminal justice.' We find that so far as this aspect of the question is concerned, a former Lieutenant Governor of Bengal, who was then in the Supreme Legislative Council, Sir George Campbell, pointed out that the system had a great effect in the political education of the people, as they have been induced to take part in self-government and in administration of justice. Coming nearer to modern times, we find that, when a resolution affecting the jury system was discussed in the Bombay Legislative Council on the 15th March 1916, Mr. M. B. Chaulal, Member, on behalf of Government, who spoke against the resolution, stated as follows:—

'At the same time, particularly at the present time, Government recognize the educative value of this system of trial by jury in the general scheme of local self-government. That is one of the points I find made in the papers and Government also recognize its value in familiarizing the people with a foreign system of criminal law by making them take part in the administration of justice under the guidance of judges who can explain to them its reasonableness and justice.' I would, therefore, request attention to the value of the system of trial by jury, as affording a training ground to people in the administration of criminal justice.

"Need I remind this Council that, so far as this institution is concerned, it has long been established in England. I do not think that there could be any reasonable opposition, so far as this resolution is concerned, even on behalf of my Honourable European colleagues. Under the Criminal Procedure Code, they have the right to demand a trial by jury even in cases which are ordinarily triable by assessors; section 451 of the code makes provision for it. They can require that not only should they be tried by a mixed jury, but that even in cases tried with the aid of assessors, they can claim that one half shall be Europeans or Americans. When that is the principle recognized even from earliest times, I cannot see any opposition to the extension of the system, so far as we are concerned.

"Having stated so far about the merits of the system, I shall now try to point out or refer to some of the possible objections that might be urged. Whether they are urged by officials or non-officials, it is my duty to deal with them at present. One of the common objections that I have heard stated is that jurors might give wrong verdicts, that jurors are not sufficiently educated and that jurors are not in a position to appreciate the niceties of law and the niceties of

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evidence, as much as judges can possibly do. I wish to deal with this question as best as I can. May I ask whether the judges can claim infallibility? Are there not judges who try cases with the aid of jury coming to wrong conclusions. It is not the peculiar province of the jury to come to wrong conclusions. Wrong conclusions are some of the inevitable consequences of the administration of justice. Such being the case, we need not be scared away by the suggestion that the jurors are likely to come to wrong conclusions. On the other hand, I submit that if the provisions of sections 297, 298 and 299 of the Criminal Procedure Code are taken into consideration, there would not be much difficulty in coming to a proper conclusion. Section 297 says 'in cases tried by jury, when the case for the defence and the prosecutor's reply (if any) are concluded, the court shall proceed to charge the jury, summing up the evidence for the prosecution and defence, and laying down the law by which the jury are to be guided.' Section 298 lays down clearly the functions of the judge, and 299 lays down the functions of the jury. I do not want to detain the council as I am thereby likely to approach my time-limit. If the judges bear in mind the provisions contained in these sections and place before the jury those points which ought to be appreciated in a proper manner, I am sure that even, in the few cases where they now find it necessary to differ, they will not find it necessary to do so hereafter. There is ample provision in the code which requires judges to give sufficient help and guidance to the jury, and if sufficient advantage is taken of these provisions, there will be no difficulty whatever."

His Excellency the PRESIDENT (*interrupting*):—"I may remind the Honourable Member that he has already been speaking for half an hour."

The Hon'ble Mr. A. S. KRISHNA RAO (*continuing*):—"I shall finish my remarks within five minutes. Then it may be urged that the persons chosen are not the proper persons. But the remedy is in the hands of the local Governments. Sections 319, 320, 321, 325 and 278 of the code provide how the jurors and assessors are to be selected; and they contain ample safeguards for the selection of proper persons. Those gentlemen, living in the mufassal, know with what care these lists are prepared. District Magistrates and Sessions Judges are expected to work together and then prepare the list in an accurate manner. If the District Magistrate is asked to co-operate in the matter it is for the reason that he is more in touch with the people and is in a position to give some information about the people from whom the jurors and assessors are chosen. It is some subordinate clerks who are asked to prepare the list and to hang it up somewhere and no objection is taken to the list. If instructions are issued by the Government to see that better care is taken in the preparation of the list of jurors and assessors, we shall have a better set of people. In the cases tried by assessors we have other right of appeal, but in the case of those tried by jurors we have not got the right of appeal in which case some persons are prejudiced. I would remind the Honourable Members of this Council that in section 307, even though the word 'appeal' is not used, there is room for substantial justice being done. Section 307 says 'If in any such case the judge disagrees with the verdict of the jurors, or of a majority of jurors, on all or any of the charges on which the accused has been tried, and is clearly of opinion that it is necessary for the ends of justice to submit the case to the High Court, he shall submit the case accordingly, receding the grounds of his opinion, and, when the verdict is one of acquittal, stating the offence which he considers to have been committed.' Sub-section (3) of this section says 'In dealing with the case so submitted the High Court may exercise any of the powers which it may exercise on an appeal, and subject thereto it shall, after considering the entire evidence and after due weight to the opinions of the Sessions Judge and the jury, acquit or convict the accused of any offence of which the jury could have convicted him upon the charge framed and placed before it; and if it convicts him, may pass such sentence as might have been passed by the Court of Session.' It can exercise the powers of an appellate court and they can consider not only questions of law, but also questions of fact. If that is so, where is the danger of their not upsetting the verdict of the jury in proper and reasonable cases.

“The only other aspect of the case is if so early as 1861 it was thought expedient to have the system of trial by jury, is this council going to subscribe to the fact that though fifty years have elapsed, there has not been sufficient advance in education or culture to justify a further extension of the system of trial by jury? I do not see how the council could commit itself to any such conclusion.

“These are some of the main reasons which have induced me to place this resolution before this council. I suggest that this system of trial by jury be extended. It means that as to the offences to which it should be extended it is left to the discretion of the local Government. I would venture, however, before I close, to make a few suggestions as the basis of discussion, because I am sure that one of the replies on behalf of the Government might be ‘you have not made any specific suggestions, you have not made out a case. We are not in a position to say “yes” or “no”.’ My point is let the principle be recognized, let the Government examine and see in respect of what offences and in which localities, an extension should be made and let attempts be made to push it forward to the next stage and this by itself will do incalculable good. But if suggestions are wanted I shall make them. I would suggest kidnapping, abduction and rape, criminal misappropriation, offences relating to marriage—these are the offences triable by jury in the United Provinces—and also offences against the State, including sedition, under 124-A, as in Bombay. I make the suggestion and it will serve as a basis for discussion. All that I request the Government to do at present is—that is why I have worded

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the resolution in this manner so as to enable them to do so—to examine the localities and offences to which the system of trial by jury might be extended. So far as suggestions are concerned, if you are prepared to discuss any suggestions, these are my suggestions."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I have great pleasure in recording this resolution. It is a modest one; it only asks for an extension of the jury system. So far as I remember aright, this notification for the constitution of the jury system in the mufassal was issued as early as 1883 and the matter now stands where it was. It was about 34 or 35 years ago that this principle was conceded, and it was then thought fit to make certain offences against property, theft, robbery and dacoity, triable by Judge and by jury. Now the time has certainly come for some definite step forward to be taken for some extension of the system. Since 1883 the country has advanced in education, in public spirit, sense of justice and so forth, and it is time that steps are taken by the Government to extend it. If you take the progress that has been achieved in the sister Presidencies—the Honourable Mover has given facts and figures as to what was being done in Bengal—Bengal is far ahead of us; and from the very early times they had the right of trial by jury even in murder cases. In Madras, as I have said, we have gone up only to a limited extent; we have been cautious from the beginning. It is only the less serious offences that are triable in the mufassal by a jury, for example, dacoity, leaving out the other offences which are minor offences. But in Bengal for murder has been, for a long time, tried by a jury. In Bengal, I do not say it was extended in the beginning to all the districts in the Presidency, but only to some 14 or 15 districts—I do not remember quite correctly. Now an attempt was made in 1916 to extend the same principle to the other 16 districts, and the non-officials were able to defeat the Government on that point, by a majority of 24 against 22. In Bombay too, from the very beginning, they have been ahead of us; even offences punishable with death or transportation for life were triable by jury. In the United Provinces, an attempt was made the other day in which the non-officials were able to defeat the Government and to carry the day. So I must say everywhere affairs have been moving; to use a grand term, it is one step towards the goal of responsible Government, which has been declared to be the policy of the British Government in this country. It is an attempt to associate the people of the country in the judicial administration of their country. It teaches them to be judges of their own fellow countrymen. The one objection that may be suggested to this extension of the system, the only question that arises is: whether the system has been working ill or well so far. I believe for the settlement of this question we have naturally to depend upon the statistics of criminal courts and upon criminal administration reports. The latest administration report gives a pretty satisfactory account of its work. A majority of the Judges report that the jury system worked fairly well, not to speak of the queer views of some Judges, like Mr. Booty, who are impatient of even vakils arguing before them—the majority of the Judges are in favour of the jury system. That is one standpoint which has to be taken into consideration.

to be taken into consideration.

“Then it has been stated that the material for the jury is not good enough. Steps may be taken to improve the qualifications of the jury if the Government think it fit to extend the system. The Honourable Mover does not suggest that this system should be extended to all districts. It is left to the Government to choose the most advanced localities all at one time. It is left to the Government to choose the most advanced districts. It may be said that juries are amenable to influences, and they do not know how to weigh the evidence in police cases. On the side of the accused people, the complaint is heard that the police captured them. The police complain that the accused get hold of them and make them amenable to influence. My experience of the jury system has been somewhat unhappy in some individual cases; but it has been unhappier in cases tried by Magistrates or Judges. In cases tried by Magistrates they have committed worse blunders; and in those tried by Judges in my humble opinion, there have been gross miscarriage of justice. If Your Excellency's Government would take note of the cases in which Judges disagree with the verdict of the jury and refer the cases to the High Court, there are so many cases, in which the High Court have upheld the verdict of the jury. But in most cases, as pointed out by the Honourable Member, the Judge has agreed with the verdict of the jury.

The jury system here in India is a very qualified system; it is not the

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tried by Judges and appealed against and set aside in the High Court is fortunately the same as the percentage of cases in which there has been miscarriage of justice by jury. That is one other consideration. It only illustrates that human judgment is fallible after all. As regards the fallibility of Judges, I need only refer to that sensational case which attracted considerable notice and attention, and which took place in the Tanjore district and which is known as the Pondy murder case. If any case shows the fallibility of human judgment and difference of view, I will ask the Council to consider what happened in that case. The case was first inquired into by one Deputy Magistrate who discharged him. Another Deputy Magistrate took it into his head to set aside the order of discharge and to inquire into the case; and he committed the case to the Court of Sessions. The Sessions Judge, after a protracted trial, sentenced the man to death. He tried it with the aid of assessors. The matter went up to the High Court when two Judges differed, Mr. Justice Bakewell and Mr. Justice Sadasiva Ayyar. One was for conviction and the other for acquittal. The matter went before Mr. Justice Sankaran Nayar who was for conviction. The whole matter was taken up, under special prerogative, to the Privy Council. They sought special permission and they got it granted. It was during the time of Lord Haldane. They set aside the conviction of the High Court on the ground that some obvious rules of evidence and procedure had been set at naught by the High Court. That is a glaring instance which illustrates how much scope there is for difference of opinion. When two Judges experienced in criminal cases, one of whom is now in the Executive Council of the Viceroy, decided the case, their judgment was pronounced to be based upon what was not legal evidence and it was also held that the procedure followed by them was opposed to all rules. It was on that ground that that man's neck was saved from the gallows. I only mention this to show that these Judges have not been free from errors. It is human to err. So the argument cannot prevail that the jury are also human and commit mistakes.

"I need not detain the Council long, suffice it to say that the time has come for the extension of the jury system. If it is said that in most of these cases the present jury system prevails in the Presidency towns, and that can be justified only on the ground that the people of the metropolis are far ahead in culture and civilization, may I ask whether in the mufassal we have not advanced under British rule for over half a century. Why should we not ask for the same privilege to be extended to the mufassal? Have there not been cases of gross miscarriage of justice in the metropolis? If it is said that the jury are likely to be influenced, I may tell the Honourable Members of the Council certain instances in which the Judges will be influenced, that is, in trials of offences against the State. Whatever extension may be given by Your Excellency's Government, I strongly desire that the extension should be granted in the case of offences against the State where the issue has to be settled between the Crown and the subject. It is highly desirable that as impartial a tribunal as is possible should be formed in such cases. I appeal to you, especially to the non-official Europeans in the Council, that this request made for the extension of jury system, which they regard as a priceless boon—even before District Magistrates, they have got this right of trial by jury—may be supported by them and this resolution will commend itself to their acceptance. With these words, I second this resolution."

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, I believe I am right in saying that the jury system, as we know it, did not exist in India in any of the administrations in this country prior to the advent of British rule. I understand that at the time of the Moghuls there was some system of assessors. But I think I am right in saying that the final decision was always left to the Judge. We have had in India, from the time immemorial, caste village panchayats which, no doubt, are useful and most reliable institutions; but I think you will agree with me that there is very considerable difference between the caste panchayat and the ordinary jury. The panchayatdars, in the case of the village panchayats come from villages, know the parties, know the facts and are really, I should say, nervous about giving incorrect or, wrong or unjust decisions which will make them incur the villagers' odium. But the ordinary jury is drawn from the four corners of the district; it does not know anything about the parties or facts and it is surely quite different. So any analogy between the caste panchayat and our jury system is fallacious.

"The system is only in its infancy as compared with England, where it was introduced about 700 years ago. Here it has been established for only 35 years since the time of Lord Ripon; and it can hardly be said to be a part of the established machinery of justice. Indeed, it is an exceptional procedure, because under section 269 of the Criminal Procedure Code the system of trial by jury is to be introduced on the motion of the Local Government in regard to particular areas and to particular classes of offences. It has been sparingly used in this Presidency; but I think that the comparison with the other Presidencies is not quite so sombre as the Hon'ble Mr. Krishna Rao tried to make out.

"He has dwelt with considerable justice on the educative value of the system; and certainly on that point Madras can yield to no Presidency in the extent to which it has introduced the jury system. Here we have introduced it into all the districts. In Bengal it is introduced into 10 out of 26 districts; in Bombay only in 5 districts, and in the United Provinces only in 3. It is quite true, as the Honourable Gentleman said, that more offences are allowed to be tried by the jury in those provinces than we allow; but without a more intimate knowledge than we now possess of the class of jurors they have, it is quite impossible in this Presidency to draw any reasonable comparison. I would instance the case of Bombay on which the Hon'ble Mr. Krishna Rao has laid so much stress. The districts into which the jury

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system has been introduced in that Presidency are Ahmedabad, Belgaum, Surat, Tana and Karachi; and all these districts which have large towns must be presumed to have a fairly enlightened population. I admit that the system has been sparingly used in this Presidency, but I must ask you to consider whether the time has come for its further extension. So far as offences triable by jury in this Presidency are concerned they are offences against property; they are simple cases, very often undefended and brought against people, generally drawn from the lower strata of society. The working of the system has, on the whole, as stated in the High Court reports, been fairly satisfactory. But it is not, in my opinion, and I think in the opinion of most people, wholly satisfactory. I am not going to quote at any length from the opinions which have been expressed by the various judges and others who think they are in a position to give an opinion. I should like to give two or three opinions of Indian judges of this Presidency. These have been recently given. Here is one, of Mr. A. C. Dutt, District Judge of Ramnagar, who says 'sound verdicts can only be expected of juries in simple cases: in Judge of Ramnagar, who says 'sound verdicts can only be expected of juries in simple cases: in difficult or complicated cases the verdict is largely a matter of chance, the jury being led away by facts to which little weight must be attached.' Mr. Ananthan Nayar of Kurnool says 'jurors from villages, being mostly illiterate are incompetent to appreciate the evidence intelligibly and from villages, being mostly illiterate are incompetent to appreciate the evidence intelligibly and to arrive at a correct conclusion on facts; they are very prone to act on preconceived impressions and are sometimes led away by quite insignificant circumstances.' I would ask those members of this Council who are intimate with the working of the jury system whether that is not a very fair summing up of the position. If the proposal to extend the system to cases which are at present triable by assessors is adopted, juries will be immediately called on to decide cases of a more complicated nature, such cases as are scheduled in chapters VIII, XI, XVIII and XX—offences against the person, public tranquillity, public justice and so forth. The accused will frequently be men of high class and will be defended by able advocates; and there can be no doubt that jurors will be much more highly tried in trying to decide justly in those cases than they are at present. These are cases in which it requires a trained intellect and judgment to keep distinct in the mind the whole evidence. I would ask you whether, at the present day, we have in the mufassal districts of this Presidency jurors who are fit to discharge these obligations. In my humble opinion, and for the reasons I have given you, you have not.

"Please remember that the decision of juries on the facts is not liable to appeal except on the ground of misdirection; and also remember that judges do not always differ from juries because the latter acquit. There are many instances, where judges have accepted a verdict of guilty, with which they were not in complete agreement. I hope that Honourable Members will disabuse themselves of the idea that the Government are out to secure convictions. The Government, I would assure them, would rather see 50 guilty men acquitted than one innocent man convicted. They are out only for justice; and they very much doubt whether in the present circumstances of this Presidency an extended application of the system of trial by jury would secure greater justice to the people. In these circumstances, the Government are not able to accept the resolution."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, the observations of the Hon'ble Mr. Gillman have produced rather a peculiar impression upon me. It appears to me that he is willing to concede several facts, the logical result of which would be the acceptance of the resolution. He has, however, raised a few objections which appear to me to be more apparent than real. I hope that on the whole, as a result of further discussion, the Hon'ble Mr. Gillman may be converted and I hope the resolution will be accepted.

"I shall subject his remarks to as full a discussion as it is possible for me to subject them to, in the course of a few minutes at my disposal. He started with a statement that the jury was an English introduction. He pointed out that there were things similar to that in the Moghul and earlier times. He, however, sought to buttress his own position by saying that the jury differs from the panch in that the latter had local knowledge of the people. In modern jurisprudence they have given up the idea of entertaining persons who have immediate local contact as that would mean a bias. But there are some common points between the panch and the jury, which really favour the jury system and which are really at the bottom of the soundness of the jury system. The jury are there to try facts and the decision on facts means that the evidence, as it comes out of the witnesses, is properly appreciated. In the majority of cases, in the sessions courts trials with which we are concerned or the High Court trials, the trying judges are persons who are foreign to this country and who seldom command any mastery over the vernaculars. Whereas in the case of the panch or jury, we have persons who are thoroughly conversant with local particulars and languages; they may not come from the same village as the accused comes, they may come from the four corners of the district, they are absolute masters of the dialect, they know the habits and manners of the people. From the way in which a man scratches his head and from a mistake in the wording used, they are more likely to draw a right conclusion as to what the truth is, than any amount of elaborate judgment on the part of the judge. Therefore, the jury system in that it brings in persons who have a thorough mastery of the local language and circumstances and who assist the judge who is a foreigner and who is not able to judge about the manner of the man who gives the evidence, the language employed by him and one thousand other circumstances which a proper judge ought to observe the jury system has a distinct merit. There is no use of saying that the panch and the jury are the same.

"The next observation made by the Hon'ble Mr. Gillman is that this is an exceptional procedure. I do not know what he means by that. This procedure is 34 years old; and one

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may as well refer to a gentleman as being particularly young, because he was born only 35 years ago. It was once considered exceptional in our Presidency and they tried it bit by bit. In 1862 the system was first introduced into four districts; in 1870 it was introduced into one district; in 1875 into four to five districts and in 1879 three more districts were added and in 1893 it was extended to all the parts of the Presidency at the instance of the High Court. Thus the system was in operation for 21 years before it was extended to all the parts of the Presidency at the instance of the High Court in 1893; that was the statement made in 1893. Since 1893, it has been on operation for 34 years and therefore there is no use in referring to it as an exceptional procedure. We have curtailed the offences to be tried by jury only to a certain of the offences; and that is only in regard to sessions courts. But what about the High Court? In the High Court all offences are tried by jury. Are the jurors drawn from different stratum of society? Even the Sessions Judges draw their jurors from a class, similar to that from which they are drawn in Madras. There are several towns which can hold their own with Madras—several large towns which can produce as intelligent jurors as Madras can. Specially the people in Tanjore would never concede the palm to Madras; the same is the case with Madura also. I think it is not correct to say that there is anything exceptional in the procedure that we find with the system which is working satisfactorily in the High Court where all offences are tried by the jury. I do not think that there is any great obstacle to this course being adopted in the mufassal."

The Hon'ble Mr. H. F. W. GILLMAN:—"By exceptional procedure I mean that the ordinary procedure is not trial by jury."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—“ If you include under ‘ trials,’ trials before magistrates you will find that such trials cannot hold any comparison. We can well say, as compared with trials before magistrates, trials by jury with a judge are 200 times as good as or even better than trials before magistrates. God save us from trials before magistrates. I thought that we were dealing with sessions cases in the High Court and the district courts ; and taking these into consideration the trial with the help of jurors is not the exception, but is the regular rule. I may mention that it is the opinion of the vast majority of the persons who are conversant with the working of the law courts, that this so-called exceptional procedure is the correct procedure. When half a dozen of our own countrymen sit together, think about a case and come to a conclusion, the man would take his conviction far more readily as being just. As for appeals, I have heard it said that you lose your right of appeal. We know what these appeals are : take the appeals from second class-magistrates and first-class magistrates ; they are merely a farce. Hardly one out of 50 or even out of 100 has got the courage of his conviction. There are magistrates with independence of judgment, but if they reverse cases they bring themselves under official rebuke. Their natural inertia is against it.”

The Hon'ble Mr. H. F. W. GILLMAN:—"The Honourable Gentleman is travelling very far beyond the motion."

His Excellency the PRESIDENT :—" I hope that the Honourable Gentleman will endeavour to keep to the resolution."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" I have had to traverse it, because there has been a reference to exceptional procedure. British justice is understood to mean not justice as administered in magisterial courts; we all take British justice to mean justice which you obtain in England. That is really estimable because British justice so far as criminal courts are concerned is based upon the jury system. No man can be sent to jail, unless he is tried by twelve of his own countrymen. What you find is, the normal procedure in this country is a travesty of British justice and is something which makes us abhor that very term. " I shall now proceed to the fourth observation of the J. C. S. R. Commission, which is that the

"I shall now proceed to the fourth observation of the Hon'ble Mr. Gillman. He observed that, as compared with other provinces, we have points to pride ourselves about, in that we have all the districts covered by the jury system, whereas in the other Provinces they have only more offences to try. I do not know whether there are any special reasons for priding ourselves upon it. He also said that we did not know from what sort of population the jury were drawn in Bombay, where they try murder and sedition. I have been to Bombay and I dare say that several of my Honourable Friends have been there. You see that the jurors are there drawn from the very class our jurors are drawn. If the Government should be prevented from taking any steps by reason of ignorance, you may send a special officer to ascertain or consult the Bombay High Court as to the class from which the jurors there are drawn. They have got the same state of intelligence there, as we have got here; the same sort of equipment for doing this work."

"Then his next observation was, has the time come for extension? We have had 35 years of British rule; we have made enormous progress in point of wealth, local self-government and claims have been put forward for higher political institutions. If there is any person who is not able to take stock of the changes, I will ask him to read the books written in the year 1883 and the books written now. Here is a Rip Van Winkle, who will ignore the progress we have made under the aegis of British Rule. After 35 years, time has certainly come to make an advance in the direction that Bombay has made.

"The Hon'ble Mr. Gillman has said that the working of the jury system has been, on the whole, fairly satisfactory but not wholly satisfactory. But may I know in the name of all that is good and holy whether there is anything with which we are wholly satisfied. Are we for

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instance wholly satisfied with the administration of justice in the Madras High Court? Are you going to allow our Privy Council to be abolished, because it has gone to the root in matters of Hindu Law, therefore the attainment of perfection to which the Hon'ble Mr. Gillman has alluded is not possible. He must, therefore, take exact stock of the actual conditions. Taking things as they are the majority of the judges have reported that the working of the system has been fairly satisfactory. The Hon'ble Mr. Gillman then proceeded to quote the opinions of two district judges. As against the two who were of contrary opinion, we have 20 judges who hold that the system has worked well. Those two judges to whom the Honourable Member refers might be particularly fastidious; they might be aiming at things 'wholly satisfactory.' In the Appellate Court judgments, I find sometimes remarks 'superficial' 'inconclusive,' 'confusing the issues', 'inability to apply the facts'—these remarks have been applied in a series of cases to subordinate courts by appellate courts, but that does not matter very much.

"The next observation made by the Hon'ble Mr. Gillman was that rich and defended accused may have the chance of escape by reason of the prevalence of the jury system. But what is the case in England? There is no use in pointing to abuse. In France we have had the famous case Madam Caillaux. In England those who are conversant with Montague Williams' book know what he said; he said 'gentlemen, I do not propose to speak to you about the merits of the case at all. Gentlemen of the jury, this is the last occasion on which I am going to address you.' The verdict of the jury was the verdict of not guilty. Human beings are human beings all over the world, whether it be in England or in this country. There is absolutely no use in referring to the fact the jurors are likely to make occasional mistakes.

"The last argument put forward by the Hon'ble Mr. Gillman was that judges sometimes did not care to express their dissent and therefore there was no use referring to the cases in which they expressed dissent. I can quote from the Bombay report that during the last 3 years in 97 per cent of the cases the verdict of the jury was the opinion of the judge also. Is it not a thing in favour of the jury system? That was the case in a province where offences punishable with transportation or ten years' imprisonment are triable by jury. There the jury can try cases of sedition, murder and dacoity. What is the use of saying that in such cases the judges did not care to express dissent? If it is a serious case of an offence punishable with death, the judge, if he differed from the jury, would certainly have expressed dissent. In 25 per cent of the cases in which the judges differed from the jury the High Court have expressed agreement with the jury. We need not, therefore, lay so much emphasis on this point."

His Excellency THE PRESIDENT:—I am sorry that I must interrupt the Honourable Gentleman."

The Hon'ble Mr. B. V. NARASIMA AYYAR :—“I will now conclude my remarks. In these circumstances Honourable Members will see that what the resolution asks for is merely a logical application of the principle which Mr. Justice Best laid down in 1883, that if the jury system is a success let it be applied to all offences and if it be a failure let it be dropped. I hope Honourable Members would see the logicity of it and see there is absolutely no harm in accepting this resolution.”

The Hon'ble Mr. T. RICHMOND :— " I should just like to say a few words on this resolution. I am afraid that the Hon'ble Mr. Krishna Rao has been, to a great extent, led away by the academic nature of the question. I think that the aspects which have appealed to him are rather of a visionary character. Having regard, however, to the hard realities in courts and having had some experience of judges, juries and assessors for over thirty years now, I may say unhesitatingly that if I had the option in defending a prisoner of choosing a trial by a judge and assessors or a trial by a judge and jury I would without hesitation in the prisoner's interest choose the trial by a judge and assessors. If I should be entrusted with a prosecution I would exactly follow the identical course in similar circumstances. I have seldom come across a judge who has intentionally and perversely written a wrong judgment. Judges may make mistakes; mistakes are made frequently even by High Court Judges. Wrong verdicts are however, frequently delivered by juries and that intentionally. The judgment of the Sessions Judge is capable of correction by a court of appeal, but the verdict of the jury has to stand in cases the trying judge has kept himself in his charge within the four corners of the law. With reference to the opinions which Honourable Members have quoted from the annual administration reports, I may say that the judges would be naturally reluctant to refer to their own shrewd suspicions of what goes on outside the courts. My Honourable Friends must be aware, as more or less open secrets, that, in most of the districts, where there is trial with the aid of assessors or by jury, the verdict of the jury or the opinion of the assessors is often the subject of a tug of war between the accused's friends behind the defence and those behind the prosecution and not infrequently the Police. Such things are frequent in the mufassal. I would appeal to my friends nevertheless that such practices are frequent in the mufassal. I would appeal to my friends who are here and who belong to the bar to say whether such is not their experience. My Honourable Friend Mr. Siva Rao referred to the Pandya case. What saved the accused in that case was the fact that the accused was tried with the aid of assessors. If he had been tried with the aid of a jury, his case would have been at an end ; there could have been no appeal to the High Court on the facts if the judge had delivered a correct charge and much less to the Privy Council. Therefore what really saved the man was that he was tried with the aid of assessors.

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which gave him the right to appeal on the facts. I think the Pandey case is a strong illustration of the position that I put forward and that which I venture to say is in the interest of justice. In all important cases, it is necessary that the accused should be tried by judges and assessors. Another obvious objection is that we have not got enough in the mufassal the right class of people that could be relied upon as jurors and whose verdict could be trusted as sound. Both jurors and assessors come more or less from the same class of people. I may mention an instance which happened within the last one month and with which my Honourable Friend Mr. Siva Rao is acquainted. In that case, both sides desired English-speaking and intelligent assessors, but the judge was able to find only one an educated schoolmaster. The parties were then driven to the necessity of consenting to the judge selecting a clerk of his court. Opposition meant an ignorant cultivator as the other assessor. Knowing however that the decision rested with the judge and not with the assessors, neither side opposed the clerk sitting as an assessor. I may mention another instance which happened in South Arcot. After a protracted trial the judge asked the assessors for their opinion. One of the assessors said that he had absolutely no opinion to offer at all and that his stomach was paining. The judge with a certain amount of humour recorded this in his judgment. That was a case of murder. If that case had been tried by a jury, and the jury without giving any reasons had pronounced a verdict of guilty or not guilty on the evidence without applying their mind, it would have been an end of the matter and the result a toss up and possibly disastrous. The instances that I have given you will show you the class of people from whom we have to draw our assessors and jurors, and if this resolution should be carried and acted upon, I say, it would certainly imperil justice in the mufassal.

"As regards cases, now tried by jurors, they are mostly petty cases of theft, theft by old offenders, and so on. When a serious case crops up and an important man gets involved, then comes now and then the tug of war between the police and the prosecution party on the one side and the accused and his friends on the other, and in such cases where important people are behind the scenes there are often miscarriage of justice. My Honourable Friends have referred to section 307 of the Code. The operation of that section is well known; it is only in exceptional cases the Sessions Judges make references. In the vast majority of cases the judges merely say 'The jury have given their verdict as so and so. I cannot say they are not entitled to say that though I may think differently. I therefore accept their verdict.'

"As regards the right of appeal, the Hon'ble Mr. Krishna Rao and the Hon'ble Mr. Siva Rao ought to know that in jury cases the right is very limited. So long as the judge in his charge to the jury is within the four corners of the law, the appellate court is powerless. The right of appeal is a valuable right. Even in England the right has been conceded only very recently and that with great many limitations. Here in India we are much better off and I think our system of trial with the aid of assessors is one which English courts might well copy from us."

The Hon'ble Khan Bahadur MUHAMMAD AZIZ-UD-DIN SAHIB:—"Your Excellency, I beg to preface my remarks with the statement that what I am now going to say is in my individual capacity as a Member of this House, and in doing so I may have to mention a concrete case in which the Hon'ble Mr. Narasimha Ayyar's brother was concerned. Of course, it will not be taken as anything personal, because I have had experience of this case. I simply make mention of it to show that what has fallen from the lips of the Hon'ble Mr. Richmond is perfectly true. I have been a magistrate in the mufassal and also in the Presidency town for many years. I have known about juries in the mufassal and I have as much knowledge about them as any gentleman present here. What happened was this: In the early years of my magisterial career when Mr. McWatters, well known even to the Hon'ble Diwan Bahadur Rajagopala Achariyar, was the judge, the Hon'ble Mr. Narasimha Ayyar's brother, Mr. Devu Ayyar familiarly known as Devu, was, if my recollection is correct, murdered by another Brahman who was named Swami Ayyar under most brutal circumstances. This promising young boy was decoyed from the house of Mr. Vedagiri Ayyar, the father of Mr. Narasimha Ayyar. This case I had to deal with and I took more than ordinary interest not only in helping the police to trace the murderers, but also in dealing with the accused, when he was put up before me. If I remember aright, it was one of the most important cases that I had to try as a magistrate. To the best of my recollection, I had to write more than 40 sheets of summing up of the evidence in this case and I had about 40 or 50 witnesses to examine. Swami Ayyar was committed to the sessions, and then came the trouble. Mr. Vedagiri Ayyar, the father of Mr. Narasimha Ayyar, came to me and he was in a state of great excitement. I asked him 'why'. I said 'The case has been committed to the sessions. I think the evidence is very strong and I have recorded the confession of the accused, although it has been subsequently retracted.' Mr. Vedagiri Ayyar said—I remember it, as if it were told to me only yesterday—'There is this question in the bargain, that is, the question of *Brahmana hathi*. The accused is a Brahman and therefore it is likely that the assessors or the jurors would be led away by the idea that it would be sinful to take the life of a Brahman.' Now I say that in a country, where there are prejudices of this kind, it is not safe or wise to extend the jury system in a precipitate manner. I do not say that the jury system is bad. It can never be bad in any country. For instance, the Sheriff of Mecca is assisted by a dozen gentlemen who play the part of the jury. Therefore the system is very good. But it has always been my misfortune to stand up and say that we should not proceed very fast. I know several cases in which the integrity of the jury was questioned. I therefore say that, however good the jury system may be, it is necessary that we should advance cautiously.

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"Again, I have had to sit with sessions judges in revising the jurors' list. I was invariably impressed with the idea that men of light and learning, who could be counted on one's fingers in the mufassal, were most unwilling to accept the office of jurors. We had more or less the village bumpkin; they had to be forced practically to serve as jurors. However good the system of jury may be, I think it is desirable that we do not extend it in such a way as to bring matters rather to an unsatisfactory end. The opinions of the jury are binding on the judge and there is no appeal, as far as I remember, which lies to the High Court on a question of fact. On a question of law an appeal may lie to the High Court, but on a question of fact the High Court have invariably refused to admit an appeal. In these circumstances I regret I have to oppose the resolution."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU:—"Your Excellency, I am very glad that the Hon'ble Khan Bahadur Aziz-ud-din Sahib always places before us the benefit of his experience of 35 years and gives us interesting facts for our consideration. I believe that his experience has been unfortunate. If from the one instance placed before the Council we are to come to a general conclusion about the system which has been in working for the last 35 years, we shall be treading upon a dangerous ground. He has referred to one case and said vaguely that there are some other instances too which he could quote. I have given you the figures for the cases tried by jury. In one year the number of cases tried by jury was 1,300, and if we take the figures for thirty years, they will come to tens of thousands of cases. Even if we make room for the Hon'ble Mr. Aziz-ud-din's cases that he instanced, they will not bear any proportion at all. Who is there in this Council who does not know that mistakes are committed—that blunders are committed? Who is there in this Council who feels that there are not occasions when persons may be trying to tempt others and the integrity of the jurors is also tempted? Is not the integrity of magistrates and judges questioned? Are we for that reason to condemn the system of magistracy or judges? Therefore, his suggestion that the integrity of jurors is in question does not deserve any consideration. How often do we find that though a judge or a magistrate may be quite honest, his integrity is questioned by the party who loses his case? Is it, therefore, any wonder that the one who loses his case at the hands of the jury makes a similar imputation? Therefore, I hope that the Council will not attach any weight to the remarks made by the Hon'ble Khan Bahadur Aziz-ud-din Sahib notwithstanding his experience of 35 years which we all respect and admire.

"Another point for consideration is; it is too early, let us not be hasty? I quite accept that caution. I quite appreciate the good intentions with which he has advised it. Are we to state that, when in 1859, about sixty years ago, the Secretary of State for India himself announced that the system had to be adopted for the whole of India, that we are precipitating the matter, if a proposition to extend that system is brought up sixty years later? Can it be said that we have brought it up too early and that we are hasty? Apart from the declaration of the Secretary of State, if thirty or forty years ago, we had been dealing with offences against property, theft or robbery or dacoity, is it to be stated that after thirty or thirty-five years or forty years later I cannot ask the Government to move an inch further and extend it to some other offences? After the lapse of thirty-five years, it is rather unfortunate that it should be stated that I am rather hasty. What pains me most and some other Honourable Members is that he must have come to the Council and stated that there is caste prejudice. Unfortunately, we have entered upon an era when caste prejudices are being magnified, and I am surprised that even in the solution of these simple problems caste questions are brought into play. There have not been several instances in which these questions had any part to play on the minds of juries, not that there are not individual cases. I am speaking generally. Is there any room for a general complaint that on account of feelings of caste there has been perversity or miscarriage of justice? I have not been able to find any justification for this objection. I am very sorry that he has thought it fit to refer to that question. It would have been much better if he had avoided it.

"Coming to the remark made by him, that he, as Collector of the district, was sitting with the Sessions Judge for the preparation of the jurors' and assessors' list; he thought that men of light and leading were not willing to serve as jurors. I should like to know what attempts he made to secure them. He thought they were unwilling. Was any bona fide attempt made to secure the services of men of light and leading and how many refused to serve as jurors? If all these inquiries had been made, he would have been justified in the remark. In the absence of that, his remark is not worthy of serious consideration.

"Coming to the remarks of my Hon'ble Friend Mr. Richmond I am surprised that, notwithstanding his experience of criminal courts, he should have presented to this Council a gloomy picture of trial by jury. His experience of criminal work is responsible for that impression of his. Probably a few cases which came to his notice were unfortunate cases. I am not going to say that there have not been unfortunate cases in his large experience of criminal practice of thirty or forty years. Probably he met with a few unfortunate cases of miscarriage of justice or misbehaviour of jury. But I do not think that from the experience of a single practitioner in this Presidency, whatever his criminal practice may be, this Council can safely and judiciously come to the conclusion that the system of trial by jury is to be condemned as a failure. We have got responsible statements made by eminent jurists and eminent judges about the success of the system. All of us are lawyers or vakils and we have been appearing in criminal cases, can we put forward individual cases? What I was particularly amused to find was that he referred to the case of Mr. Roberts, who wrote about the assessor

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in his judgment. But Mr. Roberts, as appears from the administration report, gives an excellent opinion about trial by jury 'that the verdicts in jury cases were perfectly sound and the opinion of the assessors generally reasonable and that no special defects in the working of the system were observed by him.' I find in the previous year, 1915, the High Court stated thus : 'The District Judge, South Arcot (Mr. Roberts), was extremely pleased with the verdicts of the jury, which he thought were perfectly sound and those of assessors generally reasonable.' Against these statements of opinion, are we to be carried away by the remark that in one case, which came to the notice of the Hon'ble Mr. Richmond, he made some other remark ? I do not think this Council can safely accept that position.

"Then, again, he said that we are much ahead of England, where they are considering the question of appeal. I shall be glad if we were ahead of England. It has been acknowledged that the system of trial by jury is an established fact. No attempt has been made to do away with the jury system in England. We are now considering the method of strengthening and extending it. If my honourable friend said that an attempt was being made to do away with this institution or minimise its effect, there may be some force in it. Therefore, we need not trouble ourselves seriously with his remark.

“Coming to the remarks of the Hon’ble Mr. Gillman the first suggestion made by him is that the jury system in India is new so far as this country is concerned, and that the old village panchayat cannot form an analogy in the consideration of this question. If he had followed me closely, what I meant to impress upon him and the Council when I said that the idea of the jury system was novel to this country was, I meant, the present system of jury as it is in force now. But the idea of the jury system was known even in the time of Hindu kings. In whatever form it was in existence it was found that the judgment or opinion of one ought not to be accepted as against the judgment of one aided by two or three people. Therefore that idea is not a novel one, though in the present form it has taken shape from the Criminal Procedure Code of 1861.

"Then the Hon'ble Mr. Gillman has said that the system of trial by jury is in its infancy. I do not know when he will find that it has grown into manhood. If the system which has been given effect to, according to his own statement, thirty-five years ago is still in its infancy, I do not think we can ever hope of its attaining manhood and acquiring further tension. I think we may take it that even in this Presidency it has attained a stage when it requires further development.

"Then it was pointed out that in Bombay and the United Provinces and Bengal, no doubt, it was true that they applied the system to some other cases also, but it was only in some districts. As I stated on a former occasion, it will be found, it is true that originally they were extended only to some districts in the United Provinces and Bengal. Recently the Councils in those provinces have considered the extension of the system to other districts; and I think it was in November 1916 on a motion made by the Hon'ble Rafal Hussain, in the United Provinces, it was extended to several other districts. In Bengal, a resolution was moved on the 13th December 1916 by the Hon'ble Babu Akhil Chandra Datta and a similar provision was extended to other districts. When this system was extended to other districts, no attempt was made to cut short the offences triable by jury, even though they were newly extended to other districts. The notification was extended, but no attempt was made to cut short the offences. In the case of Bombay it is only in some districts that it is in force. It is not in the towns of Bombay, Poona and Ahmedabad they are now having this privilege, but in the districts also; and it cannot be said that jurors can always be chosen from the headquarters. We may take it that in these districts the jurors are chosen from the mufassal also. I do not think that it can be stated that the jurors in the mufassal in Bombay are on a higher footing than the jurors in this Presidency.

"Then it is said that these offences to which it is now proposed to extend the system are much more complicated. I do not know if even in the trial of robbery and dacoity and stolen property sometimes questions do not arise, which are as complicated as those which are likely to crop up in the case of kidnapping and criminal misappropriation. In the case of stolen property, complications arise as to what presumption is to be drawn and what the circumstantial evidence amounts to. It cannot be said that they are simple cases and that other cases to which it is proposed to be extended are complicated.

“ Another point to which I wish to reply is that he thought it necessary to refer to the opinions of two Indian judges who expressed themselves against the extension of trial by jury. Mr. Dutt and Mr. Anantan Nayar. I do not think it necessary to refer to the opinions of judges, who expressed themselves uniformly in favour of this system. They stated in unimpeachable terms that the juries have got better opportunities of coming to a correct decision on facts, than judges who in several cases have no opportunity of knowing the habits and customs of the witnesses. I shall refer to only two or three opinions and then close. In the year 1890 Sir Ralph Benson, an eminent judge of this High Court, said as follows ‘ Jurors are more often right on the facts than judges in their self-sufficiency give them credit for.’ Then Sir Charles Warren, Chief Justice of Bombay, said ‘ The verdict of the jurors by reason of the local knowledge they possess and their more perfect acquaintance with the habits, customs and modes of thought of the accused—and of the witnesses examined before them—is more likely to be more correct than the decision of a judge, though the latter approaches the considerations of the case with a more trained intelligence and a more logical mind but with less accurate perception of native life and native thought’. Again I may also say that the late Mr. W. C. Bonnerjee, one of the

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(Mr. A. S. Krishna Rao ; Mr. Gillman ;
Mr. Ranga Achariyar ; the President.)

eminent barristers this country has ever produced, said when he presided over the 8th Indian National Congress : ' Jurymen being drawn from the people themselves are better able to understand the language in which the witnesses give their evidence, better able to understand and appreciate the demeanour of witnesses—the twists and turns in their answers, the rolling of their eyes, the scratching of their heads and various other contortions of their physiognomy— which witnesses go through to avoid giving straight answers to straight questions—than the judge upon whom, unless he be an officer of exceptional and brilliant talents, they are lost.' I refer to these three opinions and leave it to the Council to judge whether in deciding questions of fact they are not more competent to judge than the judges. So far as the criminal cases are concerned, it is rarely you find questions of law cropping up; it is only questions of fact and so far as facts are concerned, the jury are in a much better position to come to the right conclusion than judges. I therefore, submit there ought not to be any hesitation in accepting this resolution and making earnest attempts to extend this system."

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, I am not aware of the facts mentioned by the Hon'ble Mr. Aziz-ud-din, and I think that possibly he was nettled by some uncalled-for remarks about British justice; but at the same time I think personalities are to be deprecated in this Council and it would be better and the ends of debate would be better served, if they are omitted. I should like to explain to the Honourable Member that the Government have not been asleep since the introduction of the jury system 35 or 40 years ago and we are not suddenly waking up to see that the times have progressed. We have of our own motion, from time to time, examined the question and have come to the conclusion on every occasion, that the conditions of this Presidency are not ripe for the extension of trial by jury. The suggestion that the system should be extended has never been made to us, so far as I know, by the people most competent to judge, that is by the High Court. I think until there is some general public movement or advice given to us by people who are in a position to know, the Government are not called upon to take any further action."

The Hon'ble Mr. T. RANGA ACHARIYAR :—" May I make a suggestion that this discussion may be forwarded to the High Court ? "

His Excellency the PRESIDENT :—" No."

The resolution was put to the Council and lost.

His Excellency the PRESIDENT :—"That concludes the business on the paper. I should like before adjourning to make a short statement as to the course of business in the immediate future.

“ Rule 10, sub-rule (1), of the rules for the discussion of the Financial Statement provides that the Revised Financial Statement shall be presented to the Council on a day not later than the 18th of March, and I shall summon the Council for that date.

"The provisional orders of the Government of India on the second edition of the Provincial Budget Estimate for 1918-19 should reach Madras by the 25th of February. Immediately after these orders have been received, the Amended Draft Financial Statement will be prepared. Copies of the Amended Draft Financial Statement will be supplied to Honourable Members on March 2nd and at the same time Honourable Members will be supplied with the copies of the Civil Budget Estimates and of the detailed Public Works Estimates under Provincial and divided heads.

"I must ask any Honourable Members who may desire to submit resolutions to the Council dealing with the Financial Statement to give notice in writing to the Secretary to the Council and at the same time to submit a copy of each resolution which they wish to submit. I ask you to take care to do this in such time that the resolutions may reach the Secretary of the Council not later than 6 p.m. on March 6th. I am empowered by rule 14 of the rules for the discussion of the Financial Statement to fix a date after which notices of resolution may not be received, and I fix March 6th as it appears to me to be the latest day which it is practicable to fix, having regard to the necessity of my considering how far the resolutions are admissible and of allowing time to return them, if necessary, to Honourable Members for amendment.

"On the 9th March a list of business for the meeting including any resolutions which are admitted will be issued to each Honourable Member.

“In accordance with rule 10, sub-rule (4), copies of the Revised Financial Statement together with copies of a memorandum detailing the alterations made in the statement previously supplied under sub-rule (3)—that is, the statement which will be issued on March 2nd—will be supplied to Honourable Members on March 12th, the day preceding that on which the Revised Financial Statement is presented to the Council.

"I would like to ask Honourable Members to be so good as to do what they did in previous years with a view of rendering the discussion in Council more useful. I would ask them to let the Chief Secretary know not later than March 6th whether they wish for any other or more detailed information than is given as to any points in the Amended Draft Financial Statement which will be issued to them on March 2nd. If Honourable Members will do this, the Member in charge will give the additional information desired in the supplementary explanations which he has to furnish under rule 11, sub-rule (2), when introducing each head of the statement for consideration.

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"It will be necessary to confine the business on 13th March almost entirely to the discussion of the Revised Financial Statement. Therefore, as has been your custom, you will not be able to deal at that meeting with any resolutions or questions bearing on ordinary matters of administration.

"I propose to summon the Legislative Council to meet again on April 3rd. On that date the annual budget will be presented by the Finance Member under rule 29 and I shall appoint, under rule 30, the next day—April 4th—for the discussion of the budget.

"It will probably be convenient to Honourable Members that any questions or resolutions in which they are interested should be dealt with on April 3rd. I shall therefore arrange for this."

The Council was then adjourned.

R. A. GRAHAM,

Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of a Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council assembled at the Council Chamber, Fort St. George, at 11 a.m. on Wednesday, the 13th day of March 1918.

PRESENT:

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.I.E., Governor of Madras—*Presiding*.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O.

The Hon'ble Mr. L. E. BUCKLEY.

The Hon'ble Mr. A. BUTTERWORTH, C.S.I.

The Hon'ble Mr. M. E. COUCHMAN.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble Lieut.-Col. G. G. GIFFARD, C.S.I., I.M.S.

The Hon'ble Mr. R. A. GRAHAM.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. A. R. KNAPP.

The Hon'ble Mr. S. B. MURRAY.

The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).

The Hon'ble Mr. J. H. STONE, C.I.E.

The Hon'ble Diwan Bahadur L. D. SWAMIKANNU PILLAI Avargal, I.S.O.

The Hon'ble Mr. C. G. TODHUNTER.

The Hon'ble Mr. T. RANGA ACHARIYAR.

The Hon'ble the Rev. G. PITTENDRIGH.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU Garu.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

The Hon'ble Mr. P. SIVA RAO.

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.

The Hon'ble Mr. K. SADASIVA BHAT.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.

The Hon'ble Mr. K. RAMA AYYANGAR.

(The President; Sir Alexander Cardew.) [13TH MARCH 1918.]

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU.
 The Hon'ble B. RAJA RAJESWARA SETUPATI *alias* MUTTURAMALINGA SETUPATI
 Avargal, Raja of Ramnad.
 The Hon'ble Mr. B. VENKATAPATI RAJU.
 The Hon'ble Mr. K. KUMARAN RAMAN KAVALLAPPARA MUPPIL NAYAR.
 The Hon'ble YAQUB HASAN SAHIB Bahadur.
 The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR SAHIB
 Bahadur.
 The Hon'ble Mr. GORDON FRASER.
 The Hon'ble Mr. C. H. HIGGINBOTHAM.
 The Hon'ble Sir FAIRLESS BARBER, *Kt.*
 The Hon'ble Sir GHULAM MUHAMMAD ALI SAHIB Bahadur, Khan Bahadur, G.C.I.E.,
 Amir-i-Arcot or Prince of Arcot.
 The Hon'ble the Most Rev. JOHN ALEN, D.D.
 The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR AVARGAL.
 The Hon'ble Mr. T. RICHMOND.
 The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
 The Hon'ble Diwan Bahadur K. R. SUBYANARAYANAMURTI NAYUDU GARU.
 The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO
 Bahadur, of Bobbili.

His Excellency the PRESIDENT:—"Before we begin our proceedings will the Council allow me to make a very short statement? There was a proposal put forward by the Hon'ble Mr. Ramachandra Rao for the experiment of a preliminary agenda being issued. Of course we are anxious to meet the convenience of the Honourable Members of the Council in this respect. It was felt that it was quite natural that as long a notice as possible would be useful to Members of Council, especially to those coming up from the mufassal. After consideration we thought that the best plan would be to make an experiment; and so we shall issue a preliminary agenda for the April meeting, and then perhaps before another meeting comes off, we shall be in a position to see what the pros and cons of the procedure are and whether we gain sufficiently or how we can gain sufficiently. I wanted to make mention of this fact, lest it might be forgotten. To give full effect to the Honourable Member's suggestion, we will issue a preliminary agenda for the April meeting. Honourable Members should not be under a mistake about it; it would be only a preliminary agenda. We have chosen the April meeting, because that is a normal meeting; whereas this is not a normal meeting, as there are no questions at this meeting."

NEW MEMBER.

The Hon'ble Mr. L. D. SWAMIKANNU PILLAI took the prescribed oath of allegiance as a new member and took his seat.

THE REVISED FINANCIAL STATEMENT FOR 1918-1919.

His Excellency the PRESIDENT:—"We shall now take the budget heads in order."

The Hon'ble Sir ALEXANDER CARDEW in presenting the Revised Financial Statement for 1918-1919 said:—"Your Excellency, with reference to rule 10 of the Financial rules, I now present the Revised Financial Statement of the coming year. The contribution which I have to make is in print and is included in the Financial Statement. I do not think that I need say anything to add materially to it. It may be of use, perhaps, to Honourable Members, if I refer to the question of the surplus of 1918-1919. In the Draft Financial Statement, the total amount of the surplus was Rs. 3.20 lakhs. Certain changes in receipts and expenditure raised that surplus in the Amended Draft Financial Statement by Rs. 2.39 lakhs and brought it to Rs. 5.59 lakhs which was the figure found in the Amended Draft Financial Statement. Subsequent to the preparation of the Amended Draft Financial Statement, the forecast of revenue has again been raised by a further sum of Rs. 2.75 lakhs; and that added to Rs. 5.59 lakhs would have produced a surplus of Rs. 8.34 lakhs. Accordingly, as that surplus was very much larger than we originally contemplated, the original surplus I mentioned being Rs. 8.20 lakhs, we secured the approval of the Government of India to an additional Rs. 5 lakhs being placed in reserve for expenditure in the year. That would reduce the surplus for the year 1918-1919 to Rs. 3.34 lakhs which is practically the same as the original surplus of Rs. 3.20 lakhs.

"The first head in the Revised Financial Statement is Land Revenue and I have now to introduce that head. As far as I am aware there are no questions of which notice has been given and which I have to answer, because one or two questions that were sent in have been already answered."

I. & 3. Land Revenue.

The Hon'ble Sir ALEXANDER CARDEW then formally introduced the head I & 3. LAND REVENUE.

13TH MARCH 1918.] (Mr. Ramanuja Achariyar; Sir Alexander Cardew.)

RESOLUTION RE OMISSION FROM THE ESTIMATES OF REVENUE ANTICIPATED FROM PORAMBOKE CULTIVATION.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I beg to move the first resolution which stands in my name and which runs as follows:—

"I. This Council recommends to His Excellency the Governor in Council that the sum of Rs. 5,41,000 anticipated as revenue from cultivation of poramboke lands (vide Appendix AA to the Civil Budget Estimate) be deducted from "1-A. Land Revenue—Ordinary Revenue" and that the provision under 45. CIVIL WORKS be reduced by the same amount."

"Your Excellency, I have very few remarks to make. Poramboke lands are lands required for the common use of the villagers; and it is therefore necessary that every encroachment upon poramboke lands should be very carefully prevented. What are the steps which the Government now take to prevent it? They issue a notice to the landholder telling him that he has encroached upon so much of poramboke lands. If the encroachment is removed, they charge the ordinary assessment, the assessment which would be fair; but if the encroachment is not removed, they levy a penal rate for the second and third year. So this sum is made up of penal fees levied from landholders. I ask whether that is a procedure which the Government should follow. If a person encroaches upon my land, I would not give him notice and levy a penalty from him. If the encroachment were in the shape of a fence, I would pull it up and throw it aside; or if he should cultivate my land, I would pull up the seedlings. I do not see why the Government should not do the same. They have the requisite machinery in a village in the shape of the village karnam and the village munsif, and if the Government are anxious to prevent all encroachments and do not look forward to a handsome revenue from this source, they will issue orders to their subordinate officers in the village to prevent every encroachment, and if an encroachment is made, to pull up the plants, hedges and fences and thus effectually remove the encroachment. What I would request the Government to do is to issue orders to their subordinates to prevent in this manner any encroachment that may be made. The Government say that they are the trustees for the village community in regard to these poramboke lands. If a private trustee allowed a person to encroach on his land, what would be thought of him? I would ask the Government to consider the matter and to issue the necessary orders; and if the orders issued are properly carried out, there would be no case of encroachment at all and there will be no means of collecting this sort of large revenue from the people. I therefore place the resolution before the Council."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, knowing that the Honourable Gentleman who has just spoken was once an official, I knew that he must be thoroughly conversant with this question; and I wondered at his bringing forward this resolution on this occasion, because the terms of his resolution are that the sum of Rs. 5,41,000 shall be deducted from Land Revenue. If it is deducted from Land Revenue and if it is thus released, it must be credited somewhere and the proper head to which it should be credited is Land Revenue. I have heard the Honourable Member's speech and he thinks that there should be better means of repressing encroachment on communal lands. I quite admit that a great deal remains to be done to improve our methods of preventing encroachments on communal lands. It is an extremely difficult question, because these lands are very small and minute areas, cut up into thousands of slices, all over the Presidency; and it is by no means an easy thing—I am not quite sure whether the Land Encroachment Act would enable us—to do what the Honourable Member suggests, namely, to go and pull up seedlings. I think some Honourable Members may suggest that we should find ourselves sued for damages or run in for criminal trespass or mischief. After all, what the Honourable Member has raised is not a finance question but a question as to the method of repressing encroachments. As a finance question we must, so long as any sum, however small, is levied, for encroachments, bring it into the accounts; and we must bring it under this head. Consequently it is impossible to accept this resolution. What the Honourable Member, I would suggest, had better do is to raise it as a substantial question or propose an amendment of the Land Encroachment Act and suggest a change in the method by which it should be enforced. I am quite at one with the Honourable Member in desiring more effective measures. But this particular resolution cannot be accepted, because it would reduce things to an absurdity. This meeting has given the Honourable Member an opportunity for ventilation of his idea; but another opportunity should be taken for giving effect to it. I cannot, therefore, advise this resolution being accepted."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I shall not press this resolution. As I have now brought this difficulty to the notice of Government, they may act on their own initiative and provide the remedy, without my moving any resolution."

RESOLUTION RE WAIVING OF FEES CHARGED FOR TIME AND LABOUR OF THE LAND RECORD STAFF.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Your Excellency the resolution that I have to move next runs as follows:—

"II. This Council recommends to His Excellency the Governor in Council that the sum of Rs. 1,06,000 anticipated as revenue from "Fees charged for the time and labour of the Land Record staff" on page 7 of the Civil Budget Estimate be deducted from "I-B. LAND REVENUE—Miscellaneous" and that the provision under 45. CIVIL WORKS be reduced by the same amount."

(Mr. Ramanuja Achariyar ; Mr. Knapp ; [13TH MARCH 1918.
Mr. K. R. V. Krishna Rao ; Sir Alexander Cardew.]

"This resolution is somewhat similar to the last one. The Government have been levying large sums of money from the ignorant landholders; and what I ask the Government to do is to see that every landholder is made aware of his responsibility for the maintenance of the stones around his field, and that the karnam should show the landholder where the stones are. It is not sufficient to levy a fee of As. 8 for a stone from every landholder. But the landholder must be made to understand his duties and the stone should be pointed out to him. If the karnam should allow the landholder to be ignorant of the matter, the karnam should be punished. If the officers of the Government do their duty properly, I feel sure that this item will disappear. I hope the Government will issue instructions, so that landholders may not be made to suffer in this manner. If the Government are willing to issue instruction, I shall not press this resolution."

The Hon'ble Mr. A. R. KNAPP:—"Your Excellency, on the first reading of the Honourable Member's resolution as tabled, it seemed likely that he was going to raise the objection which he raised on a former occasion that to levy a charge for the services of the land records staff would be to place an intolerable burden on landholders. I am glad to find that that is not his position. On the contrary, instead of being in opposition to the principle which the Government have accepted in these cases, he is entirely with the Government in the sense that he, like the Government, is anxious to see that every landholder carries out his duties, with regard to the survey and maintenance of the stones in his field. The reason why the Government are anxious that this duty should be carried out is obvious. With something like 25 millions of survey stones in this Presidency I do not know how many holdings there are but I think the average number of stones per holding must be something very small; and it is clear that it is very much easier and less expensive for the ryot in the ordinary course of his cultivation operations to keep an eye on these stones, to see that they are uncovered with vegetation or put them up again when they have fallen down, than to leave the replacement of these stones until the karnam goes round to repair them when they become covered. The Government are entirely with the Honourable Member in his desire that landholders should appreciate the duty which lies upon them and should carry it out."

"Having said that much, I am afraid I am unable to go further in behalf of Government in meeting the Honourable Member's wishes. As he mentioned himself, his position in this case is very similar to that on the resolution just proposed. This resolution is not really directed to the budget figures at all, but to administrative changes—in this case an actual change in the law—which it is quite impossible to take into consideration at this meeting. As he was told in the accounts and it would be idle to leave them out of the budget. As to the suggestion that further steps should be taken to enlighten the landholders in regard to their duties, I may tell him perhaps that that enlightenment has already begun: the latest land records statistics show a very substantial increase in the proportion of stones repaired or reserved by landholders themselves. We may hope that this movement will continue. Even if it does continue it would not make any change in the coming financial year. Therefore obviously it would be impossible to alter the budget in this respect and I am instructed to say on behalf of the Government that they cannot accept this resolution."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"As I have already said I would not press this resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE INCREASE OF PAY TO SHROFFS.

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"Before I move my resolution I would like to make a few corrections in it in the light of the alterations in the second edition of the budget estimate. I would like to substitute Rs. 50,616 for Rs. 50,328, and Rs. 77,100 for Rs. 75,840 and Rs. 26,484 for Rs. 25,512. My resolution thus amended will then read as follows:—

"III. This Council recommends to His Excellency the Governor in Council that the budget provision of Rs. 50,616 under "3-A. LAND REVENUE—Charges of District Administration," for shroffs, be increased to Rs. 77,100 with a view of making Rs. 20 as the minimum pay of shroffs and the difference of Rs. 26,484 be met from "45-B. CIVIL WORKS—Civil Budget estimate."

"This is a resolution for making the pay of shroffs equal to the pay of clerks. Clerks are paid Rs. 20 which is made the minimum pay in almost all the offices; and I would like to re-largely sums as security may be paid the same minimum salary of Rs. 20 per mensem. I hope that by this means a better class of people may be induced to come forward and their duties which extend to several hours a day will also be adequately paid for. For this reason I place this resolution for the acceptance of the Council."

The Hon'ble Sir ALEXANDER CARDEW:—"The question as to what improvement should be made in the pay of shroffs has been considered for some time. Of course, shroffs are not

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the President ; Mr. Rama Ayyangar.)

clerks and therefore the analogy of clerks cannot be entirely applied. But, at the same time, we know that the rise in prices has worked very hard on those people with very small pay. The present pay of shroffs in taluk offices is Rs. 15, Rs. 12 and Rs. 10; and if we raise the whole of their pay to Rs. 20 we would I think be going further than the necessities of the case demand. The Council will see that it would be doubling the minimum pay at once. The Board of Revenue recommended some time ago that the pay of shroffs should be raised to Rs. 20, Rs. 18 and Rs. 15 and that will give 50 per cent increase. Orders are now under issue accepting that improvement in the pay of shroffs and I think that would be sufficient to meet the object which the Honourable Member has in view and also the needs of the case. Although the resolution is not accepted, I trust that the action which the Government are taking will satisfy the Honourable Mover of the resolution. The proposal is to raise the pay to Rs. 15, Rs. 18, and Rs. 20."

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"That will satisfy me for the present. I think that the improvements proposed meet half way. Under the circumstances I do not press this resolution."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE INCREASE OF PAY TO PEONS IN REVENUE DEPARTMENT.

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"In the light of the revised budget estimate I would like to alter the figures in the resolution, namely, Rs. 3,42,672 into Rs. 3,42,756 and Rs. 3,97,296 into Rs. 3,97,392. As amended my resolution will run thus:—

"IV. This Council recommends to His Excellency the Governor in Council that the budget provision of Rs. 3,42,756 under "3-A. LAND REVENUE—Charges of the District Administration" provided for peons be increased to Rs. 3,97,392 with a view of making the pay of peons on Rs. 8 at Rs. 10 a month and the rest at Rs. 8 a month uniformly and the difference of Rs. 54,636 be met from "45-B. CIVIL WORKS—Civil Budget Estimate."

"Now at present the pay of peons is Rs. 8, Rs. 7 and Rs. 5. In one case it is even Rs. 3. In these days of high prices I think the pay of peons ought to be Rs. 10 per mensem and Rs. 8 for all those who are now being paid less than Rs. 8. There are about 3,463 peons who are receiving Rs. 7, 3 peons receiving Rs. 5 and 1 peon receiving only Rs. 3 per mensem and the pay of the peons receiving Rs. 7, Rs. 5 and Rs. 3 per mensem should, I would propose, be raised to Rs. 8, so that they might have what I would like to say a reasonably sufficient amount of pay to fall back upon. Now even the ordinary coolies receive a daily wage of As. 4 and As. 5. Under these circumstances, I think that it is but reasonable that the peons must be paid a minimum salary of Rs. 8. With these words, I beg to move the resolution."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, here again, I sympathise very much with the Honourable Member's idea; but I do not think that we can go quite so far as he proposes. Perhaps, he has forgotten the fact that the pay of the Collector's peons is Rs. 8 and if we are to raise it also to Rs. 9, then the amount involved will be a good deal and it will upset the figures. But I do feel that something ought to be done for these peons. The Government have had proposals from the Board of Revenue on this matter and the Board proposed that half the number of peons who draw Rs. 7 and Rs. 8 should be put up on Rs. 8 and the other half on Rs. 7. The matter has not yet been dealt with, but I doubt whether that would be sufficient or would do much good. I am rather inclined to think, without committing the Government in any way, and, speaking entirely for myself that we ought to give a minimum pay Rs. 8. I do not think we can possibly go up to a minimum of Rs. 9. The Honourable Member may perhaps be content with the assurance that the matter will be looked into and dealt with at an early date, within the next month or so; and it will not be shelved. For the reasons I have given, I cannot accept the resolution in the terms in which it is couched; but we are practically going to do something in the direction that the Honourable Member wishes."

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"Since the Government propose to give some sort of help to these poorly paid peons, I am not going to press the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

His Excellency the PRESIDENT:—"As the Hon'ble Mr. A. S. Krishna Rao is not able to get here in time, I propose to defer the next resolution."

RESOLUTION RE REDUCTION OF SETTLEMENT EXPENDITURE.

The Hon'ble Mr. K. RAMA AYYANGAR:—"The resolution that I have the honour to propose runs as follows:—

"VI. This Council recommends to His Excellency the Governor in Council that the provision under the head "3-B. Land Revenue—Survey and Settlement—Resettlement" be reduced by one lakh and the same set apart for contribution to local bodies for the construction of village roads."

* Vide page 414 infra.

(Mr. Rama Ayyangar; Mr. Ranga Achariyar.)

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"My Lord, page 15* of the Revised Financial Statement shows how we have been spending on survey and settlement from the year 1914-15. The expenditure ran up to Rs. 13.27 lakhs in 1914-15, but it fell to Rs. 12.20 lakhs in 1915-16 and to Rs. 10.83 lakhs in 1916-17. Then during the last two years, in the revised estimate for 1917-18 it was Rs. 12.75 lakhs and in the budget estimate for 1918-19 it is Rs. 13.98 lakhs, the whole excess amounting to Rs. 1.44 lakhs. That is because of the proposed addition of one settlement party during the ensuing year.

"Your Lordship might remember that there was a considerable discussion raised in connexion with this matter prior to the last two years; and there was also, so far as the survey operations were concerned, a committee appointed; and it was attempted to reduce the expenditure under this head to some extent. But now it has been going up, as I have read. What I now find in the Civil Budget Estimate on pages 38-39 is that six special settlement officers instead of five are proposed to be appointed for the ensuing year, and we have nine special assistant settlement officers that will be appointed, where we had only five; and there is provision for a temporary establishment at a cost of Rs. 1.78 lakhs. This, my Lord, swells up the figure. There will have to be some temporary establishment, even for the existing party. But if this additional party is not employed, this one lakh of rupees and odd will be spared. I wanted to ascertain from the Government what the special work was that had to be done during this year and the succeeding year. I find that the settlement of about 390 villages are due in the current fasli and the settlement of 1,249 villages in the next fasli. It is expected that about 1,616 villages would have been resettled in Bellary, South Arcot, Vizagapatam and Tanjore before the close of the next fasli. That is the information I got from the Government. But I find from a perusal of the administration report of Survey, Settlement and Land Records Department for 1914-15, that five settlement parties have been able really to dispose of the work of nearly 2,000 villages. The figures for registers A and B are specially given separately and the number of villages under these two registers comes to 618 and 618 respectively, and I find that the number of villages for which demarcation sketches have been prepared in the year is put down at 777, making in all 2,013 villages; and that is the work done by the five settlement parties. I only submit that a continuation of the same five parties will be quite sufficient for the work before the Government.

"We know that in these years of stress, much money could not be spared for the more useful objects that we have been fighting for. My submission is though we started on a programme of constructing village roads and of helping district boards and taluk boards with funds for such construction, we have been able to disburse some amount in 1913-14, and next year to some extent, and yet in the ensuing year, in spite of the large income we have, and the proposed expenditure of Rs. 8.24 lakhs we have not been able to provide for any amount for village roads. I propose by various resolutions that some money should be found for that and this principle of helping the construction of village roads must be kept up and continued through.

"But apart from that the question of the entertainment of another settlement party may be postponed, inasmuch as it is not necessary for the work that remains to be done. Further than that, I have also in this connexion to propose that this idea of increasing the settlement parties in number, the expenditure on which has been going on without restraint might be considerably curtailed, if steps are taken to post these officers that do the settlement duty one or two years before the year in which the settlement falls due, to the locality which has to be settled, within the next two years; and these officers who will work as divisional officers will be able to know the interior of the country very well and will act both as divisional officers and also as settlement officers and practically this necessity for keeping up two establishments at great cost, especially when the settlement establishment is sought to be increased like this year after year will disappear, and I submit, my Lord, that this question may very well be considered and a reduction really made in the expenditure. That I submit will apply even to the existing five settlement parties. It must be possible by a close scrutiny of the establishment and the work entrusted to them to so distribute the work between the divisional officers, the deputy collectors employed in settlement parties, and to so post them that the work of the settlement will be done practically along with the work of the division itself. Thus this establishment of separate deputy collectors for the settlement work as also of separate deputy collectors for the division work will be avoided. This question as I said has to be considered in connexion with the actual expenditure on the five parties. So far as the present proposition goes, I want that this new party need not be formed and this expenditure be spared. There is neither complete necessity for entertaining it nor can it be said that this establishment of an extra party must, in the natural course of events, be entertained. A certain number of taluks merely the usual number, fall due for resettlement in the course of next year; but as I have shown, the work is not such that another party at a cost of more than one lakh of rupees should be entertained. If any special additional divisional officer should be posted to any particular locality, that may be done. I must, in this connexion, say that, though we are budgeting for an extra expenditure of more than Rs. 40 lakhs or so, it has not been possible to spare money for the construction of village roads or for giving sufficient grants for minor sanitary works; and it is necessary that every item that could be cut down must be cut down and I submit that this is one of such items. I say that the Government may be pleased to accept this resolution."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Your Excellency, my resolution, at any rate one portion of it, also relates to the same question, and I may be allowed to speak on this resolution."

* Page 473 infra.

13TH MARCH 1918.] (The President; Mr. Ranga Achariyar.)

His Excellency the PRESIDENT:—"I am obliged to the Honourable Member."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"My resolution No. VII, so far as the first portion of it is concerned, aims at the same object as my Hon'ble Friend Mr. Rama Ayyangar has, namely, reduction of the extra expenditure and the deletion of the whole of the extra addition under the head of "settlement parties." My proposition is for deleting the whole of the extra addition which is sought to be imposed this year; but where we differ is as to how this sum is to be utilized. That will be a question for consideration when we determine on the first question. I am in hearty agreement with the proposition of my Honourable Friend and I only wish to add a few observations. You will notice by referring to pages 38 and 39 of the Civil Budget Estimate that the additions chiefly are the addition of one settlement officer and the addition of four additional assistant settlement officers and the increase in the temporary establishment to nearly double of what it now is, the expenditure on it going up from Rupees 90,000 to Rs. 1.78 lakhs. This effects an addition of nearly Rs. 1.44 lakhs a year.

"It will be remembered that from the year 1913 non-official members had been attacking the policy of spending so much on resettlement parties. In the year 1913 the Hon'ble Mr. Sarma brought forward a resolution to reduce the expenditure under the head of settlement. Then it was pointed out by Sir John Atkinson that so much expenditure was needed because resettlement occasions were caught hold of by thousands and thousands of ryots for getting changes in ownership, recorded in the land records. That was the explanation given by Sir John Atkinson. Then next year my Hon'ble Friend Mr. V. K. Ramanuja Achariyar brought forward a resolution to reduce the temporary establishment; and the Hon'ble Mr. Butterworth replying on behalf of Government pointed out that it was a purely temporary thing, due to the work which had accumulated on account of bad work done and that the arrangement was purely temporary. My Hon'ble Friend Mr. Ramachandra Rao took it as a satisfactory statement on behalf of Government. On that assurance, the resolution was withdrawn. Again, when my Hon'ble Friend Mr. Rama Ayyangar brought forward a similar resolution that year, the Hon'ble Mr. Butterworth, again on behalf of Government, pointed out that this must vary year after year because it depended on the number of villages, number of districts and taluks that were taken up for resettlement in those years. In fact, he pointed out that my Honourable Friend was quite at sea with reference to resettlement work and pointed out that the correct principle to be taken into account was the number of districts and taluks for which resettlement fell due.

"From that point of view, I have now got information from Government as to the number of districts or taluks where resettlement is due not only for next year but also for the next five years, to see whether really any addition is needed in the establishment of the resettlement department. As has been pointed out already there are five settlement parties now working. In the year 1918-19 for which we have budgeted there are four districts and eight taluks in which resettlement is due. The four districts are South Arcot, one portion of Madras, Malabar and Ramnad. In the South Arcot district the settlement party has been working from the year 1913-14; in Madras from 1912-13 and in Ramnad from 1912-13. So that, in three out of four districts, the party has been working for nearly three or four years, and the only district that is new is Malabar where only one taluk, Wynad, is due for resettlement. So that, in the coming year, no new settlement work is to be done except in the taluk of Wynad and the remaining districts are old. So far as South Arcot is concerned, it will be remembered that we have received the final orders of Government on its resettlement only a day or two ago. So far as Madras is concerned, the taluks to be resettled are Melur, Madras and Tirumangalam where the resettlement is mostly over. In Ramnad, Aruppukottai is the only taluk which remains to be done. So, if we take the coming years, very little additional work is to be done; parties have already been working there. Even if we take the year after the next, namely, 1919-20, you will find that there are only three districts where resettlement is due, namely, Vizagapatam, the Nilgiris and North Arcot. So far as Vizagapatam is concerned, there are only three taluks where the resettlement is due; and there the settlement party has been working from 1912-13. With regard to the Nilgiris there is only one portion in which resettlement is due and I take it that a special officer is all that is needed for that portion. In North Arcot there is only one taluk where the resettlement is due, namely, Tiruvannamalai, which has been added to this district from the South Arcot district. The recent operations in the South Arcot district must have thrown considerable light so far as the resettlement of this taluk is concerned. In the year 1920-21, only six taluks have to be resettled; and in 1921-22 only four taluks are to be resettled. Having regard to the fact that there is no new work added and nothing is imminent, I think that what is proposed in the budget is an unjustifiable addition to the settlement parties.

"The second objection that I have, is: it seems to be unfortunate that where non-officials want a reduction of expenditure, the tendency of the Government is to increase it under the very heads. Really this is not a necessary head on which increase of expenditure is necessary and I do not think that these increases ought to be encouraged. Last year, the Hon'ble Sir Alexander Cardew gave us an assurance that he would examine the figures and see whether he could not reduce the cost of settlement parties; but I do not see that any attempt has been made in that direction in this budget, as the expenditure on the settlement parties is exactly the same amount as it was last year, if not more; and on the other hand there is a new settlement party added with one settlement officer and four assistant settlement officers and on the top of it there is the addition of a temporary establishment. I, therefore, find no trace of any attempt having been made in reducing the cost. Why this addition of temporary establishment is

(Mr. Ranga Achariyar; the President; Mr. Rajagopala Achariyar; Mr. Subbarayalu Reddiyar.) [13TH MARCH 1918.]

needed at all requires a great deal of explanation. In the face of the statement made in 1914 that it was purely temporary, why this year there should be an addition of Rs. 90,000 on temporary establishment requires explanation. I, therefore, strongly support that portion of the resolution that no extra cost should be incurred in the coming year on resettlement operations.

"As regards the other portion of the resolution as to how the money is to be disposed of, I am sure that my Hon'ble Friend Mr. Rama Ayyangar will agree with me, that is a matter on which we need not quarrel. I only mention one need so far as the Corporation of Madras is concerned. The Corporation of Madras in the year 1910 embarked on a policy of constructing model schools; they had a programme for constructing 40 schools at the rate of four schools a year. We have now completed 21 schools and 19 schools still remain to be constructed and we are not able to do it. This is one of primary importance. There are 58,348 boys and girls between the ages of 5 and 10 in the city of whom 28,964 are at school; and even in regard to this number of boys and girls, most of them are in aided schools and our corporation schools are able to provide for only 3,100 children. There are nearly 21,000 children that go without education in the city and we are not able to provide them with complete accommodation. We have laid out a programme which we expected that we would be able to carry out; but on account of the costly Special Works, into which we have been drawn, we are unable to provide for the schools. This is an urgent necessity. That only 29,000 children should receive education can hardly be considered a satisfactory feature and if we had funds we should not approach the Government for help. The Government have already refused help in the matter of carrying out our Special Works; and we want them to help us in the matter of education, so far as buildings go, though not in the matter of recurring expenditure on education. This is a more insistent demand so far as the spread of education is concerned, than the expenditure on these resettlement parties.

"I am quite aware that resettlement means addition to revenue and therefore that is a matter which should be carefully considered. But if I had satisfactory evidence that more areas require to be resettled in the next five years, I would not support this proposition. But as I have shown you there is not enough new work for creating a new party and I therefore strongly appeal to Government to abandon that idea and to make the existing parties do the work. Having regard to the fact that resettlement now means merely percentage of enhancement and not a close examination of the circumstances of each locality, as in the case of original settlements, it depends upon the facts and figures available in the office. Having regard to the limited nature of the work and the scope of that work I do not think that any addition is needed. On all these grounds I move my proposition."

The following was the resolution of which notice had been given by the Hon'ble Mr. T. Ranga Achariyar:—

"VII. This Council recommends to His Excellency the Governor in Council that the additional provision of Rs. 1,44,000 over that of last year in the budget under the head '3-B. LAND REVENUE—Settlement Parties' be removed and the amount be transferred to '22-G. EDUCATION' to be granted to the Corporation of Madras to enable it to complete its programme for the construction of model elementary schools in the city."

His Excellency the PRESIDENT:—"I propose to adjourn the discussion of this particular resolution as the Hon'ble Mr. A. S. Krishna Rao will be here in an hour, if the Council will approve of that course."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I beg to introduce the heads—6. STAMPS, V. & 7. EXCISE, 10 INCOME-TAX, and X. & 12. REGISTRATION."

12. Registration.

RESOLUTION RE A SEPARATE DISTRICT REGISTRAR FOR NORTH ARCOT.

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR:—"The resolution that I have the honour to move runs as follows:—

"VIII. This Council recommends to His Excellency the Governor in Council that the provision under "12-B. REGISTRATION—District Charges" be increased by Rs. 5,000 to provide for a separate District Registrar for North Arcot district and that the same amount be deducted from the expenditure under "45. CIVIL WORKS."

"This resolution, I submit, Your Excellency, is nothing new. The same resolution was on the agenda last year at this time, but the resolution was not pressed then because a similar resolution touching Ramnad did not meet with much success at the hands of the Member in charge when that was moved, and I watched its fate. Later on, I noticed that a Registrar's office was opened on the 1st of October 1917 for Ramnad and a provision was made to open one for Kurnool in 1918-19. I note at pages 55 and 56 of the second edition of the Civil Budget Estimate that a lump provision is made for these two offices. I may also refer Your Excellency to

13TH MARCH 1918.] (Mr. Subbarayalu Reddiyar; Mr. P. Rajagopala Achariyar; the President; Mr. K. R. V. Krishna Rao.)

paragraph 29 of the Revised Financial Statement which says 'the revised estimate for 1917-18 includes expenditure on account of (1) the reopening of the District Registrars' offices at Nellore and Vizagapatam, (2) the raising of the remuneration of section writers from Rs. 12 to Rs. 15 per mensem, and (3) the formation of a separate Registration district for Ramnad. The first two schemes were introduced on the 1st June 1917, while the last scheme was given effect to from the 1st October 1917. The budget estimate for 1918-19 contains a full year's provision for these three schemes, and also includes Rs. 504 for opening a District Registrar's office at Kurnool which has been entered in accordance with the recommendation made by the Finance Committee of January 1918. After provisions have thus been made for separate Registrars' offices for all districts in the Presidency including even Kurnool, it is but fair that North Arcot should be given at least now its turn and should have a separate Registrar. In fact, since bifurcation in 1911, North Arcot became enlarged by the addition of Tiruvannamalai and Tirupattur and became considerably larger. The cry from North Arcot since then has been heard both here and in conferences and in other places to provide it with a separate Registrar and the location of the Registrar's office to be at Vellore which has become the centre of almost all the other headquarter offices. In fact Vellore has had the privilege of even a civil court there. The statistics of registration of North Arcot will bear me out when I say that it is necessary to open one in North Arcot also. North Arcot compulsorily registers 68,671 documents, while Ramnad registers 1,500, Vizagapatam registers 25,000, Nellore 21,000, Kurnool 17,000, one-fourth of North Arcot. Even as regards supervision of the Sub-Registrars' offices, North Arcot has got 20 offices, Nellore 15, Vizagapatam 14, Bellary 11. If those places have a separate Registrar, it seems to me necessary that North Arcot should be provided with a District Registrar. After all, the cost is very little. I only pray for a paltry sum of Rs. 5,000 and that you can get very easily from '45. Civil Works'. In these circumstances, I trust my resolution will be accepted."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the Government agree to provide separate District Registrars for North Arcot and Chittoor. We shall ask the Inspector-General of Registration to submit proposals for the purpose and when the proposals come they will be sanctioned and the necessary provision will be made. So I accept this resolution provided the Honourable Member omits the last words 'and that the same amount be deducted from the expenditure under "45. Civil Works"'. We will find the money, there will be no difficulty in doing it."

His Excellency the PRESIDENT:—"Does the Honourable Gentleman agree to it?"

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR:—"Yes, I thank the Honourable Member."

The resolution was withdrawn with the permission of His Excellency the President.

RESOLUTION RE INCREASE OF PAY TO PROBATIONARY SUB-REGISTRARS.

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"My Lord, I propose—

"IX. This Council recommends to His Excellency the Governor in Council that the budget allotment of Rs. 21,000 under "12-B. REGISTRATION—District Charges" provided for probationary sub-registrars be increased to Rs. 27,000 with a view to make their pay uniformly Rs. 30 per mensem and the difference of Rs. 6,000 be met from "45-B. Civil Works—Civil Budget estimate".

"At present, there are in this Presidency 75 probationary sub-registrars, 50 of whom draw Rs. 25 per mensem and 25 draw a pay of Rs. 20. These probationary sub-registrars are almost all graduates and these people are sent out to registration offices and put in charge of important duties in connexion with the registration work. Their pay now ranges between Rs. 20 and 25 and I recommend in this resolution that their pay may be made uniformly Rs. 30. These probationary sub-registrars are paid Rs. 10 allowance. Even with that allowance I think that the important duties which these people are entrusted with demand that they should be paid Rs. 30 uniformly and the amount of money required for this purpose is only Rs. 6,000 and I think this small amount may be met from the Civil works budget, as I propose, or from the savings in the Registration department.

"My Lord, this department of registration is for the convenience of the public and also for safeguarding transactions and also for giving authenticity to all transactions and ought not to be looked upon as a department for bringing in revenue. I think this small amount of Rs. 6,000 may be provided and the pay of the probationary sub-registrars may be raised to Rs. 30 uniformly. With these words, I commend the resolution for the acceptance of this Council."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I am unable to accept the proposal made by the Honourable Member. The position of the probationary sub-registrars does not at all compare unfavourably with that of corresponding officers in other departments. They start, it is true, on Rs. 20. There are two grades, Rs. 20 and Rs. 25, as the Honourable Member has pointed out; but as soon as a probationer passes the departmental test, which need not take very long, he is generally placed in charge of a sub-office and gets an extra Rs. 10 and so on the whole Rs. 35. We also find that the average period

(Mr. Rajaopala Achariyar; Mr. K. R. V. Krishna Rao; Mr. Gillman; Mr. Sadasiva Bhat.) [13TH MARCH 1918.]

taken for a probationary sub-registrar to get absorbed into the permanent sub-registrars' list is two years. So at the end of two years, he gets Rs. 50 in the last grade. I submit for the consideration of the Council that the pay and prospects of the probationary sub-registrar compare quite favourably with those of corresponding men in other departments, graduates who enter Collectors' offices or other offices. The pay at the end of two years is quite a reasonable thing. On the whole I feel bound to oppose the resolution as needless."

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"My Lord, it is not that these people are kept on probation for a very long time and that the pay they start on is less than what other people in other departments get. But I recommend the increment on the ground that these people are entrusted with very responsible duties and even though they get an allowance of Rs. 10 when they are on duty in charge of a registration office, I think their pay must be made uniformly Rs. 30. That is the consideration on which I made this recommendation. The other consideration is that since the department ought not to be made a purely paying department, some liberality may be shown to these people. However I do not press this resolution at present."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE INCREASE OF FIXED ALLOWANCE TO EX-OFFICIO SUB-REGISTRARS.

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"My Lord, I beg to move—"

'X. This Council recommends to His Excellency the Governor in Council that the amount of Rs. 504 under "12-B. REGISTRATION—District Charges" provided under fixed allowance at Rs. 7 to be paid to ex-officio sub-registrars be increased to Rs. 1,080 so as to provide for an allowance at Rs. 15 per head per mensem and the surplus of Rs. 576 be met from "45-B. CIVIL WORKS—Civil Budget Estimate."

"This, my Lord, is a very small matter. There are only six ex-officio sub-registrars in the whole Presidency and they are paid now a very small amount of Rs. 7 for the extra work of registration that they are entrusted with. I recommend that their pay be raised to Rs. 15 per mensem and the difference of Rs. 576 be met from the source I have pointed out in the resolution. This is a very small matter and the work which these people have to do is a very important one. In consideration of the importance of the work which is entrusted to them and the smallness of the pay they are now being given, this resolution may be accepted."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I confess to a feeling of considerable sympathy with this resolution, but I am unable to commit the Government to any decision just now, because we have had no opportunity of consulting the head of the department in regard to it. So, I am making a reference to him on the subject, and if, after hearing what he has to say, we decide to increase this local allowance, as proposed in this resolution, we shall have no hesitation in doing so, and the money will be found by reappropriating this resolution."

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"I accept the statement and withdraw the resolution."

With the permission of His Excellency the President the resolution was withdrawn.

IX. & 11. Forest and XVI-A & 19-A. Law and Justice—Courts of Law.

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, I beg to introduce the head IX. & 11. FOREST and also XVI-A & 19-A LAW AND JUSTICE—COURTS OF LAW. Under the latter head, the Hon'ble Mr. Sadasiva Bhat has asked a question regarding the Registrarship tenable, but it is not an inflexible rule. The figure 20,045 is made up of Rs. 1,740 per mensem less deduction or annuity."

RESOLUTION RE AN ADDITIONAL SUB-COURT FOR PALGHAT.

The Hon'ble Mr. K. SADASIVA BHAT had given notice of the following resolution under this head:—

'XI. This Council recommends to His Excellency the Governor in Council that, with a view to establish an additional sub-court to be permanently located at Palghat, a lump provision of Rs. 9,000 be added under the head "19-A. COURTS OF LAW" and that a corresponding reduction be made under the head "45-B. CIVIL WORKS."

The Hon'ble Mr. K. SADASIVA BHAT:—"I do not propose to move this resolution." The resolution was not moved.

[13TH MARCH 1918.] (Mr. Siva Rao; Mr. Gillman; Mr. Ramachandra Rao.)

RESOLUTION RE A SEPARATE DISTRICT AND SESSIONS COURT FOR ANANTAPUR.

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I beg to move—"

'XII. This Council recommends to His Excellency the Governor in Council that an increased provision of Rs. 40,000 under the head "19-A. LAW AND JUSTICE—Civil and Sessions Courts" for opening a separate District and Sessions Court at Anantapur and that the same be met by a corresponding reduction under the head of "45. CIVIL WORKS."

"Your Excellency, the district of Anantapur has been asking or rather clamouring for a district court for over 15 years. In addresses after addresses presented to Governors when they happen to visit the place from time to time, they introduced this prayer with the result that during the time of Sir Arthur Lawley, an inquiry was ordered and as the result of the inquiry the High Court recommended the location of a separate district court in Anantapur; and in 1914 the Local Government have also sanctioned the scheme."

"Before I proceed further, my Lord, I may just explain to the Honourable Members of this Council that the district of Anantapur consists of nine taluks, seven of which are now tacked on to the District and Sessions Court of Bellary and two to the District and Sessions Court of Cuddapah and the District Munsif's Court of Gooty is under the appellate jurisdiction of the Cuddapah District Court. It does not require any elaborate words on my part to convince the Honourable Members of this Council that this is a very unsatisfactory state of things. The right principle that should be observed in such cases is that every revenue district should be distinct by itself and should be separate for the purpose of judicial, revenue, registration, engineering and other purposes. That ought to be the aim which the Government have to bear in mind. As I said, the present state of things works real hardship and the people of Anantapur request that they should be recognized as a separate entity."

"In 1914 when Your Excellency visited Anantapur you were pleased to announce that a separate District and Sessions Court would be started at Anantapur shortly. In the meantime, Your Excellency, war broke out in all its fury and this scheme has had to be hung up and nearly four years have elapsed and nothing has been done and probably the papers have not left the Local Government. In any view, this is a matter which is urgent enough, this is a matter in which the Government have themselves approved of the scheme and they have sanctioned it and it is time that they should provide for it in the budget."

"A few months ago I suggested an alternative scheme that, pending the location of a separate District and Sessions Court for Anantapur, a permanent Sub-Court may be located at Bellary and the two taluks of Anantapur, Gooty and Tadpatri may be restored to the Bellary Sub-Court. There must have been an inquiry made and I gather that the Local Government have decided to go back to the original scheme which they have sanctioned. I must say that the district is large enough; statistics have already been taken from the High Court as to the number of cases civil, criminal and sessions cases, and Civil appeals in the district, and I may assure the Honourable Members that the district is large enough to admit of another Sessions Court. As it is, almost throughout the year we have got an additional Sessions Judge at Bellary or a temporary Sub-Court to cope with this extra work because one Judge cannot cope with it. It is a very necessary reform. Your Excellency and the Local Government have pledged themselves to it almost and as I said Your Excellency announced it even in 1914. I request that some provision may be made in the Budget."

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, the Government fully admit the force of the arguments advanced by the Hon'ble Mr. Siva Rao in favour of a District and Sessions Court for Anantapur. I may say that the Government have already decided to proceed with the proposal for the establishment of district and sessions courts where they are absolutely necessary, and they have addressed the High Court. The Government have not specially drawn the attention of the High Court to the Anantapur district; but they will do so because the Government are satisfied that the district court should be established at Anantapur. With the consent of the Honourable the Finance Member, I am able to say that if necessary provision will be made this year in the budget for a district court at Anantapur. So I am able to accept the Honourable Member's resolution if he will only strike out the last line."

The Hon'ble Mr. P. SIVA RAO:—"I am willing to have the last portion struck out."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"I should like to know whether if those words be omitted the resolution would be in order, because we must show the head from which the appropriation may be really in order I would suggest that the principal point, in order that the resolution may be really in order I would suggest that the necessary amount may come out of the reserve. There is Rs. 10 lakhs in the hands of the Government according to the Hon'ble Sir Alexander Cardew and in order to make it quite in accordance with the rules, I propose that for the words 'and that the same be met by a corresponding reduction under the head of 45. Civil Works,' the following words be substituted 'and that the amount be found from the reserve at the disposal of the Government, under 32. MISCELLANEOUS.'"

The resolution as thus amended was accepted.

(Mr. Stone; the President; Mr. M. Ramachandra Rao.) [13TH MARCH 1918.]

XIX. & 22. Education.

The Hon'ble Mr. J. H. STONE:—"I introduce the budget head, EDUCATION."

RESOLUTION RE PROVISION FOR MEDICAL INSPECTION OF SCHOOLS.

His Excellency the PRESIDENT:—"I do not know if anybody has been asked to move resolution No. XIII. The Hon'ble Mr. Narasimha Ayyar is not here. We can go to No. XIV."

The resolution of which the Hon'ble Mr. Narasimha Ayyar had given notice ran as follows:—

"XIII. This Council recommends to His Excellency in Council that the sum of Rs. 24,000 should be transferred from '45. CIVIL WORKS' to the expenditure head of Education to make a more adequate provision for the medical inspection of schools."

RESOLUTION RE IMPROVEMENTS TO THE HOSTEL AND PLAY-GROUND OF THE RAJAHMUNDY COLLEGE.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU then moved the following resolution of which he had given notice:—

"XIV. This Council recommends to the Governor in Council that one lakh of rupees be provided under XXII. EDUCATION for improving the hostel and play-ground accommodation of the Government College at Rajahmundry and that a corresponding reduction be made under '45. CIVIL WORKS—Civil Buildings' or from the reserve provision at the disposal of Government under '32-E. MISCELLANEOUS.'"

"Your Excellency:—This resolution relates to the provision of a hostel and play-ground accommodation for the Government College at Rajahmundry. Rajahmundry, as Honourable Members are aware, is one of the important educational centres in this Presidency, and as the Hon'ble Mr. Stone is intimately acquainted with the condition of things in Rajahmundry, it seems to me hardly necessary to say very much in support of this resolution. As regards the Arts college, there is one hostel which is capable of accommodating 36 students. The number of admissions every year to the Arts college is about 300; and I understand the number of actual applications for admission into the hostel is between 80 and 100. I have heard many complaints of the state of things and the conditions under which the students are obliged to live in Rajahmundry. That is so far as the hostel accommodation is concerned. I may also tell Your Excellency that this matter has been pressed more than once by the educational authorities upon the attention of the Government, and when Your Excellency was at Rajahmundry representations were also made by the students."

"As regards the play-ground, the Hon'ble Mr. Stone is quite aware of the inadequacy of accommodation, and I suggest that the whole question of play-ground accommodation for the Government's Arts college must be looked into. I may also incidentally press upon the attention of the Hon'ble Mr. Stone, that the whole question of play ground and hostel accommodation, not only with reference to the Government Arts college, but also with reference to the Training college and High schools at Rajahmundry, will have to be very carefully examined. The place has become very congested and there is absolutely no room at present for play grounds either for the High school or the Training college or even the Arts college, where the present play-ground is absolutely inadequate. I am aware of the difficulty of finding space, but I believe, my Lord, that the question is not one for which it is not possible to find a solution. I would respectfully suggest to the Government to consider the desirability of examining the whole question and selecting a place on the other side of the railway line which the Hon'ble Mr. Stone knows very well, and I trust that this resolution will be accepted and the necessary action will be taken."

The Hon'ble Mr. J. H. STONE:—"Your Excellency, the question of hostel accommodation at Rajahmundry is under consideration. In fact, we have the necessary plans and estimates for it, and the Hon'ble Sir Alexander Cardew told me that the Government would be prepared to find the money in the course of the next year, and it has only been postponed, because of the financial stringency due to the war. As regards the play-ground accommodation at Rajahmundry, we have no specific proposals at present. I have asked the Principal of the Rajahmundry College for specific proposals. I shall be at Rajahmundry next week, when we shall look into the matter. I hope that would meet the Honourable Member's wishes."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"Do I understand the Hon'ble Mr. Stone to accept a portion of the resolution?"

The Hon'ble Mr. J. H. STONE:—"I do not mean that the Government accept the resolution, as it stands. The estimate for a building for a hostel is not so large as one lakh or even half a lakh."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"I will withdraw the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

13TH MARCH 1918.] (Mr. A. S. Krishna Rao; Mr. Stone; the President.)

RESOLUTION RE INCREASED PROVISION FOR OPENING ELEMENTARY SCHOOLS.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU then moved the following resolution:—

'XV. This Council recommends to His Excellency the Governor in Council to increase the provision made for opening elementary schools under head "22. Education" by one lakh and to make a corresponding reduction under head "45. Civil Works.'"

In doing so he said:—"Your Excellency, so far as the resolution which is committed to my charge is concerned it asks for an additional allotment for opening elementary schools. In placing this resolution before the Council, I do not wish for one moment to be understood that I do not appreciate the efforts already made in the direction of affording additional facilities for opening elementary schools throughout the Presidency. In view of the recent orders issued throughout the Presidency, as per G.O. No. 1585, dated 15th December 1917, it is clear that the Government have, under contemplation, a scheme of improving and expanding elementary schools in the Presidency, to a very large extent. If, notwithstanding this inclination, I have ventured to come forward with this resolution, it is because I feel that the ground to be still covered for affording a wide diffusion of knowledge throughout the country is very large, and that unless further funds are allotted for that purpose, it is not possible to secure the desired object. I know and I believe that it is as much the object of the Government as of the people concerned that there should be elementary education spread throughout the country, even by means of compulsion and that there should not be one home in this Presidency as anywhere else which should be without education. That being the object, I would ask whether it is not necessary that further efforts should be made to find an additional sum for starting elementary schools in the Presidency. I want one lakh of additional allotment. So far as the principle is concerned, I do not think there is any difference of opinion and I need not elaborate here on the desirability of starting elementary schools in larger numbers. The only question is whether larger funds could not be provided. With these remarks I place this resolution before this Council."

The Hon'ble Mr. J. H. STONE:—"Your Excellency I do not think I need waste the time of the Council by renewing the assurance of the care of the Government for elementary education and I think the Government have given ample proof of it in the budget before us. As regards adding one more lakh, I should like to say that the Government are not prepared to accept the resolution. For one thing, which is perhaps the most important point, the Government of India have sanctioned a recurring assignment of Rs. 5½ lakhs in the budget of 1918-1919, for the development of elementary education. When we get, so to speak, a bucket from the Government of India, we need not add a drop to it. It will not be particularly easy to make the necessary development in elementary education implied by these large grants. It is not altogether easy to find new school masters for new schools. There are increased demands on the supply of qualified school masters, and I cannot help remarking that our machinery for inspection and control of elementary schools is fast getting inadequate. Therefore, with the best will in the world, I must say that I find some difficulty in facing the prospect of a sudden and very much larger increase in the number of elementary schools. I feel sure that the Government is well advised in saying that for the next year we must be content with the sums of money already allocated to the improvement and extension of elementary education, including as they will, I presume, a considerable portion of the 5½ lakhs grant from the Government of India."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU:—"I have nothing further to add to what I have already said. I request your Excellency to put this resolution to the vote."

His Excellency the PRESIDENT:—"I should be very much inclined to suggest to the honourable gentleman that the best course is not to put it to the vote. There is no disagreement as to the principle. All that the Hon'ble Mr. Stone has pointed out is you cannot take any sudden step towards the wholesale development of elementary education. We are doing everything we can and we have the support of the Government of India in the large sum which, we hope, will be placed at our disposal. There is no reluctance on the part of the Government to extend elementary education."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU:—"It is only the announcement made of the grant in the Imperial Legislative Council that made me bring this resolution. Therefore I thought the Local Government should make an additional allotment. If Your Excellency's Government would assure me, that you will provide additional funds, though not the exact amount of one lakh asked for in the resolution, and try to push the scheme of elementary education forward, I am not particular about the amount and I am perfectly willing to withdraw the resolution."

His Excellency the PRESIDENT:—"I am putting it in a perfectly friendly way. What we want is a gradual and continual increase. That we hope to secure. A sudden increase is apt to throw the machinery out of gear. A sudden increase, a sudden large expenditure of money will not be wise. As for making deliberate preparation for a continuous and extensive increase in elementary education we are entirely at one with the Honourable Member. I will put the resolution to the vote if he wishes."

The resolution was put to the Council and lost.

(Mr. Rama Ayyangar; Mr. Stone; the President; [13TH MARCH 1918.
Mr. Ranga Achariyar.]

RESOLUTION RE BUILDING FOR A SCHOOL AT VILATTIKULAM, TINNEVELLY DISTRICT.

The Hon'ble Mr. K. RAMA AYYANGAR :—" Your Excellency, the resolution which I have the honour to move runs as follows :—

'XVI. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 2,800 be provided for construction of a school house at Vilattikulam in the Tinnevelly district in modification of G.O. No. 1427, Home (Education), dated 14th November 1917, and that the same be provided from the grants set apart for schools in the budget of 1918-1919.'

"Since sending up the resolution, I have heard, my Lord, that the provision for a half grant will be made from the funds of 1918-19. My particular request is that in addition to that, the remaining estimate for the building comes to Rs. 2,800, of which the people in the village find about Rs. 1,000, that is, the sum which will be subscribed for. The extra Rs. 900 will have to be provided from the provincial funds. I submit this is a case in which Rs. 900 may be provided so that the building of the school house may be completed as early as possible. It was a case which I had to specially place before the Government, because even the half grant could not be given. Subsequently I was informed that it could be given. The villagers have contributed Rs. 1,000 and I hope that the remaining Rs. 900 will be provided by the Government, so that this out-of-the-way village may be encouraged in the extension of primary education."

The Hon'ble Mr. J. H. STONE :—" Your Excellency, the matter between the Honourable Member and myself is one of Rs. 900, it is not a matter which really affects the budget. If the extra Rs. 900 is wanted the Government will not find any difficulty in providing it, but that increase depends upon the merits of the case. If the Government think that the school deserves a contribution on its merits, the Government will find it."

His Excellency the PRESIDENT :—" It is hardly a case for the Council. The resolution may be withdrawn."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE ADDITIONAL PROVISION FOR OPENING NIGHT SCHOOLS.

The Hon'ble Mr. T. RANGA ACHARIYAR :—" The resolution that I have the honour to move is as follows :—

'XVII. This Council recommends to His Excellency the Governor in Council that the provision in the budget estimate under the head "22. Education" of a sum of Rs. 5,000 for the opening of night schools be increased by Rs. 6,000 and a corresponding amount be reduced from the item of Rs. 15,100 "Petty grants and charitable donations by His Excellency the Governor," under the head "32-B. Miscellaneous."'

"These night schools are becoming more and more useful and more highly appreciated, so far as I am able to judge from the nature of voluntary work done in the city. There are several schools working like that, in Egmore, Nungambakam, Pursewalkam, Triplicane and Georgetown. The sort of people who attend these schools—I have got figures for one school—are boys employed in the press as compositors, type foundry, readers and engravers. The strength of one school is 120 and 20 of them come from that class, five fitters, six tailors and six masons and three peons, two washermen, one tinker, five weavers, six petty traders, one barber, six binders, three carpenters, four electric mechanics and 12 unemployed, altogether a large number of people. These schools are becoming very popular. These are the figures for the Egmore school which is run by a number of people who are interested in carrying on this work, and I am glad to say that Diwan Bahadur Ramanujam Chetti is taking a very great interest in these schools, and is helping them financially."

"There are also other elementary schools which are carrying on this work. I may mention that in Madura town and in several other places there are philanthropists running these schools. The Government consider that it is their duty to help such institutions by providing a sum of Rs. 5,000. I hardly consider that Rs. 5,000 is sufficient, I therefore propose that we should go on increasing the expenditure, so that if we have more money, the Director of Public Instruction will find a useful way of spending it. The system must spread throughout the Presidency. I do not think the principle will be questioned. I find that according to the rules we have to specify where this sum is to be found. I would find that under 32-B. Miscellaneous on page 206 of the Civil Budget estimate. For the last two or three years a sum of Rs. 9,000 was placed at the disposal of Your Excellency's Government for 'petty grants and charitable donations.' This year it is proposed to increase it to Rs. 15,000. I find from the budget

13TH MARCH 1918.] (Mr. Ranga Achariyar; Mr. Rama Ayyangar; Mr. Stone;
Sir Alexander Cardew; Mr. K. R. V. Krishna Rao.)

statement, that this head of expenditure began in the year 1913-14, for I did not find in the previous years' budgets any such head. I think it is hardly necessary to increase the expenditure under that head 'Petty grants and charitable donations'. I think that this sum may be found out of that item."

The Hon'ble Mr. K. RAMA AYYANGAR :—" Your Excellency, in connexion with this matter I may say that the Social Service League at Madura has organized a number of night schools for boys and girls who attend mills and offices there. They have been doing good work and have been trying to collect subscriptions for maintaining the schools. If grants are given to them, it would turn out to be a very good source of encouragement. I would, therefore, request Your Excellency to view the proposition with favour."

The Hon'ble Mr. J. H. STONE :—" I should like to know whether these schools have been refused a grant-in-aid or have not asked for it."

The Hon'ble Mr. T. RANGA ACHARIYAR :—" I think that they have not asked for it."

The Hon'ble Mr. J. H. STONE :—" The Honourable Member in charge of Finance has said that he will provide this extra sum of Rs. 6,000 and therefore the Government are prepared to accept the resolution, provided that the last portion of it is omitted. I am not myself very sanguine about the night schools and my power to utilize this extra Rs. 6,000. It is very difficult to supervise night schools; but at the same time I am perfectly willing to do my best and to see that the grant under this head, i.e., Rs. 5,000, is increased by Rs. 6,000."

The Hon'ble Mr. T. RANGA ACHARIYAR :—" If the Financial Member finds it elsewhere, I do not mind it. I should like to know why there has been an increase under allotment 'Petty grants and charitable donations' by His Excellency the Governor."

The Hon'ble Sir ALEXANDER CARDEW :—" That item is fixed with reference to the orders of the Government of India. It is placed at the disposal of His Excellency the Governor; and it has been decided by the Secretary of State and the Government of India that a similar sum should be given to the head of each province to meet miscellaneous charitable payments. As regards your resolution, it is better to add, as suggested by the Hon'ble Mr. Ramachandra Rao, that a corresponding reduction be made under 32. MISCELLANEOUS."

The Hon'ble Mr. T. RANGA ACHARIYAR :—" Very well."

The resolution as amended was accepted.

RESOLUTION RE RAISING THE MINIMUM PAY OF TEACHERS IN GIRLS' SCHOOLS.

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU :—" I beg to move the following resolution :—

'XVIII. This Council recommends to His Excellency Governor in Council that the budget provision of Rs. 31,368 for mistresses and teachers in girls' schools under "22-F. EDUCATION—Government schools—Special" be increased by Rs. 156 so as to make Rs. 15 per month the lowest pay of such mistresses and teachers.'

"My Lord, at present there are only two mistresses and teachers of girls' schools drawing Rs. 10 and one drawing Rs. 12. These teachers drawing Rs. 10 start on Rs. 10 and rise by an annual increment of Rs. 1 to Rs. 15. Possibly these two teachers may have been now drawing more than Rs. 10 and there is only one teacher who is paid Rs. 12. If what I recommend in this resolution is accepted, the increased expenditure will come to Rs. 156. I think it is necessary, my Lord, that an attempt should be made to give proper encouragement to mistresses and teachers and a better class of people found to be put in charge of girls' schools. From the Civil Budget Estimate, mistresses and teachers who number about 166 are paid handsome salaries, except these three people, for whom I want the Council to consider favourably the increment proposed in this resolution. I submit that this recommendation may be approved and the pay of these teachers be made Rs. 15 as the lowest amount."

The Hon'ble Mr. J. H. STONE :—" The Government are not able to accept the resolution. I think the Honourable Member is labouring under a misconception. He seems to think that these two or three teachers are the only ones that draw less than Rs. 15. There are about 680 teachers, who are drawing less than Rs. 15 in Government schools. I do not think that there is any cogent reason for raising the pay of these two of the teachers, who are in the training school, and leaving all the rest without improvement in their pay. We are going to raise the pay of the teachers in Government girls' schools to a minimum of Rs. 12 and the whole question of the improvement of the pay of the teachers in girls' schools is under consideration. Honourable Members will see that the budget allotment is intended to improve the staff of girls' schools. I do not know whether we shall be able to do what the Honourable Member desires, in regard to teachers employed in training schools. I will consider whether, in view of special character of these schools, the minimum should not be more than Rs. 12. Beyond that, I am not able to meet the Honourable Member."

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU :—" I do not press the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

(Mr. Siva Rao; the President; Mr. Stone.) [13TH MARCH 1918.]

RESOLUTION RE GRANT OF SCHOLARSHIPS TO INDIGENT PUPILS IN SECONDARY SCHOOLS.

The Hon'ble Mr. P. SIVA RAO:—"The resolution that I propose to move runs thus:—

'XIX. This Council recommends to His Excellency the Governor in Council that the allotment under "22-G. EDUCATION—Grants-in-aid" may be increased by Rs. 40,000 to provide for the grant of scholarships to indigent pupils in secondary schools in accordance with the recommendations of the Educational Conference of 1916 and that the same be met by a corresponding reduction under the head of 45. CIVIL WORKS.'

"Your Excellency, before proceeding further, let us just examine the position; and we shall just see where we stand under the Madras Educational Rules. There is no option left to the manager or the head of an institution to remit or exempt the fee except in some cases. Rule 93 says: 'Fees in all colleges and secondary schools under the management of Government, or of a municipal council, or of a local board, shall, subject to the exceptions hereinafter provided, be levied according to the following regulations.' Rules provide for certain rates of fees in the case of institutions under private management. 'The rates and levy of fees will be left to a large extent to the discretion of the managers, but managers may be required to levy reasonable fees.' I know that rules provide for certain exceptions and the exceptions are mentioned in rule 102. 'Fees in all institutions may be levied from Muhammadans and Uriyas and from girls and backward classes and castes at half the standard rates.' So, beyond that exception, there is no provision made for the exemption or remission of fees in secondary schools, especially in the case of Government schools or schools managed by municipal councils or local boards. Exceptions are in the case of Muhammadans, Uriyas, girls and some backward classes. So, your Excellency, there is no provision intended for the benefit of indigent pupils of deserving merit and for people of other than backward classes. Backward classes are held to mean Paraiyas and other lower classes; and that does not include the higher classes of Hindus. This is a very necessary reform which should be carried out. In 1916 the Educational Conference met and they passed a resolution in the following terms:—

'That, for the purpose of granting fee concessions to indigent pupils of marked ability, expenditure by managing bodies on scholarships up to a limit of 10 per cent of the fee income reckoned at standard rates be considered as legitimate expenditure for the purpose of assessing the grant that might be paid to a school provided that the scheme for the award of scholarships or fee concessions has received the approval of the Director of Public Instruction.'

"This was resolved upon in the year 1916; and in May last year I gave notice of a similar resolution though couched in different terms. I was assured by the Director of Public Instruction that the matter would be considered. Then I kept quiet for six months and seeing that nothing had been done I sent in November last year notice of a similar resolution in almost the same terms. I was then assured that the matter was still engaging the attention of the Government and I was advised not to hurry up. Though two years have nearly expired since the passing of the resolution, yet nothing seems to have been done. I am quite aware that the Government do provide for scholarships which are distributed among circles. The Inspector of each circle is given about ten or twelve scholarships, to distribute them among the secondary schools in his circle. What I suggest to the Honourable Members of Council is that the present arrangements are quite inadequate for the purpose and an earnest effort should be made towards the expansion of secondary education in this direction by encouraging poor students to prosecute their studies from the elementary stage to the secondary stage.

"Your Excellency, in this connexion I may be permitted to quote from the speech of Mr. Fisher in the House of Commons:—

'It has been suggested to me that secondary school education should be free and the establishment of a system of free secondary education is an ideal with which I have very great sympathy. It may be that the simplest way of attaining this object would be to abolish all fees in secondary schools.'

"Then in another connexion, in dealing with secondary education, he observes:—"We do not want a caste system of education. We want social fusion, and the best way of securing social fusion in the secondary schools is to have a system under which well-to-do parents contribute their fees and help to support the school, while the children of poorer parents are assisted, and liberally assisted, by free places and maintenance allowances.' What was said of the state of things in England applies quite well to the state of things here. This resolution, if accepted, would go far to mitigate the present evil, and to increase the number of secondary school-going children. With these remarks, Your Excellency, I beg to commend this resolution."

His Excellency the PRESIDENT:—"The Hon'ble the Director of Public Instruction would rather be glad if the honourable gentleman would state his case for the next resolution also, as it is very much akin to this resolution."

The Hon'ble Mr. P. SIVA RAO:—"I do not propose to move it for the present."

The Hon'ble Mr. J. H. STONE:—"Your Excellency, the Honourable Member has referred to the resolution of the Educational Conference in 1916 and to the fact that orders have not yet been passed upon it. He may remember from a conversation that took place in the Finance

13TH MARCH 1918.] (Mr. Stone; Mr. Siva Rao; Mr. Venkatapati Raju.)

Committee, that the reason for the delay was then mentioned. However, he is right in saying that I did recommend to the Government that 10 per cent of the fee income calculated under standard rates should be disregarded in calculating grants in order to provide for scholarships for indigent pupils of ability. In making that proposal, I said that if it were allowed, it would not be necessary to increase the allotment for scholarships. The Government are not able to accept this resolution No. 19 for the simple reason that the matter is still under consideration and that nothing further can be said about it. If the Government should decide to accept this suggestion of the Educational Conference of 1916, I presume that the money will be forthcoming; but if they do not decide to accept it, there will be no need for it. In any case, the Government are not prepared to place a sum of Rs. 40,000 for this purpose in the budget and are not prepared to accept the course suggested by the Honourable Member, merely because the matter is still under consideration and nothing can be said about it."

The Hon'ble Mr. P. SIVA RAO:—"In the light of the statement made by the Hon'ble Mr. Stone I will not press the resolution. I hope that the Government will eventually provide the sum of Rs. 40,000."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE INCREASED PROVISION FOR SCHOLARSHIPS.

The following resolution of which notice had been given by the Hon'ble Mr. P. Siva Rao was not moved:—

"XX. This Council recommends to His Excellency the Governor in Council that the provision under the head of '22-H. Education—Scholarships' may be increased by one lakh of rupees and that the same may be met by a corresponding reduction under the head of '45. CIVIL WORKS'."

RESOLUTION RE GRANTS TO LOCAL BODIES FOR REPAIRS TO ELEMENTARY SCHOOL BUILDINGS.

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, the resolution that I beg to move runs as follows:—

'XXI. This Council recommends to the Governor in Council that a sum of Rs. 50,000 (fifty thousand rupees) be added under the head of "22. Education" as contribution to local bodies for the repairs of school buildings for elementary education constructed with the aid of Provincial grants and a corresponding reduction be made under "45-B. CIVIL WORKS—Civil Buildings".'

"With reference to this question, my Lord, I asked at the last meeting as to how many buildings were in need of repairs and whether any steps were taken to carry out the repairs; and practically the Government stated that it was the duty of the local boards to maintain the buildings constructed out of Provincial funds at their expense. But, as a matter of fact, we have noticed that there are many buildings which require repairs and for which the money was liberally granted. The local bodies have constructed these buildings for elementary schools. Most of them are in one of the way villages and many of them are not keenly noticed by the authorities concerned. Therefore, it is absolutely necessary, whoever may be responsible for the good condition of the buildings, that they should be put in proper repairs. But the boards complain that they have not got the money to keep them in good repair. As the money has been granted by the Government for the construction of these buildings, it is in the interests of the Government that these buildings are kept in good order. Therefore, I suggest, your Excellency, that if the boards cannot provide sufficient funds for the purpose, the Government may be pleased to grant an additional sum, just as they granted the original sum, to keep them in good repair, and to see that these buildings do not come to ruin and that they are maintained in good condition, so that they will be useful for the purpose for which they were erected."

The Hon'ble Mr. J. H. STONE:—"It seems to me that the principle that local bodies should maintain the school buildings in a state of repair is one that can hardly be disputed. It would occur to any one as being one of their first duties. The Government having enunciated that principle are not prepared to make such a public recantation of it, as the accepting of this resolution would seem to imply. We are well aware that local bodies have sometimes difficulties in providing funds for the repairs of buildings. The Government have on more than one occasion, and, in more than one case, sanctioned the expenditure of the savings from other educational expenditure for repairs on school buildings; and I presume that in future the Government will be ready to consider any case in which the local body for any cause is not able to find the necessary money for repairs out of savings from some other sources. But more than that I am not in a position to say. The Government are not therefore in a position to accept the resolution."

(Mr. Venkatapati Raju; Mr. Stone; Sir Alexander Cardew; Mr. Ramachandra Rao.) [13TH MARCH 1918.]

The Hon'ble Mr. B. VENKATAPATI RAJU :—"I understand that the Government propose to take some action in the matter of compelling local bodies to maintain the buildings in a good condition. I understand from the Hon'ble Mr. Stone that the Government propose to ask the board to keep the buildings constructed in good repairs, and if they fail to do it and if they have not got funds for the purpose, the Government will see their way to make a grant."

The Hon'ble Mr. J. H. STONE :—"The Government decided that it was the duty of the local bodies to keep their buildings in good repair. I said that in certain cases the Government had allowed the savings from other sources to be spent on the repairs of the school buildings and it is more than possible that the Government would do the same in future, if there is evidence to show that the local bodies cannot find the funds otherwise."

The Hon'ble Sir ALEXANDER CARDEW :—"I beg to introduce the heads 1. REFUNDS AND DRAWBACKS, XII. INTEREST and 18. GENERAL ADMINISTRATION. These heads require no comment. I beg also to introduce XX-A. and 24-A. MEDICAL and in doing so I have to furnish the information asked for by the Hon'ble Mr. Sadasiva Bhat, who wished to know as to how the lump provision of Rs. 50,000 for private hospitals was proposed to be spent. A sum of Rs. 50,000 was proposed to be given for the Madura American Hospital for women and children. Of this grant of Rs. 50,000, a sum of Rs. 25,000 has been disbursed and the remaining Rs. 25,000 has to be disbursed. Then there is a grant of Rs. 10,000 to the mission hospital at Ongole where the mission has a large and ambitious scheme for extending its hospital. There is a balance of Rs. 15,000 left; the distribution of it is not yet settled, and it is kept in reserve for meeting applications from other hospitals. Preference will be given, as far as possible, to hospitals for women and children."

RESOLUTION RE RESTRICTION OF THE SCOPE OF THE SCHEME FOR TRANSFER OF HEADQUARTER HOSPITALS TO GOVERNMENT.

Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU then moved the following resolution of which he had given notice :—

"XXII. This Council recommends to the Governor in Council that the lump provision of Rs. 2,50,000 under '24. MEDICAL' be reduced to Rs. 88,305 and the scheme for the transfer of the headquarter hospitals be limited to those hospitals situated at stations where medical schools are in existence or are proposed to be started."

In doing so he said :—"My Lord, in moving this resolution I must at the outset express my satisfaction that the budget under the head 'Medical' has been showing appreciable increase under expenditure, and I trust that your Excellency's Government would, in the years to come, expand both medical education and medical relief, adequate to the necessities of this Presidency. Therefore, I am thankful to the Hon'ble the Finance Member, who has taken great interest in the promotion of medical education and medical relief, for the very satisfactory terms in which the present budget has been framed."

"Then, my Lord, I should also like to state, for the information of my honourable friends who are interested in some of the hospitals which are proposed to be taken, that it is not at all my desire that any benefit or any financial relief which your Excellency's Government are willing to extend to these hospitals should be withdrawn from them. I am myself doubtful as regards the desirability of taking over, under the management of the Government, the hospitals which are mentioned in the Government order of 8th February 1918. My Lord, it is proposed in this order that fifteen hospitals at headquarter stations should be taken under the direct management of Government, and that the local bodies should be relieved of their present control, but that they should nevertheless contribute one-third of their expenditure."

"The first observation that I should like to offer on this order is I should like to ask what is the position of the Government with reference to the numerous other hospitals which are now being run by municipalities and district boards. The proposal for the provincialization of headquarter hospitals has been recommended by the Decentralization Commission and it will be within the recollection of Honourable Members that my honourable friend Mr. A. S. Krishna Rao brought forward a proposal and to that it was replied, on behalf of the Government, that it would be really centralizing rather than decentralizing of the functions of local bodies. That was about two years ago and the present order proposes to centralize the control of fifteen hospitals in the Medical department and deprive the local bodies of the actual or theoretical control which they at present possess over these institutions."

"My Lord, I think whatever may be the actual modicum of control which is now vested in the local bodies over the hospitals under their control, it seems to me that once a hospital becomes a Government institution little public interest will be evinced in the administration of these hospitals. That is one objection that I wish to urge. On the other hand, I am perfectly aware that the intention of the Government in undertaking the control and administration of these hospitals is to make them more efficient and to put more money into these hospitals and make their equipment and medical administration generally more satisfactory. While I recognize all this, I feel, my Lord, that with the help that is given to a few hospitals, other deserving medical institutions are likely to suffer for some years to come. That is the feeling which prompted me to bring forward this particular proposition."

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"In the first place, I take it that Your Excellency's Government have a big scheme for the General Hospital in Madras, which, according to the information furnished to me, was estimated to cost Rs. 46 lakhs. The estimates are now undergoing revision. We may fairly take it that it would involve a capital expenditure of Rs. 50 lakhs. I have no information as regards the recurring expenditure involved in starting a new General hospital, which is proposed to be built for the whole of this Presidency. There are these fifteen hospitals which are proposed to be taken over. The recurring cost under the present scheme is about Rs. 1.50 lakhs, Rs. 75,000 being contributed by the local bodies concerned. I feel, my Lord, that the most urgent need at present in regard to medical relief is not only that the other medical institutions which are now administered by the local bodies should be more adequately and efficiently equipped, but that rural dispensaries should be multiplied and kept up and that local bodies should receive a substantial subsidy year after year for the purpose of affording medical relief in rural areas. If I am bringing forward this resolution, it is rather to emphasize the doubt, in view of the commitments of Government for the large General Hospital and these fifteen hospitals, whether Your Excellency's Government would be able to do anything at all for the other hospitals and the rural dispensaries so necessary for affording medical relief in the mufassal."

"I wish, at the outset, to assure my Honourable Friends that if these fifteen hospitals are to get relief financially under this order, by all means it may be given, provided it does not, in any way, come into conflict with any possible scheme which the Government may devise for better medical relief in rural areas. So far as I know, there is absolutely nothing at present before the Government, and I am anxious that, while these fifteen hospitals may be relieved, if at all by a contribution to them, in the manner suggested in this order without in any way interfering with their control, I am also anxious that Your Excellency's Government should devise a scheme of progressive expenditure on the construction, upkeep and maintenance of rural dispensaries."

"We have heard complaints in this Council many times that it is impossible for local boards to do very much in the way of medical relief for want of funds. I therefore request Your Excellency's Government to consider this aspect of it, whether the improvement of these 15 hospitals would mean that more and more money would be put into the equipment of these hospitals to the detriment of any scheme of progressive expenditure on rural dispensaries. For example Honourable Members may take the case of Tanjore. If the Tanjore hospital is taken over by the Government, there is the hospital at Kumbakonam which is probably as popular as or more popular than the Tanjore hospital, but this hospital gets nothing by way of financial relief on its medical administration. Or take the Kistna district. We have a hospital at Bezvada, and we have also one at Ellore. If the Masulipatam hospital is the district hospital, no doubt it will be very well equipped and well run. But what about Bezvada and Ellore? They get nothing under this scheme. It seems to me that these two hospitals are as important as the present hospital at Masulipatam. In other districts too, there are existing hospitals which are doing as good work as these hospitals, which are now proposed to be provincialized and for which medical relief is absolutely necessary. I would also suggest that this scheme of medical relief for rural areas devised by the Government is as urgently needed as the one for which this order is intended. As I said, I am really waiting for an assurance from the Honourable the Finance Member that a scheme would be devised for helping other hospitals. Honourable Members will notice that the Hon'ble Mr. A. S. Krishna Rao has tabled a resolution that Rs. 50,000 should be distributed to hospitals, other than those covered by this order. That is really the crux of the question. I trust the Hon'ble Sir Alexander Cardew would be in a position to make some reassuring statement as regards the future medical expenditure on all hospitals. At present I am merely waiting to get this information from the Hon'ble Sir Alexander Cardew."

The Hon'ble Sir ALEXANDER CARDEW :—"Your Excellency, Honourable Members are acquainted with the proverb that we should not look a gift horse in the mouth. The idea of that proverb is that to look in its mouth is to see how old it is and how valuable it is. The Hon'ble M. Ramachandra Rao, in his speech, intimated as clearly as possible that he did not wish to take that attitude. His only concern is whether this change will prejudice future medical relief in rural areas. Of course, under the scheme of distribution of functions which now exists, medical relief is a local charge; but I would remind the Honourable Gentleman that the Government have already, in the recent order, undertaken to bear half the cost of providing a second sub-assistant surgeon in local hospitals, the object being that one of the sub-assistant surgeons should travel through the villages round the hospital and take medical relief to the doors of the people. The Government have, therefore, already shown clearly their readiness to give all possible assistance."

"I would put it to the Honourable Members whether the whole question is not too big a one to be raised at this juncture. The whole scheme of local finance must, before long, be brought under examination. At present, Honourable Members will have seen from the Financial Statement that the Government are giving a sum of Rs. 50 or 60 lakhs to local bodies. In 1913-1914 it rose to the high figure of Rs. 100 lakhs. The total yield of the land-cess is, I think, Rs. 60 lakhs so that the Government are giving really enormous sums as subsidy to local bodies. I do not think it is a sound plan. As I said in my memorandum, there should be a method adopted and there should be some system by which the local finances might be put on a proper basis. The whole question of provincial finance is uncertain and open to reconsideration, and sooner or later local finance must be examined with a view to put it on a more satisfactory footing. I do not see any doubt that in future there will be ample resources at the disposal of local bodies for the continuance of the existing medical relief and its extension."

(Sir Alexander Cardew; Mr. Venkatapati Raju;
Mr. Siva Rao.)

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"I feel quite sure that the step which is now proposed to be taken, while it helps local bodies during this period when they are starved and are not able to keep up the headquarter hospitals, would not prejudice in future any further assistance. I feel that all Members will agree as to the great advantage of having a thoroughly equipped and up-to-date modern hospital in each district. Each district hospital serves a much wider area than the town in which it exists. It serves the surrounding areas and it would be a real advantage that these hospitals should not be starved for want of money and that they should be brought up to date in equipment and staff. It will cost money, and I hope the money will be found. I hope this assurance will relieve the Hon'ble Mr. Ramachandra Rao of any apprehension as to the effect of this decision."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"Your Excellency, the assurance given by the Hon'ble Sir Alexander Cardew is very excellent, except with reference to one observation to which I take exception. The Hon'ble Sir Alexander Cardew says 'we must not look a gift horse in the mouth.' It is the spirit of that remark to which I object. It is not anything given out of a charitable disposition; it is only providing money for the people's good out of money raised by taxation from the people. It is only distributed in the way in which the Finance Member thinks it necessary. It is not a gift. With that observation, I agree with the Hon'ble Sir Alexander Cardew when he says that we must make sufficient provision for the hospitals at headquarters which must be well equipped and that other amounts will be provided for other hospitals in rural areas as well."

The Hon'ble Mr. P. SIVA RAO :—"Your Excellency, I think it is my duty to express my strong disagreement from this resolution in the way in which it stands on paper. The Honourable Mover has stated that his object is that the dispensaries in rural parts should also be cared for. He also expressed sympathy with the local bodies because they were divesting themselves of the modicum of control—infinite direction and control—which they have over these hospitals. If these two had been his objects, I will take the first one, about his solicitude for dispensaries in rural parts; I can quite conceive that the frame of the resolution should have been far different. The Government have inaugurated a very beneficent scheme in my humble opinion and I take this opportunity of thanking the Hon'ble Sir Alexander Cardew for giving effect to our incessant recommendation on the matter, not merely our recommendation, but the recommendation of Decentralization Commission. If the object of the Honourable Mover had been that rural dispensaries should receive the attention they deserve, there is a way of expressing that aspect of the matter. If his object is that the local bodies should not be divested of the management of these institutions, there is some other way of bringing it forward. He may ask that the Government might pay two-thirds and continue the management in the hands of local bodies."

"Coming to the merits of this resolution, we have just to turn over the annals of the proceedings of this Council before February 1917 when I moved the resolution that the hospitals at the district headquarters should be taken over by the Government and maintained by them. Before I did so, I could find no less than three or four resolutions in respect of this matter, some of them disagreeing as to the details. One resolution moved by the Hon'ble Mr. A. S. Krishna Rao asked that half the cost should be borne by the Government and the management should be with the local body. After the recommendation of the Decentralization Commission was published, efforts were made very often and persistently in this Council to induce the Government to take over the management of the district headquarter hospitals. The object was two-fold, firstly to relieve the overburdened municipalities because they could not possibly keep them in an efficient condition—that was the incessant cry raised—and the next object was to convert these district hospitals into model hospitals, to attract patients from nooks and corners of the district. With that two-fold object were moved the resolutions. Then the Government very graciously passed this Government Order that they would pay two-thirds of the cost and asked that the municipalities and district boards should divide one-third of the present cost. We thought that a much needed reform was after all effected. I never expected that my Honourable Friend intended to put a sudden block. But his intention seems to be different as judged from the resolution on the paper. He wants that the process of taking over should stop at once and should be confined to those where medical schools exist. There are about half a dozen hospitals like that; but what about the 15 districts which have been asking for these hospitals being taken over. They are all willing to pay one-third of the cost if the Government should take them over. In the case of local bodies which are not willing to divest themselves of their control, the Government have not interfered."

"As for dispensaries in rural parts, we are all asking that the medical relief should be extended to rural parts. This is as important, as necessary and as imperative as improving the head-quarter hospitals. I do not think that we should ask for one thing at the expense of the other. Let my Honourable Friend ask for finances for promoting and extending medical relief to rural parts. The Government will, no doubt, do it if their finances permit; and if local bodies start new institutions they will be willing to bear half the cost. Now I must express a sigh of relief at the pecuniary and financial help which the Government have given to our municipality; the Bellary Municipality has been relieved to the extent of Rs. 10,000 and the Government have graciously taken over the management of not merely the district hospital but the women's hospital and there has been a saving of Rs. 10,000 in our hands. We have been trying to spend it on roads and sanitation. If only the municipalities are relieved of this expenditure, they might think of starting one or more dispensaries. As a matter of fact, the municipality has

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been running a dispensary of its own. For these reasons, I express my strong disagreement with this resolution, and I take this opportunity of thanking the Hon'ble Sir Alexander Cardew once more for the step taken by the Government."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"My Honourable Friend Mr. Siva Rao seems to have been unnecessarily alarmed at the prospect of being deprived of Rupees 10,000 for the Bellary municipality. I think I explained at the outset that the operation of this Government Order should be limited to Rs. 88,000. It was my intention that the hospitals which ought to be relieved and placed directly under the Government were hospitals where medical schools are proposed to be started. The Hon'ble Mr. Siva Rao is quite aware that a medical school is proposed to be started at Bellary and that a sum of Rs. 3 lakhs has been budgeted for such a school. It is proposed to start another school at Coimbatore, and there is a provision of Rs. 3 lakhs for that. The other schools are at Tanjore and Vizagapatam. My Lord, the present difficulty which has been expressed more than once by the Hon'ble Sir Alexander Cardew in regard to medical education, was that the hospitals where these medical schools are started are not now under the control of Government and that was the difficulty which the Government felt in regard to the extension of medical education. It was for these reasons that I stated in this resolution that the hospitals where medical schools are proposed to be started should be excepted and be transferred directly to the Government. The Hon'ble Mr. Siva Rao says he gets relief to the extent of Rs. 10,000. I am glad he does get it. But what about the 300 or 400 hospitals which are very badly in need of medical relief. I was looking at the question more from the general point of view of trying to get an assurance from the Government that some subsidy for medical relief would be given by the Government. It was with that intention that I framed this resolution with the object of limiting the operation of this Government Order to places where medical schools are proposed to be started."

"My Lord, the Hon'ble Sir Alexander Cardew is hopeful that money would be found for rural medical relief. It is all very well to have hospitals in towns where up-to-date medical appliances will be available and those that dwell in towns will have the advantage of a good hospital, without paying for it, because it is a Government institution. My reason for pressing for medical relief is, whatever may be the expenditure on these few hospitals in towns, the poor in the villages should receive some consideration, and as I know from past experience, that once the Government are committed to an expenditure, it is impossible to withdraw from it. I thought it necessary to put that aspect before them. After all, the hospitals at the headquarter stations will be utilized mostly by the residents of the locality, although some cases of major operations will come from the mufassal. I do not wish to take up any further time after the assurance given by the Hon'ble Sir Alexander Cardew that steps will be taken or at any rate that this proposal would not prejudice medical relief in rural areas. I withdraw the resolution. I trust that this matter will receive consideration, when any definite proposal is brought forward; and he has an opportunity of expressing his sympathy with other hospitals by accepting the resolution of my Hon'ble Friend Mr. A. S. Krishna Rao which is next on the agenda. I therefore withdraw the resolution."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE GRANTS TO CERTAIN LOCAL BODIES FOR HEAD- QUARTER HOSPITALS.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—"Your Excellency the resolution that I have the honour to move is as follows—

XXIII. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 50,000 be provided for aiding local bodies in the maintenance and equipment of such of the main hospitals at the headquarters of districts, as have not been taken over by the Government, and that a corresponding reduction be made under head 45. CIVIL WORKS'

"From the remarks made by the Hon'ble Sir Alexander Cardew it is clear, I believe, to every member of this Council that all possible attempts should be made to bring headquarter hospitals into very excellent condition. He pointed out that the funds of the local bodies are in a very unsatisfactory condition, that it is not the fault of the local bodies that these head-quarter hospitals are starved and that it is desirable that these hospitals which serve the towns as well as the rural areas should be placed in an efficient condition. In pursuance of a circular sent by the Government to various local bodies, as to whether they would like to transfer the management of the main hospital, some of the local bodies expressed their consent, but others did not. After receiving these opinions, the Government undertook the management of 15 of these hospitals and provided the necessary funds for the purpose, levying a certain contribution from them. It cannot be denied for a moment that, so far as the administration of medical relief is concerned, so far as this particular department is concerned, it is very legitimately and properly under the control of the local boards. Even according to the present system no one can be dissatisfied with the management by the local bodies of these hospitals because, according to the present constitution, the Government have ample opportunities of

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watching the working of these local bodies and the administration of these medical institutions. All proposals for expenditure are sent up to Government through the Hon'ble the Surgeon-General and they are criticised, scanned and commented upon, and after mature consideration, the schemes are taken up by the local bodies. One principle which this resolution wants to place before this Council is as to whether any distinction should be drawn by the Government when any medical institution is managed by a local board. Is the mere fact that this institution has been taken over by the Government quite sufficient to give it a different tinge? What I suggest by this resolution is that even the hospitals which are being managed by the local bodies in as best a manner as possible should get proper relief so that they may be placed in an efficient condition. I do not myself imagine any reasonable objections which can be urged against this resolution.

"A close examination of the conditions during the last four or five years will convince every one that the expenditure under the head 'Medical' has been going up by leaps and bounds for various causes. There has not been a happy, normal or proportionate growth in the revenue of these local bodies. It has not been possible for them to realize more revenue, but it has become necessary for them to double and treble their expenditure on account of the increased cost of medicines, increased bed and diet charges, due to abnormal causes. When owing to causes beyond the control of these local bodies they have been put to the necessity of increasing their expenditure in maintaining these hospitals, I would ask is it not the duty of the Government to come to their relief and give them liberal aid towards their maintenance. One way of aiding is by taking over the management of these hospitals which the local bodies might consent to. There are some local bodies which are anxious to retain their control and which are anxious to do their duty according to their capacity. Are they not entitled to ask the Government not to make a difference but show them the same liberal consideration and help? I, therefore, submit that the request embodied in this resolution is a very modest and reasonable one and there is no justification for any differentiation in the treatment between hospitals taken over by the Government and those under the management of the local bodies."

The Hon'ble Sir ALEXANDER CARDEW :—"Your Excellency, the Honourable Member who has moved this resolution does not tell us whether the particular local body with which he is associated has asked the Government for assistance in this matter. I believe it has not. I do not think there has been any request from the Municipal Council of Nellore on this subject; therefore, the resolution which he has moved is not supported by any request which has come before the Government. As regards those hospitals which have not yet been included in the scheme for making their cost a provincial charge, in some cases the reason has been that the municipal bodies have not been ready to make them over and in other cases we could not, at that time, find money for taking them over all at once. It is quite possible now with the larger reserve we have provided under 32. MISCELLANEOUS, that we shall find a little more money for taking over some more district hospitals. What would be required I do not know, we shall work out the figures and we shall have to obtain the consent of the local bodies. But the Government will be quite prepared to go further in the direction of taking over these hospitals, if the local bodies agree. Where the local bodies do not agree, I do not think the Government can very well be asked to find the money. The condition under which the expenditure was to be provincialised was that the local bodies should relinquish the small amount of control which they exercise; and the benefit will be so great in the shape of improvement and of a larger sum that will be available for their needs. If Honourable Members would take a practical view and not a theoretical view, they will see that the advantage is all on their side; they get more money and better hospitals and this scheme will be for the benefit of the population, committed to the charge of the local bodies."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—"I must say, my Lord, that the statement made by the Hon'ble Sir Alexander Cardew is not only very disappointing but disheartening. I can quite appreciate the intention with which he has stated that efforts are made by some local bodies to approach the Government with a request to take over the management of the hospitals. But are local bodies, therefore, to be practically forced, because they cannot find sufficient funds for the maintenance of the hospitals, to make over their management though they are perfectly competent and willing to manage them? That is the question which I raised by this resolution. The Hon'ble Sir Alexander Cardew told us that there was no specific request from the Municipal Council of Nellore or for the matter of that from any other municipality for any particular relief in this respect. I want a certain principle to be laid down before any request can be made by any municipality, because, unless a municipality is satisfied that the Government will favourably consider the request made, it may not make a request. I think the natural answer should be that 'if a request is made, we will favourably consider it,' but instead of doing that, he suddenly turned round and asked whether if the municipality is not willing to hand over the medical institution, it was reasonable that it should ask for assistance. I find it impossible to appreciate the logic of that reasoning, because I fail to see that it can make any difference to the Government whether the management is in the hands of A or B. It is the duty of the Government to see that it is well managed. If it is neglected by the municipality, the Government can withdraw the grant or take other steps to bring it to order. Why should the Government be particular about the agency which should manage them. I therefore, submit that, so far as this resolution is concerned, it involves a very important principle. Even under the Local Boards Act and the District Municipalities Act medical

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relief is one of the essential objects with which these bodies are charged and if they are to give it up in a state of helplessness, despair and inability to find the funds, I hope the Government would not force the hands of the local bodies to transfer the management of the hospitals to Government."

The Hon'ble Sir ALEXANDER CARDEW :—"Your Excellency, I wish just to say one word in answer to the Honourable Member. He thinks, that local bodies should receive the cost of these institutions but not make over the control. I seem to remember some other Honourable Member being very eloquent on the point that the Government ought to pay for services which they control. The Decentralization Commission is very clear upon that point; they say that the cardinal point is that the local body should pay for the services it controls. He wants the Government to pay and the local body to control. The principle laid down here is that control depends upon payment. That is the principle upon which the Government are proceeding. Unless the local bodies are willing to make over the hospitals, we will not pay. If they are willing to make over these hospitals—there is no compulsion—we take them over and then naturally the authority which finds the money controls the institution. That is the principle laid down by the Decentralization Commission. If, on the other hand, the local body does not wish to make it over, but wants to retain the control in the same way, it must retain the liability for the charge. That I submit to the Council is a sound principle which has been urged in other respects on the attention of the Council. I am afraid the Government cannot retire from the position they have taken up in regard to this matter."

The resolution was put to the Council and lost.

RESOLUTION RE GRANT FOR MAINTENANCE OF VIZAGAPATAM HOSPITAL.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU :—"The resolution that I beg to propose runs in these terms—

'XXIV. This Council recommends to His Excellency the Governor in Council that as a step towards the provincialization of the Vizagapatam Civil Hospital, a grant of Rs. 5,000 be made towards the cost and the maintenance of the hospital and the expenditure met by a corresponding reduction in the Civil Works 45-B.'

"I do not think that the present state of Vizagapatam hospital has been brought to the notice of Government."

The Hon'ble Sir ALEXANDER CARDEW (interrupting) :—"I would perhaps save the Honourable Member time and trouble, if I say that the Vizagapatam hospital is included in the list."

The Hon'ble A. SURYANARAYANA RAO PANTULU :—"In the last order it was not included."

The Hon'ble Sir ALEXANDER CARDEW :—"It is included in a subsequent order."

His Excellency the PRESIDENT :—"A letter was sent to the Honourable gentleman, and probably it missed him."

With the permission of His Excellency the President, the resolution was withdrawn.

XX-B and 24-B. Sanitation.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR introduced the head XX-B. & 24-B. SANITATION.

RESOLUTION RE GRANTS TO INFORMAL PANCHAYATS FOR VILLAGE IMPROVEMENTS.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"I beg to propose—

'XXV. This Council recommends to the Governor in Council that provision be made in the budget estimate for 1918-19 for a sum of Rs. 1,50,000 for distribution to the informal panchayats for village improvements and the said amount be found from the reserve provision of 5.56 lakhs of rupees at the disposal of the Government under XXXII. MISCELLANEOUS.'

"This resolution recommends to Government that a sum of Rs. 1.50 lakhs should be distributed among informal village panchayats which had been formed during the last two or three years. Honourable Members will remember that a Government order was issued recently showing that nearly 550 informal panchayats had been formed in various districts and I believe it is absolutely necessary that these panchayats should have some money for carrying out village improvements. I may also mention, my Lord, that when the Government issued orders two or three years ago, about the formation of local fund unions and informal panchayats, the question

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of financing these panchayats came up for considerable discussion in this Council. I hope, therefore, the Honourable Members will see that informal panchayats, without anything to spend, must die a natural death, probably before the next official year. It is absolutely necessary that if any work is to be done by these informal panchayats which have been formed for the purpose of village improvements, they must have some money to spend upon the sinking of wells or the making of roads or the filling up of pits, to prevent stagnation of water. They must have something to spend and something to look back upon. It is not enough for these panchayats to meet once a month and disperse without doing anything. I do not know if the Hon'ble Mr. Rajagopala Achariyar would welcome such a state of things or would like to see that these panchayats which have been formed at considerable trouble on the part of local officers and local men who are interested in panchayats should die a death of inanition. I think it is necessary that there should be a provision of Rs. 1.50 lakhs and that should be distributed among the various panchayats.

"I go further my Lord. I wish to place before the Council and before your Excellency's Government that during the next ten years, the Government should find this amount, so that we might reach a maximum of Rs. 15 lakhs, equivalent to one-fourth of the present cess amount, and this amount should be distributed throughout the Presidency for the benefit of these panchayats. My proposal is that the Government must budget next year for Rs. 1.50 lakhs and must continue to do so year after year for the next ten years. I am merely suggesting it, my Lord, though I am committed to the resolution which deals only with the next year's budget and not with the budget for the next ten years. But this will form the first link in the scheme for financing panchayats—a scheme which by a progressive arrangement will finance the panchayats to the extent of Rs. 15 lakhs. Unless some such scheme is evolved and the Government are able to finance the panchayats, there is absolutely no good in forming any more panchayats. I hope that the Government will accept the resolution; and, as I said before, the head from which this amount should be met is 'MISCELLANEOUS 32'. I hope there will be no difficulty in finding the money from that reserve."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Your Excellency, I think that the thanks of the Government are due to the Hon'ble Mr. Ramachandra Rao for having brought up this important matter. I quite see that unless a provision is made for giving financial help to these panchayats, the chances of the experiment that we are making proving successful will be greatly diminished. At the same time, I trust that the Council will agree with me when I say that, when we started these informal panchayats, the idea was that they should be utilized by the existing local bodies as agencies for doing several things. For instance, if a local body wanted to do a particular thing in a village, such as cleaning a well or looking after sanitation, the idea was that the expenditure which it would ordinarily incur for this purpose would be incurred through the informal panchayat, and also these informal panchayats should have an opportunity of raising funds locally for local purposes. I am simply mentioning this, not by way of deprecating the grant of financial help by Government, but to indicate that there are these other aspects to be borne in mind; and while the grant of help to them is certainly necessary, at the same time it is quite conceivable that the experiment would be jeopardised, unless caution is taken in giving that help, to see that self-help is not supplanted."

"With that remark I would like to mention to the Council and I am glad to say it, that we have not only accepted the suggestion of the Honourable Member but have acted upon it and we are issuing today an order distributing a sum of Rs. 1.25 lakhs to local boards with specific instructions to see that this money is earmarked for distribution among informal panchayats so as to facilitate the completion of the experiment that we have undertaken, with the results of which we shall all abide, I hope, in determining the further question as to whether we should proceed to legislate for panchayats generally. I do not propose to take you into that further question, because that does not arise on the present resolution. While we have not said anything in the order restricting the discretion of local bodies, I hope that these local bodies will be careful in expending the money, to see that it is so expended that it is made to go as far as possible; and those informal panchayats, which have succeeded in raising funds locally would, other circumstances being equal, be preferred in the grant of help to them. As I said, the order has been issued and the first batch of reports on these informal panchayats will be in our hands in December next. There is hardly any necessity to earmark any budget provision for this purpose for the next year's budget."

"Having said so much, I rather think that the Hon'ble Mr. Ramachandra Rao has overstated his case in proposing that we should embark upon a policy for the next ten years. Does the Honourable Member mean that this experiment should go on for the next ten years; and if that is so, I for one beg to differ from him. These informal panchayats have been started purely as an experiment, and unless there are specific grounds to justify us in thinking that the time allotted for the experiment is not sufficient, I think it will be the duty of the Government and the Council to make up their minds and say whether they are going to proceed with a panchayat law to put them on a statutory basis or to give them up. I hardly think that it would lead to any useful results to continue an experiment like that for such a long period as ten years. I trust that this aspect of the matter, as irrelevant to the resolution, I admit, as the remarks of the Honourable Ramachandra Rao, will receive consideration at your hands. It will be a great mistake if people, who are working the informal panchayats, should get the idea that they will get money out of Government, so long as the experiment of panchayats goes on. I do not think it is our object nor should it be their object. This is an experiment started for a specific purpose,

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and on the results of that experiment we shall have to take or not to take a certain definite action. Not only have we issued definite instructions, but we have also allotted the money. The first batch of reports will come in about December next; and when they come in, it will be the duty of the Government to make up their minds what next to do and, unless there are specific reasons which would induce us to think that it is necessary to continue the experiment further, I certainly think, and I trust that I carry the Council with me in thinking that we should take next stage. I am merely mentioning it, so that the further implication may be quite plain. Now that an allotment has been made, I trust that the Honourable Member will withdraw the resolution which refers to the next year's budget."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"I wish to say a few words on this subject. I am not for granting any money to these panchayats. We have been crying ourselves hoarse that these informal panchayats will prove a failure; and to entrust them with money and to ask them to see to the expenditure of it, is the best course to be adopted to prove that they will be a failure. They have no statutory basis; there is no body to control them; they are merely voluntary organizations and voluntarily brought about. I really think that it would not be a very advisable step to place public money in their hands. As the Hon'ble Mr. Rajagopala Achariyar has pointed out, I do not think we should do anything to perpetuate these informal panchayats. Some help is needed to help these panchayats but sooner we legislate for placing them on a statutory basis the better. I therefore oppose this resolution."

The Hon'ble Mr. K. RAMA AYYANGAR :—"I wish to say one or two words in connexion with this resolution. The Hon'ble Mr. Rajagopala Achariyar has not told us what instructions have been given with reference to the expenditure of Rs. 1.25 lakhs. He said that free scope would be given to the boards to expend the money as they like. For what purposes is the grant given to them and for what purposes have they to make it over to panchayats? What would be done by the panchayats and who will supervise the expenditure of the money? These questions will become very difficult to be solved unless very specific instructions are issued as to how the money is to be accounted for by the panchayats. As pointed out by the Hon'ble Mr. Ranga Achariyar, it is the headmen of the village who will be the chief man of the panchayat and if the money is handed over to him, to the best of his ability he will spend it, and keep the accounts in the way the villagers keep, but it will be very difficult afterwards to find out how far the money has been successfully utilized. Therefore, some method of checking accounts must be devised. I do not say that it will be necessary to find out whether the money has been spent or not. The Government should satisfy themselves that it has been properly spent; and for that purpose it is necessary that instructions should be issued. I am sure that the money handed over to panchayats will really turn out two or three times the work that the money in the hands of Government officers will be able to turn out. That has been my experience in connexion with the money handed over to certain co-operative societies in the Ramnad district—Srivilliputtur and Sattur taluks. I have no doubt that the moneys sent out to them will equally bear good fruit, but let it not be said that the panchayats have not kept the accounts in the form in which accounts ought to be maintained. I want, therefore, if the money is to be entrusted to these panchayats, specific instructions ought to be issued to see as to how the accounts are to be kept; and if that is done, I have no doubt that it will be a complete success."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"My Honourable Friend Mr. Ranga Achariyar has opposed this motion on the ground that these informal panchayats are not placed on a statutory basis. I do not propose at present to go into the question whether these informal panchayats should be placed on a statutory basis or not. I am merely asking for an appropriation in favour of existing institutions, namely, informal panchayats, which have been formed under the orders of Government. It is my recollection—I speak subject to correction—from the minutes of the Finance Committee that he was rather in favour of the proposal. That is my recollection. I am saying it subject to recollection. I thought from the Finance Committee's proceedings that he was rather in favour of this proposal."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"Who was?"

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"I thought that the Honourable Gentleman was in favour of the proposal. I have not with me the proceedings of the Finance Committee to verify that statement. However, that is a small matter. He might change his opinion, if he likes. Everybody has the option of changing his opinions. As regards the Hon'ble Mr. Rama Ayyangar's suggestion, I wrote to the Government a few days ago, inquiring as to what had become of the Hon'ble Mr. Knapp's report about the simplification of union accounts; and I was told that orders were about to issue. This was about three or four days ago. I hope that when these orders are issued a simplified system of accounts will be brought into existence and these instructions will apply to these informal panchayats. I know that complications will arise in regard to the accounting of the money. But I hope that local bodies will use their discretion and see that the money is properly applied. At the same time, I must express my satisfaction at the Government accepting this resolution. It does not very often happen; but I am fortunate in having converted the Hon'ble Mr. Rajagopala Achariyar on the present occasion."

His Excellency the PRESIDENT :—"The resolution is by leave withdrawn."

(Mr. Rama Ayyangar.)

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RESOLUTION RE GRANTS TO INFORMAL PANCHAYATS.

The following resolution which stood in the name of the Hon'ble Mr. B. V. Narasimha Ayyar was not moved as the Honourable Member was absent:—

"XXVI. This Council recommends to His Excellency in Council that one lakh of rupees be transferred from 45. CIVIL WORKS to the expenditure head of sanitation to provide for grants to all general panchayats already started."

At this stage the Council adjourned for a short interval.

The Council assembled after the interval at 3 p.m.

RESOLUTION RE GRANTS TO TALUK BOARDS FOR MAINTAINING RURAL SANITARY PARTIES.

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, the proposition which I have the honour to move runs as follows:—

"XXVII. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 1 lakh be provided to give grants-in-aid to taluk boards to maintain rural sanitary parties for improving the village-sites and attending to other sanitary wants of villages and the same be met by a corresponding reduction under the head "45-B.""

"My Lord,* this is a grant-in-aid that I want the Government to give in respect of sanitary parties proposed to be maintained by taluk boards. Your Excellency's Government were pleased to pronounce two years back that in the case of new dispensaries to be started by taluk boards the cost of maintenance and also the cost of construction would be borne half and half between the Government and those bodies. A few dispensaries have been opened since and the help given by the Government has been very well recognised as conducive to inducing persons to start such dispensaries. I remember in one case one gentleman was able to start with the help of a building grant given by the Government a dispensary in the Madura taluk. Similarly I propose that this principle of grant-in-aid must be extended to enable taluk boards to attend to the rural areas better than they now do.

"It is not necessary for me to go into the budget with regard to these taluk boards and examine it completely. We know that the budget, except where it refers to the medical and educational expenditure, only consists of the expenditure incurred on the maintenance of roads within the taluk board area some of which are left with them while others are in the charge of district boards. Excepting this portion, very little other work is done for the improvement of village roads and for the improvement of village-sites. Some attention was paid about the time 1913-14 and 1914-15, when an extra non-recurring grant was placed at the disposal of these local bodies. Since then we have not been able to do much; and in the present memorandum the Hon'ble the Finance Member has very well pointed out that it is as much as possible to the advantage of the finances of this Presidency that any expenditure which is incurred is incurred on a steady recurring basis. The moneys that are given as non-recurring grants must be limited as far as possible to non-recurring expenditures such as the construction of village wells, etc. I want this principle of the Government to be extended a bit to grants of this kind. Where a taluk board which is to take charge of a very large area which ranges from 1,000 square miles to 3,000 square miles and the number of villages under their charge generally comes to from 150 to 300 villages and sometimes even more, it is not possible to lay by any money with which they could regulate the sanitary condition of the several villages and also help these villages when epidemics break out. In fact in the current year the help of these cholera parties maintained by the Government was indented upon both by the Collector of Ramnad and the Collector of Madura. All villages round Elayangudi and Sholavandan got infected at the same time and we found that the average daily deaths—I speak subject to correction—came once to 40 or 50. Both the Collectors wired that they were not able to get these parties to work with them; at last the Madura Collector was able to get one sub-assistant surgeon and about three or four inspectors. They are now in and about Madura working in Sholavandan and other villages; about Elayangudi area, a large portion has been infected and the people there could not be helped and even to-day they have not been able to give any kind of real assistance. One or two of these taluk boards maintain what is called a sanitary inspector, but this Inspector in fact can do little or no work. He sometimes goes to the villages and returns to the headquarters and probably draws his batta. He is not able to do anything more. There is no fund with which he is provided and with which he could work in the areas during a season of epidemics. I, therefore, suggest that the Government may be pleased to take one other step in the direction of helping these bodies when they come forward with proposals to maintain a small party of trained men, that is, of course, men to be selected on the spot to carry out the instructions given to them either in the matter of administering medicines or in the matter of laying village-sites, so that there may be proper drainage and insanitary portions may be removed so that the village well or village pond is kept in a sanitary condition. These are the things that will have to be attended to from year's end to year's end rather than be left to the mere chance of people thinking of them after the epidemics arise.

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"In that view, what may be needed may not be very much. In the case of each taluk board there may be an establishment of one trained sanitary inspector with two or three maistris and one or two servants on the permanent staff. The rest of the servants necessary for laying village-sites in order or attending to the improvement of the village pond or well, and also for attending to epidemics and treating patients—this may be done by these people with the help of people chosen on the spot. So that this expenditure will not be large. It will consist of a small recurring expenditure on establishment which will be capable enough to give the necessary instruction, and it will also consist of a non-recurring or temporary establishment which should be included in the provision for the sanitary party. The principle I urge is the principle of cholera parties maintained by the Government for the whole Presidency. This cholera season commences in many places at the same time, in many districts if not all. The services of the parties may not be available for all the places. I may at once say also that the Madura District Board recently adopted a resolution that the district board would be able to give a half-grant in case the taluk board made a provision for the maintenance of an establishment of this kind to see that they go to these villages and be helpful to them at all times, have a programme of work to go round to the villages and maintain the sanitary condition of the villages. In such cases what I submit, my Lord, is that the Government may also give help to these boards by means of a grant equivalent to what they themselves provide, equal to the combined funds of the taluk and district boards. This is not a case which would considerably affect the Provincial finance, but it will give an impetus to health protection being given to villages and it may protect them from much of the damage of epidemics.

"It may be said that the four parties that are maintained from the Provincial funds may be increased to six or seven so that each party may be asked to go and attend to the places where such epidemic breaks out. My submission even on that score is this. I have been during one of these attacks of cholera to a village where there were a sanitary inspector and an assistant surgeon. These people had come from Kistna and Gōdāvari to the Tamil district; in fact in the short time they had been there, only a few days, they could not be understood by the people of the locality properly nor could they go into the interior and create confidence in the minds of the people. There was that difficulty, and in fact one of the sanitary inspectors who was at Sholavandan told me that it was very difficult for them to make themselves understood and to make the people rely on them for treatment. He said that the people thought that it was more easy to say there was no case of cholera in their house than to go to these men for help. On the other hand, if the taluk board maintains a party of these men, and they go to these village areas, the people will get accustomed to them, and when there is an epidemic there will be considerable confidence. This staff will become acquainted with the leading villagers and when they go to villages with medicine they will be welcomed and they can give substantial help. When there is no epidemic something useful may be attended to by this small staff, they may be able to remedy minor defects. They can go round to the villages on a programme to be prepared for them and see that the village wells are kept in order and in a sanitary condition and that the ponds and the approaches to the ponds are kept clean. At least they might be useful in seeing that they are not rendered insanitary by filth or human excreta near the banks of those ponds.

"The whole idea that I put forward, my Lord, will go a great way to help rural areas. In fact informal panchayats have been asked to be formed only in villages with a population of over 3,000 and these villages have not all come to form these informal panchayats. Some of them have formed panchayats but they have not done any work up to now; probably when the Rs. 1.25 lakhs referred to in the last resolution is given to them they may do some work, but till now they have not been able to do anything. Suppose Rs. 50 or 100 is placed in the hands of the villagers, should there not be a responsible officer to advise them as to what to do with the money placed in their hands? Suppose there is a sanitary inspector or a proper staff, whenever these informal panchayats expend their money they may be asked to advise them as to how best to spend the money entrusted to them. That portion of the work can very well be done when there is expert advice given to these panchayats. Otherwise the Rs. 1.25 lakhs will be spent only upon the advice of the headman or such other people in the village without expert advice, which may not be acceptable to the Government and not beneficial to the people. In that view also it is very proper to see that that money is spent properly and that an expert officer or one in the shape of a trained sanitary inspector or better staff, according as the taluk board may decide upon, is maintained for the whole area and that the board spends the money that is budgeted for expenditure on rural areas properly.

"As I said, it will not be committing the Government to any very large expenditure, but it will be useful in guiding the expenditure of the money already set apart. The one lakh that I ask for is a provision for the whole Presidency and it may not be that all that money will be expended next year, because people may not exactly know what it is in all the parts. The report on the working of local bodies says that some of these boards maintain one or two sanitary parties, but their work is not regulated and they are not able to go round these villages in the manner I suggest. In these circumstances, it would be taking one step in the direction of improving the condition of the rural areas if you accept this resolution. The provision of dispensaries for them and the contribution by the Government of one-half of the cost towards their maintenance is one way, but that cannot reach all the villages. The poorer villages and also the villages with less than 500 people are now not cared for at all. I submit, my Lord, that the proposal will clearly bring all these areas within the reach of one sanitary officer who will be able to do good to those people. I commend this resolution to the acceptance of the Government."

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The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I think the Honourable Member is quite right in saying that this is not a question of finance, but it is a question of policy, policy in regard to rural sanitation. He has elaborated his proposals during the course of his speech, and I gather that his proposal is that in every taluk board area there should be a sanitary inspector with a small staff which will be going round and setting things right, and which should be capable of being expanded if the necessity arises to meet any difficult situation. As a matter of fact this question has been examined more than once by the Government, and I shall read to the Council what the Government decided so long ago as 1903, nearly fifteen years ago, on the subject, so that they may know what the difficulties are in carrying out the suggestion. This is what the Government said in 1903: 'The experience of those districts in which sanitary inspectors have been employed shows that, while they are of considerable use in supervising fairs, festivals and epidemics, they have not proved efficient when employed merely on general sanitary duties. In the opinion of His Excellency in Council any attempt to institute a staff of this kind with a roving commission to point out sanitary defects in villages would be attended with grave danger. There would be no sufficient power of check or control, and while their power to recommend or report would furnish a powerful weapon for misconduct, the funds available would seldom be sufficient to carry out recommendations even if found to be useful. The employment of sanitary inspectors by district boards should, therefore, be limited to the number required for the supervision of sanitary arrangements at festivals and fairs or on the occasion of epidemics.'

"It is in pursuance of this policy that we have been proceeding in carrying out rural sanitation till now. We have no such thing as a general sanitary staff to look after the whole of the rural areas, but we have a special staff for cholera, parties which move from district to district, and, when plague threatens, a local staff is employed for this particular purpose. Still at the same time I recognize that the statement of policy laid down so long ago as 1903 probably requires revision in view of the changes which have taken place during the last fifteen years, and I am willing to refer the whole question, to communicate this debate to the various local boards and ask them what they think of the Honourable Member's suggestion. I trust that the Honourable Member would see that that is the proper course to adopt. After all it is a policy which has to be carried out by the local bodies, and before the Council, or the Government at the instance of the Council, commit themselves to a cut and dried scheme such as that adumbrated by the Honourable Member, I think it is but fair that the local bodies should have an opportunity of saying what they have to say in regard to this departure in sanitary policy.

"So far as this particular allotment is concerned, it is impossible to provide it, because till the requests of the local boards are received and considered by the Government I do not think that the Government will be justified in committing themselves to any policy or in providing an allotment for carrying out such a policy. The Honourable Member says—I ask only for one lakh. How far will the one lakh go? I find that we have got 96 taluk boards, and this would give to each taluk board about Rs. 90 a month. I do not think with that amount they will be able to do much, unless they are in a position to largely augment that grant by funds raised by themselves. This thing would not really go far; on the other hand this scheme may commit them to a policy which may after all be found not to work and which may lead to some amount of extravagance. I do not want to go further into the merits of the question, because I agree that this is a matter for the local boards and I do not want to say anything here to tie the hands of the local boards. We want them to consider the thing on its merits and send us their full report as to what they think of the Honourable Member's proposal. The Council will see that I have gone as far as I can reasonably go, and I trust the Honourable Member would not press for the allotment of one lakh next year for the carrying out of the new policy which he has advocated to-day."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I am thankful to the Hon'ble Mr. Rajagopala Achariyar for agreeing to refer this matter to the local boards. But he has not told me anything about the particular case that I referred to. One district board has already thought it fit to allot monies for that, and it would go to the Government with an application for a grant. Apart from that, he referred to the orders passed in 1903. My Lord, between 1903 and 1918 we have grown so immensely as regards educating the masses that it has been possible for us to form village panchayats immediately we wanted them to be formed. The recent statement of the Government tells us that we have more than 1,600 panchayats formed in villages with a population of 3,000 or more and it is expected to put money into their hands for expenditure on the sanitary side. Therefore in 1918 when we are considering the question—even orders passed in 1903 say that the system was effective in the matter of the supervision of fairs, festivals and attending to epidemics and the sanitary inspector was doing very well—and when there is co-operation of the villagers which is available now more than in 1903, this party should become efficient and useful, and there is no reason to be afraid of its not being useful or efficient. Therefore, I propose that it should be under the control of taluk board president who is very often an efficient officer as proved by the administration reports and who will be able to check the work of these parties properly, and the interior will certainly benefit considerably. I, therefore, expect some sympathetic reply. It is not that all this one lakh is wanted this year, but if a sympathetic statement is made as regards the readiness of the Government to help those who work in this direction, it would give some satisfaction. I submit, my Lord, that the order of 1903 quoted which was passed after taking the then circumstances into consideration is not to the point. Since then we have made advance in education. All our grant to education and sanitation have been made since 1911-12 in large abundance. In fact the Finance

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Member's memorandum clearly shows how much we have increased our allotments from 1908-1909. That appears from page 15 of the memorandum. Therefore, these taluk boards have been trained all these years to spend this extra money, and they will be able to properly supervise expenditure of the money allotted to them for the purpose I propose. Instead of committing the Government to any very large expenditure at once, if, as I said there will be more attention paid to such requests, I should feel very much satisfied with the attitude of the Government."

His Excellency the PRESIDENT:—"Does the Honourable Gentleman wish me to put this resolution to the Council?"

The Hon'ble Mr. K. RAMA AYYANGAR:—"About the reference to local bodies I am satisfied."

His Excellency the PRESIDENT:—"The resolution is not accepted."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE INVESTIGATION OF A WATER-SUPPLY SCHEME FOR TINNEVELLY AND PALAMCOTTAH.

The Hon'ble Mr. K. RAMA AYYANGAR:—"The next resolution runs as follows:—

'XXVIII. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 50,000 be provided for urgently investigating a scheme of water-supply from the Papanasam hills or Tambraparni river for the Tinnevelly and Palamcottah municipalities and that the same be met by a corresponding reduction under the head "45-B."'

"My Lord, I have had much correspondence between the Tinnevelly Municipal Chairman, etc., and myself in this matter. The people in Tinnevelly have for some time been expecting that some scheme of water-supply and drainage will be provided for the combined municipalities, and your Excellency's Government might remember that for many years past, for about eight or nine years, it was expected that there would be a combined water-supply scheme for Tuticorin, and Palamcottah and Tinnevelly from the Tambraparni river. This was under investigation and they hoped that it would relieve them. For a number of years investigation after investigation went on, and at last it was declared that it was beyond the resources of these municipalities. Now so far as Tuticorin goes, there is investigation going on, and from the Tambraparni it is expected to supply water to Tuticorin for drinking purposes. For Tinnevelly and Palamcottah the municipal councils tried to introduce tube wells, but they were not very successful. I understand that these epidemics, cholera, etc., visit the town off and on. These towns are all thickly populated, and they are an important portion of the province. It is, therefore, urgently necessary that a combined town like that, of two municipalities, should have a water-supply to relieve it from the attacks of these epidemics. The Palamcottah municipality, it was expected, would have a water-supply from a certain tank near by, but that also has not been pushed further. But so far as the Papanasam water-supply scheme is concerned, I understand that though it is a little distant, that scheme, if undertaken, will enable these municipalities not only to find water-supply but also would enable them to have electric energy which will work to the advantage of these municipalities. That scheme, I understand, was pronounced possible though it had not been pushed through to the final length. Anyhow with a river like Tambraparni which is almost perennial, it would be possible to have a water-supply scheme. We have had many schemes in many other municipalities, and it is only proper that these two municipalities should have this help given them at an early date. In fact, the Tambraparni which goes through these towns consists of all the drainage water of the fields. Your Excellency will see that all round Tinnevelly and Palamcottah there are paddy fields which are manured freely with all sorts of manure, not green manures alone but a lot of cow-dung, and the water is therefore absolutely impure and cannot be used for drinking purposes. The Tambraparni is low for six or seven months in the year, and when it is low the water is very filthy. In these circumstances, it is only very proper that where water is so much available it is purified and a proper water-supply is given to the people. I cannot press it too well before this Council. I only request that immediate steps be taken to investigate this water-supply scheme at an early date. It cannot be put off, it is already overdue. After the abandonment of the last scheme it is necessary that some other scheme may be taken up for providing each municipality with a separate water-supply scheme if necessary. I hope that at least before next year there will be some definite work undertaken so that it may be fit for being taken up during the next budget. I hope the resolution will be accepted and the matter pushed further."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, this question of the water-supply of Tinnevelly and Palamcottah has been, I see, off and on before the Government for the last 17 years from 1901. I may say that at one stage it went through the process of investigation. In a Government Order which I have before me, of September 1913, details are given, not exactly a regular plan or estimate, but a rough estimate of what would be the likely cost of the scheme for the supply of water to Tinnevelly and Palamcottah taking the water from high up, from Papanasam. It was estimated to cost Rs. 27,93,300.

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Further it included 150,000 feet of iron and steel pipes. So that, if that scheme is to be now carried out, you cannot do it, because you cannot get pipes, and secondly it would cost a great deal more than these Rs. 28 lakhs. Then another scheme was proposed for the supply of water to the two towns from the Tambraparni river, the cost of which was estimated to be Rs. 18,84,800. Both these schemes were dropped on the ground that in the financial condition of the municipalities they were outside the range of practical politics. The Honourable Member now proposes that we should spend Rs. 50,000 to make an investigation. What is the investigation for? Investigation, he would tell us, I presume, is to see whether these schemes are feasible and what they will cost. What they will cost we know. If the estimates are now revised, the cost would only increase. Till the resources of these municipalities are improved and until we have more money to spend, these schemes cannot be carried out. That is really what blocks these works being taken up. I trust the Council will see that it is not a question whether the Government do or do not sympathize with the wishes of the people of Tinnevely for good drinking water. That is not the question before us; the question before us is, should we allot Rs. 50,000 for this specific purpose? The specific purpose hardly exists, because we know what it would cost. Assuming that we spend some more money and have the whole of the estimates revised and get the revised figures, that will not carry us further, because these estimates have got a way of getting obsolete; unless they are carried out within a year or two, you will be having another set of figures. I would therefore point out to the Council that there is no use of spending Rs. 50,000 on a further investigation of the scheme for these two municipalities. The wisest course is to wait till the general financial situation improves, till we are in a position to take up a scheme, and then to revise the estimates and bring them up to date at the time when these works are to be regularly taken up. The idea that by allotting Rs. 50,000 we will give satisfaction to the people now—that is not what we should aim at. So far as I am in a position to say, it is utterly objectless to allot this money for the reason that we know what the expenditure is likely to be and there is no chance of our being able to find funds for these two works, and it would be wise to leave them alone till the situation improves. There are a large number of works all over the Presidency which are hanging fire, because we have no funds. Many estimates are getting obsolete which means that the task of revising them will have to be taken up. I would ask the Council not to add to the liability to that kind of revision."

The Hon'ble Mr. K. RAMA AYYANGAR:—"May I take it that these final plans and estimates were finally approved?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I will send you a copy of the Government Order. I simply gave the figures. The Government dropped the question, as there was no use of proceeding with it on account of the financial position. I will send you a copy of the Government Order. It has already been sent to the local bodies; probably you have not seen it."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I quite understand and I have known what the Hon'ble Mr. Rajagopala Achariyar was speaking about—that there is no use of continuing to depend upon a scheme which was held not possible to adopt for this place. Some other scheme must be worked out; things cannot be left in that condition. If this combined scheme from the Tambraparni had to be avoided, water had to be taken from near Srivaikuntam anicut water."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (interrupting):—"It is below the Marudur anicut."

The Hon'ble Mr. K. RAMA AYYANGAR:—"If a nearer spot is chosen, we may bale out water, and purify the water and construct a reservoir and such an estimate for Madura was expected to cost not more than Rs. 5 lakhs. Similarly for Palamcottah there may be some investigation of a project whereby water from a place very near the municipality might, if necessary, during the proper season be stored up in reservoirs to be constructed. Tanjore had a reservoir of that kind at a cost of about one lakh, and I think Negapatam had one at a cost of 1½ lakhs. Probably Tinnevely and Palamcottah may require reservoirs of that kind. There is no use of waiting for good days to come, to take up schemes which we have given up. We cannot take up schemes likely to cost Rs. 15 or 28 lakhs. I put the resolution in a form which might be acceptable to Government. I do not restrict myself to taking the water from Papanasam hills or near Marudur. You can take the water from somewhere near Tinnevely and purify the water. The Tambraparni runs through the whole of the Tinnevely district; at every point you can find water. Things are similarly done elsewhere where the Cauvery flows. There is no reason why it should not be done with the Tambraparni. I submit these two towns are very important towns in the south with a big population and I do not know if I should have an answer of that kind by referring me to two schemes which were not found possible to be accepted. It would not be ever possible for the municipality to raise its revenue to meet half the expenditure; if not, the Government will have to find the whole of the funds. I do not think that on account of the recent pronouncements of this Government and the Government of India, it will be possible to expect very much money in the shape of 90 per cent or 95 per cent grant from the Government. In these circumstances we must go in for a simpler scheme. Rupees 50,000 is nothing as compared with the health and safety of the population, of the strength of the Tinnevely and Palamcottah municipalities. There is no use of thinking of these two projects. As I said, for Palamcottah, at a cost of Rs. 2½ lakhs, a proposal was made to take water from the Tambraparni to a tank and conserve the water. I request the Hon'ble Mr. Rajagopala Achariyar to go through these papers. What I submit is, it cannot be left at that stage, simply because three years back

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it was said that the combined scheme was not possible. I only request that provision should be made for investigating a water-supply scheme similar to the scheme for Negapatam and Tanjore where the Cauvery water is utilized. I press this resolution and I hope that sympathetic consideration will be given to it. This cannot be given up or put off especially with this river close by almost full of water throughout the year but certainly impure water. In the Periyakulam scheme the water was impure water and it was purified. The Tambraparni water is better than that. It cannot be that we can have only one project at a cost of Rs. 18 lakhs or Rs. 25 lakhs. I submit it is a strong point that I place before the Government and I hope the Government will sympathetically accept it and do something to investigate a new scheme. There is no use of thinking of the old schemes because they would not give any relief for many years to come. The towns that I am talking of are much more important than many towns which have been already given a water-supply. I hope the Government will be pleased to accept the resolution."

The resolution was put to the Council and lost.

RESOLUTION RE GRANT FOR A DRAINAGE SCHEME FOR NEGAPATAM MUNICIPALITY.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR:—"Your Excellency, the resolution that stands against my name reads thus:—

'XXIX. This Council recommends to His Excellency the Governor in Council that a sum of at least Rs. 50,000 be provided in the budget for 1918-19, under head "24-B. SANITATION", for the surface drainage scheme for the Negapatam municipality, and that a corresponding reduction be made under "45. CIVIL WORKS" from the grant of Rs. 99,000 to the Godavari District Board for special works'

and in moving this resolution, I beg to make a few observations.

"Your Excellency is aware that in previous years I have often brought the question of a drainage scheme for Negapatam to the notice of this Council, and Your Excellency is also aware that the plans and estimates for the said drainage scheme had been approved by Government. They considered that an underground system of drainage would be preferable for the Negapatam municipality, and estimates were accordingly prepared amounting to Rs. 7,80,000. The proposal, however, could not be put in execution owing to the war, and the consequent stringency on finance, and lack of facilities for importing materials from foreign countries. It is an admitted fact that cesspools do not solve the problem of removing sullage water, as it is impracticable to have them cleared thoroughly by carts. Every cesspool, therefore, retains stagnated water, and it becomes a veritable hot-bed for breeding mosquitoes, which, in their turn, carry to the inhabitants of the locality malaria and other infectious diseases. Further there is the difficulty of disposing of spill water from the taps, after the introduction of pipe-water supply. The filter pit system was tried, as advised by sanitary authorities, and it has been a complete failure owing to water being found very near below the ground.

"Negapatam is a noted place for epidemics such as cholera and small-pox, and year after year, the life toll is increasingly heavier.

"As I said before, the Government, no doubt, have acknowledged the necessity of a drainage system, for Negapatam; but, they had been constrained to hold the proposal in abeyance till better financial conditions prevail.

"It is very doubtful if, at the end of the present war, finance will resume its normal condition, and it is computed that for several years after the close of the war, the stringency in regard to finance will have to be observed; and difficulties in importing materials from foreign countries will have to be borne.

"On the other hand, it is certainly disastrous to allow epidemics like cholera and small-pox to devastate thousands of lives till such time when it will be possible for Government to overcome financial difficulties and provide funds for a comprehensive system of drainage, which, at the lowest estimate, would cost about 8 lakhs of rupees.

"A closed drainage system, is, no doubt, a much more preferable system, as per sanitary principles, than an open system of drainage. But, where there is no drainage system at all, it is considerably better even if only an open system is provided. Here, it may not be inappropriate if I quote the remarks of the Sanitary Board:—

"In a question of choice between the cheapest system and none at all, the open drain system in any shape is not so utterly devoid of merits as a sanitary measure as not to deserve introduction."

"The open drainage system for Negapatam, as was originally estimated, would cost about three and a half lakhs, and it should not be a difficult thing for Government to find this money especially in an important case as this, where the lives of its subjects are involved.

"It is further said by sanitary experts, that side by side with the underground drains, surface drains should also be constructed to remove storm water. Therefore, if the open drains are first of all constructed, the underground drains might very well wait for introduction till better financial conditions prevail, and materials are freely available for importation. For constructing surface drains, no materials need be got from foreign countries.

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"It will be noted by the Council that I have not asked Government to provide the whole sum of three and a half lakhs in a lump, but only requested them to allow Rs. 50,000 in this year's budget, and thereby enable the Negapatam Municipality to begin preliminary works in the most congested and unhealthy parts of the town.

"Moreover, I do not propose to deprive important heads like 'Medical, Education, Sanitation, etc.' for finding this Rs. 50,000. The Godavari District Board, besides getting its fair share of the grants along with other district boards, gets a special grant of Rs. 99,000 for special works, such as roads and communications. I submit, my Lord, that Rs. 50,000 may very well be deducted from this grant, as it is my opinion, and I hope all the Honourable Members would share the same view that roads and communications might very well wait till better financial times come; but, with regard to the drainage system for Negapatam, this is, as stated above, a very vital item, affecting the lives and welfare of the people; and it would be openly encouraging cholera and smallpox and such other epidemics in their work of devastation if this scheme is not put under execution at once."

With these few remarks, I commend the resolution for the acceptance of the Council.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"Your Excellency, I have every sympathy with the object of my Honourable Friend to secure money for the Negapatam municipality, but as I represent the Godavari District Board here and as it is my constituency, I must enter a protest against his attempt to divert the money which is specially allotted for special works in the Godavari agency. Perhaps the Honourable Member is not aware of the fact that for some years the Government have been following a policy of opening up Agency tracts and this special allotment is in connexion with the opening up of the Agency tracts in Godavari. This is not an allotment which has been made for this year. As a matter of fact, for the last six or seven years the Government have been making to the Godavari and Vizagapatam Agencies special allotments for opening up that part of the Agency tracts. I would suggest to my Honourable Friend that if the Government are prepared to accept this resolution he may fall back upon the reserve. That is a suggestion which my Honourable Friend might consider without disturbing the Godavari Agency."

The Hon'ble Mr. K. R. V. Krishna Rao rose to address the Council.

His Excellency the PRESIDENT:—"The Honourable Gentleman may hear what the Honourable Member in charge has to say."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I do not propose to trouble the Council with a statement of my opinion as to the relative claims of Negapatam on the one side and the Godavari District Board on the other. I see both places are well represented here. This question of a surface drainage scheme for the Negapatam municipality has been under the consideration of the Government for some time. I see an old Government Order of 1914 in which this very point is discussed and the Surgeon-General, our expert adviser, after visiting Negapatam, strongly advised us not to commit ourselves in any case to an open drainage, but rather to allow the existing state of affairs, unsatisfactory as it was, to continue than commit ourselves to an open drainage. I trust the Honourable Member and the Council will be glad to hear what he said: 'Open drains are fit for nothing but storm-water. Open drains which are used for sullage always give rise to nuisance; they are not self-cleansing, and when not running full have a deposit of black evil-smelling material on their sides. To remove this the constant attention of sweepers is necessary, with the result that the surface of the cement soon gets broken up, and the drain becomes rough, uneven and full of holes. The deposit scraped up by the sweepers is flung out on the side of the drain, and proves an ideal place for the breeding of flies. These are facts that any one with eyes in his head can see for himself at any place where these insanitary open drains are in use. Flies are well-known carriers of diseases such as cholera and typhoid, etc., and I protest strongly against any scheme which favours the breeding of these pests in our towns, especially our seaports. This slime not only breeds flies but gives off disgusting odours, etc.' The Government say 'In view of the objections urged against open drains the Government consider it expedient to provide a closed system of drainage for this seaport town.' That was the decision arrived at. It is true that the municipal council has recently recommended to us to go back upon that decision, that is to say, to go back to open drains on the ground, as the Honourable Member put it, that it is cheaper, and that question will be examined. I am sending all these papers to the present Surgeon-General who is with us to look into and examine the papers and visit Negapatam to see if the proposal of the municipal council is feasible. In a matter like this which is somewhat technical, I would advise the Council not to commit itself without very careful examination by expert advisers to an open surface drainage scheme for Negapatam. It is true that an open drainage scheme will probably cost much less. The Honourable Member puts it at Rs. 3½ lakhs. I really do not know where he got the figures from. I see that no plans and estimates have been prepared for an open drainage scheme. I quite agree that it might be cheaper. But assuming that you spend Rs. 3½ or 4 lakhs upon the open system of drainage, at the end of a few years system, a town like that would be spending a certain amount of money on what I would call avoidable expenditure. It is a matter more for the people of Negapatam to consider than for this Council—whether they will not be well advised to get on with the present state of affairs and wait till events improve and they can go in straight for the closed system of drainage."

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The Honourable Member's resolution will commit us first of all to an acceptance of the system of open drainage which has been condemned and which has been again sent up for reconsideration, and secondly it will commit us to a certain amount of avoidable expenditure. I do not think the Council should be committed to either view. I think the Negapatam Municipality should be content with this fact, that I am referring all these papers to the present head of the Medical Department who will advise the Government again as to what he considers the best course for the Government to adopt. I am therefore unable to accept the resolution brought forward by the Hon'ble Mr. Ahmad Tambi Marakkayar."

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR:—"Am I to understand that the reference made by the Honourable Member is the one recently made, that the surface drainage scheme is a dangerous one and so on? I have the correspondence between the Sanitary Department and the Negapatam Municipality which passed in December 1917. Rather than wait for a long time for a drainage, it is better we start with the surface scheme. Am I to understand that he refers to those papers? They recommend for the surface drainage to addition to the sewage water trouble, we have the water from the water-taps that stagnates everywhere and that breeds a lot of sickness in the town. Unless and until something is done in the near future, I am afraid the people of Negapatam will have to undergo a great deal of hardship and calamity. So I would request the Government to reconsider their decision and make some arrangements to commence that surface scheme. I have no objection to have this matter stand over and to refer it again to the Sanitary Department rather than reject my resolution altogether."

His Excellency the PRESIDENT:—"The Honourable Gentleman is right in understanding that the Hon'ble Mr. Rajagopala Achariyar proposes to get fresh advice on this subject. In these circumstances I understand the Honourable Member would prefer to withdraw his resolution rather than have it rejected."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE GRANT FOR WATER-WORKS EXTENSIONS IN NEGAPATAM.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR:—"Your Excellency, the next resolution that stands in my name is also an important one which runs as follows:—

'XXX. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 10,000 be provided under "24-B. Sanitation" for water-works extensions in the Negapatam Municipality, and that the same be deducted under 45. CIVIL WORKS from the provision made for special works in Agency tracts for either the Vizagapatam or Koraput District Board.'

"In moving this resolution, I beg to make the following observations.

"The supply of pipe-water in the Negapatam Municipality is very inadequate. Only very few fountains have been erected in some of the streets. Several streets have been left unsupplied, especially several Muhammadan streets are not supplied with taps. The Muhammadan women are finding it considerably difficult to get water from distant places. Prior to the introduction of pipe-water supply, well water was being sold by head-load coolies; but after the introduction of pipe-water, those coolies have disappeared.

"Now, Muhammadan women are experiencing great difficulties in getting water in either way.

"This being a local matter I have often moved this subject in the municipal council, but they are finding it difficult to supply large sums to provide the additional water-taps. As they are annually running a loss of Rs. 10,000 over and above their revenue, they can hardly find any money to provide the extra taps. I observe from the Financial Statement that large sums of money have been provided for water-supply to other municipalities and district boards, whereas for the Negapatam Municipality nothing has been provided in this year's budget. I, therefore, trust that the Government will not find it a great hardship to provide Rs. 10,000 for the construction of some more taps in important quarters and make a reduction under 45-B. CIVIL WORKS."

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU:—"Your Excellency, I have one word to say. Something has been said about Vizagapatam and the Koraput Agency. I am sure that my Honourable Friend is not very serious in suggesting that there should be any retrenchment in the resources of the Vizagapatam and Koraput District Boards."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the Council would probably like to know how we have been treating the Negapatam Municipality in regard to water-supply recently. I have got the figures before me which show that during the years 1908 to 1914 they have been given Rs. 4,68,000 from which I would ask the Council to draw the conclusion that we have been dealing, on the whole, not in any illiberal spirit but in a fairly liberal spirit. With regard to this particular work, the Negapatam Municipality has

(Mr. Rajagopala Achariyar; the President; Mr. A. S. Krishna Rao; Sir Alexander Cardew.) [13TH MARCH 1918.]

sent up applications for grant for extension of water-supply to a street laying 3-inch cast iron main along the road and constructing a single tap near another street. These are things for which the Hon'ble Mr. Ahmad Tambi Marakkayar has asked for help. The Negapatam Municipality has asked for Rs. 8,700 and we will gladly give it. I suggest to the Honourable Member to amend his resolution by substituting for the word '10,000' the word '8,700' which is what the municipality has asked for, and by leaving out all the words after the word municipality, so that he may not come into collision with the Honourable Member for Vizagapatam and the Agency of Koraput."

The Hon'ble Mr. Ahmad Tambi Marakkayar accepted the amendment suggested by the Hon'ble Mr. P. Rajagopala Achariyar and the resolution was accepted in the amended form which was as follows: "This Council recommends to His Excellency the Governor in Council that a sum of Rs. 8,700 be provided under '24-B. Sanitation' for water-works extensions in the Negapatam Municipality."

RESOLUTION RE REDUCTION OF SETTLEMENT EXPENDITURE.

His Excellency the PRESIDENT:—"We began the discussion on resolutions VI* and VII*. We deferred it pending the arrival of the Hon'ble Mr. A. S. Krishna Rao. He will make some remarks on the subject and the Hon'ble Sir Alexander Cardew will then reply on the question of survey and settlement."

The Hon'ble Mr. A. S. KRISHNA RAO:—"The resolution of which I have given notice covers practically the same ground as that covered by resolutions VI* and VII*. It says—

'V. This Council recommends to His Excellency the Governor in Council to reduce the expenditure under head 3. Survey and Settlement by one lakh.'

Resolutions VI* and VII* specify certain objects for which this sum may be utilized. So far as this resolution is concerned, it does not specify the object, because once this provision is cut short, there are so many objects to which it can be beneficially applied. Therefore, I did not consider it necessary to specify the object in this resolution. The matter has been already discussed by my Honourable Friends Mr. Rama Ayyangar and Mr. Ranga Achariyar; I do not therefore think it necessary to take up any length of time.

"The subject of the reduction of the expenditure on survey and settlement is a very old subject. For the last five or six years the subject has been with some persistency pressed on the one side and with equal persistency opposed on the other side. We find that on the last occasion when a resolution was moved by my Hon'ble Friend Mr. Ramanuja Achariyar, a sort of comforting assurance was given by the Honourable Member then in charge; and he gave us hopes that the time had come when steps would be devised to reduce the expenditure under settlement parties. The words were really assuring, and the result of it was that the Hon'ble Mr. Ramanuja Achariyar accepted that assurance and withdrew that resolution. It was then stated that the idea was an excellent one. I shall now quote the words of the Hon'ble Sir Alexander Cardew.

"But I shall be very glad indeed if it were possible, if it could be found possible, to reduce the expenditure on resettlement. It constitutes a very considerable inroad into the increased revenue obtained by resettlement. It costs us a great deal which is set-off against any sum which the Government may obtain as a result of the resettlement operations. If it is possible to reduce the amount in any way, as the Honourable Member proposes, the Government, I am sure, will be glad to do it. I would be quite prepared to examine the Honourable Member's suggestion about it; but I cannot, at this moment, say there is anything in his proposals."

"The specific suggestion made was that the five parties could be reduced to two parties. Later on the resolution was withdrawn; but from the figures furnished to us in the Financial Statement today, while we were anxiously expecting a reduction, we suddenly find an increase of expenditure under settlement parties by the appointment of one settlement officer and five additional assistant settlement officers. The matter is one which requires very careful consideration, because where there ought to be a decrease there is an increase. I need not detain the Council with any remarks to show that the necessity for having large parties purely for resettlement purposes does not exist. Whatever necessity there might have existed for large parties has disappeared; and the time has come when the procedure should be simplified and the expenditure under this head reduced."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, in the remarks of mine which the Honourable Member has read, which are just as true now as they were then I said I should be extremely glad if it would be possible to reduce the expenditure. I undertook to make an inquiry. I made the inquiry and the inquiry has gone to the Board of Revenue; we have not got the Board's opinion on that matter. So that in regard to that part of the matter we are not further on, but I am afraid I am much less sanguine of the results than I was a year ago, from the conversations I have had, from the examination which I have been able to give it and from discussions with the settlement officers. The fact of the matter is that a very large part of what is classed as settlement expenditure in the accounts is not really connected with the resettlement procedure, but is a periodical clearing up of arrears in the land revenue administration, which have accumulated during the preceding thirty years, possibly because the revenue establishments

* Vide pages 385-386 supra.

[13TH MARCH 1918.] (Sir Alexander Cardew; Mr. M. Ramachandra Rao; Mr. Rama Ayyangar; Mr. Ranga Achariyar.)

are inadequate or because this part of our work is somewhat less prominent and therefore that work is less attended to. The fact remains that there is always a very large amount of discrepancy between the registration of holdings in the revenue accounts and the true holdings that exist in fact and at each resettlement a party is put on under the charge generally of half a dozen deputy tahsildars with a large number of revenue inspectors to bring the accounts up to date and to find out who the real owner is of each piece of land and to correct the adangal accordingly, and a large part of the time of settlement officers, whose pay is debited in the settlement accounts, is really devoted to this revision of the registration of the ownership of land. Perhaps the Council is already aware of that. The actual time that is spent in preparing the scheme report is a comparatively small item to the total time the settlement officer spends in the district. After discussing the matter with settlement officers I confess I am not sanguine that the expenditure can be cut down, but gradually I hope that by increasing the strength of the revenue inspectorate it may be possible to keep the registration more up to date, so that at the end of each re-settlement period there may not be such a large amount of arrears to be cleared off. That is what I hope may happen. When that happens, the settlement will cost less and the parties will be reduced, but at present it does not seem possible. I can only assure the Council that if it were possible I would be the first person to carry it out, because this is unremunerative expenditure and I should be delighted to cut it down; but I am advised by those who know intimately the details, by the Board of Revenue and the settlement officers that you cannot cut down this work without sacrificing what is really important to the ryot, namely, that the name of each owner of land should be registered in the accounts. From that point of view I do not feel so hopeful as I was a year ago. The matter is not yet closed, and if any economy can be made, the Government have every wish and motive to make it. In the meantime I hope Honourable Members will be satisfied with this statement that it is not possible for me to go any further."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"My Lord, the Hon'ble Mr. Ranga Achariyar in his speech in support of this resolution referred to the details of the settlement expenditure during the next five years. The Hon'ble Sir Alexander Cardew has not made any reference at all to the information which has been furnished to my Honourable Friend. I should like to know whether, as a matter of fact, the settlement work has grown much heavier than it was in previous years, or whether the statement made by the Hon'ble Mr. Ranga Achariyar represents the current state of affairs. The direct question raised by this resolution is whether there should be an additional settlement party for the coming year, apart from the general question as to whether the expenditure on settlement can be cut down. The Honourable Member's reply is directed to show that the general question is under consideration, and that he is not quite hopeful whether generally speaking settlement expenditure may be cut down in the near future. But the point raised by this resolution is as to why there should be an additional party for the next year. I should like to know whether there is any information forthcoming from the Honourable Member from that point."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, as has been pointed out, the Hon'ble Sir Alexander Cardew has not touched the real question raised. I said also that the reply given to me was that about 1,600 villages only remained to be settled in the course of the next year and the five parties now existing will have been able to settle about 2,000 villages, if the previous work turned out is taken as a factor in considering this matter. The Hon'ble Mr. Ranga Achariyar pointed that for the next five years there may not be work extra for more than five parties. The Hon'ble Sir Alexander Cardew has not met that portion. What I submit on this general question of re-settlement is that it is not so very useful as was mentioned by the Hon'ble Sir Alexander Cardew. We find very often that subordinate officers create more confusion than is necessary to ensure accuracy in the accounts as far as we can see. I do not say it is so generally, but there are such cases which often even go to courts. In any event it is as far as possible sufficient that the matter is attended to by a special staff attached to the Collectorate. The matter may be immediately disposed of. I mentioned one other thing also. Taking all these things into consideration, certain special deputy collectors trained to this work may be posted to the locality to be re-settled a few years earlier, and they will enable the ordinary staff to cope with the work. That has not been answered either. As was pointed out, the only question is whether there should be any extra party next year. I think the answer has not been quite convincing."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"My Lord, I am afraid this is one of those cases where a department when it comes likes to stay on notwithstanding the fact whether there is any need for it or not, just like the recurring expenditure on plague staff with which the municipalities and local boards are quite familiar. Whether there is plague or not, these plague officers will remain. So also we have experience in the Madras Corporation. We engage officers for five years, but they always find reasons for continuing another five years and it goes on eternally like that. But this is not a matter in which we should allow the present state of things to continue eternally. This is a matter on which the Government should have a definite detailed programme. The programme for five years can be carefully laid down, and then we can see whether really the existing party is not sufficient to cope with the work. I do not want to look ahead for ten or twenty years. I quite see the difficulty of dispensing with the staff or not finding work for people already employed. There is always that difficulty, but that ought not to be a consideration in this matter. The real test ought to be whether there is work for more than five parties. Last year we complained that five parties were too many, but the

(Mr. Ranga Achariyar; Sir Alexander Cardew; [13TH MARCH 1918.
Mr. Suryanarayana Rao])

answer to that was we will examine and see whether we cannot reduce it. The practical answer is that in this year not only are we not reducing but we are increasing. Surely that ought to be justified on more materials than what the Hon'ble Sir Alexander Cardew has vouchsafed to us. What is the reason that he has given? The same reason as Sir John Atkinson gave in 1914, namely, our record of rights is bad, our revenue officers have been for some reason or other neglecting their work. These highly paid officers are neglecting their work. If they are so careless and maintain bad records, is the same reason to be repeated five years after that? The Government were alive to the difficulty in 1914, and they amended the Standing Orders for that purpose, in order to reduce the expenditure. We were told so in 1914. What has been the result of that amendment? Errors in the record, and therefore this expensive party should continue. I submit, Your Excellency, with all deference that it is not a correct policy to go on spending such large sums of money on this settlement. It is a question of these special parties. The evils which arise from it we are not now concerned with. We are not considering the question of principle or policy. The question is whether we should allot this amount. Unless we are satisfied that there is a necessity made out for this increase of expenditure, I ask Your Excellency's Government that it should be cut down."

The Hon'ble Sir ALEXANDER CARDW:—"Your Excellency, the number of settlement parties depends upon the districts which come up for re-settlement. This year there is another district in which re-settlement has become due. The Hon'ble Mr. Ranga Achariyar was, I suppose, furnished with the calendar of re-settlements and if so he will have observed that the existing settlement of the Bellary district will expire in the official year 1919-1920. At the same time the existing settlement of the Vizagapatam district will expire in the official year 1918-1919. It is in consequence of these two new districts coming in as subject to re-settlement that an additional settlement officer has been appointed. Settlement parties are working at present in Vizagapatam, Madura, Bellary, South Arcot and Tanjore, on work which is entirely adangal revision and a scrutiny of survey. A special settlement officer is making a preliminary investigation in Malabar, The Nilgiris and Wynad. These operations are entirely determined, as I said, by the expiry of the terms of the settlement. It might happen that there was a considerable reduction in the number of districts whose settlements are expiring at one time. These settlements were carried out in 1889-1890. It might be in 1890-1895 there was no settlement work done in the Presidency; and in that case there would be few re-settlements in 1920-1925 because the period of 30 years comes to an end then. The settlement parties, so far as they are employed purely on settlement work, take up each district in turn. We cannot go into the general question of re-settlement policy on this debate, but, so far as the financial side goes, each party is occupied in dealing with a particular district. Bellary I think is a new district and there is also a new party in Vizagapatam, and as I have told the Council five parties are working and where the sixth officer is working, he has not got a full party. That will explain to Honourable Members what was stated to be incomplete in what I said before."

The resolution was put to the Council and lost.

RESOLUTION RE PROVISION FOR PLAGUE PRECAUTIONARY MEASURES IN VIZAGAPATAM.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU then moved resolution No. XXXI of which he had given notice:—

XXXI. This Council recommends to His Excellency the Governor in Council that provision should be made in the budget for the ensuing year 1918-1919 to the extent of Rs. 20,000 for stamping out plague in Vizagapatam and the expenditure met out of a proportionate reduction in the sanitary grants.'

In doing so he said:—"When I came here for the November meeting, Your Excellency, when talking to the Hon'ble Mr. Siva Rao and myself, congratulated Vizagapatam upon its being free from plague and sympathised with Bellary because it was suffering from plague. It was on the 22nd or 23rd November. When I returned to Vizagapatam I found that plague actually broke out. It broke out on the 18th November, and since then up to the 17th March there were 443 attacks and 386 deaths. More than 80 per cent died. These are only the official reports, and I have no doubt from personal information that there are some more cases which have been suppressed on account of the fear of segregation and on account of the fear of people being obliged to go to segregation camps which are worse than pig sties. They are malarial spots and people are afraid. More than half the town of Vizagapatam has practically been evacuated. The panic in which the town was might be ascertained from the Honourable the Surgeon-General because he paid a visit during this period. I was not one of those who waited upon the Surgeon-General, but several representations were made to him in order that he might be pleased to prevail upon the authorities to close the courts and schools and close the offices for fear of plague. That is the state in which we actually were and the panic has not died out. We are still afraid; after 6 o'clock if one chooses to pass through the main street, the town would present a desolate appearance. The people do not care to go through the main street for fear that something might happen to them. This town had been immune from the ravages of this dire disease for several years and we hoped it would continue so for several years more. But to our misfortune Bezvada which is in the adjoining district and Vizagapatam have both become infected with plague and it would look as if the disease has become indigenous at Vizagapatam."

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"The Government have been pleased to announce that all responsibility for plague measures rests with the Government. The Government are also aware that the resources of the municipalities, especially of our municipality, are so slender that there is very little spare money. Our municipality has not been able to spare much money to root out plague. The resources are slender. Much has to be done; all the huts have to be burnt, compensation has to be paid and new houses have to be built. All this will cost a lot of money and our municipality is practically on the verge of bankruptcy. There are important sanitary measures recommended, such as the removal of congestion, employment of additional staff, and these sanitary and other preventive measures which are required to eradicate the disease cost a great deal. If Vizagapatam is to preserve its fair name as a health resort, if the prospects of the city are to improve with the construction of the harbour and other improvements which the Government have been graciously pleased to resolve upon and carry out and if Vizagapatam is not to become a back number on account of the prevalence of this disease, the Government must come to our rescue and save the city from its ill-deserved fate. Private enterprise, voluntary contributions can go but little towards mitigating the expenditure necessary in such an emergency, and as the responsibility is mainly the Government's we approach the Government with this request in a time of great distress and despondency. We are aware that on account of the war there will be several demands on the Government. But at the same time on account of the poverty of the town and on account of the inexperience of the people, we were taken by surprise and for some time we could find no remedy. Even now I do not think doctors have yet discovered the true remedy except asking the patients to take this mixture or that mixture; but the mixture is not successful. We are in a state of despondency to approach the Government. We were not on account of this able to move earlier in the matter. There is no chance of the disease disappearing. In this state I earnestly request the Government to favourably consider this matter and to provide at least Rs. 20,000 for the eradication of the disease. I know that Rs. 20,000 would not be quite sufficient. It would only meet the expenditure already incurred and the expenditure that is to be incurred in the near future; but I bring this forward in order that the attention of the Government may be directed to the present state of Vizagapatam and that early steps may be taken to eradicate the disease. With these words I commend the resolution to the acceptance of the Council."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, let me say on my own behalf, and I am sure on behalf of Honourable Members of this Council, that we are extremely sorry that this visitation should have come upon Vizagapatam. I fear that to some extent the remissness of the local body has contributed probably not to its coming in, but at any rate to its spreading. But we need not go into that. The question before us is what exactly is the financial help which should be given to the municipality. I submit it is wholly premature to deal with that question. We are dealing with the budget provision for the next year. It is impossible to say how the finances of the municipality are going to close with the current year, and what will be the course of the disease in Vizagapatam. So we cannot now earmark a particular sum of money for a particular municipality on the supposition that it is going to have a severe visitation of plague next year. The usual procedure in regard to local bodies is that plague expenditure falls in the first instance on the local body, whether a municipality or a local board, and when it is found that it is unable to bear the strain, then the Government goes to its help. That is the practice we have been pursuing in the matter of plague towards all local bodies, municipalities or local boards. I submit there is no particular reason to alter the procedure so far as Vizagapatam is concerned. I may also add that when any application comes for help from Vizagapatam, it will be considered with sympathy and we shall go as far as we can to help Vizagapatam. There is a provision of Rs. 50,000 intended mainly for this purpose under the heading 32-D. Contributions in aid of municipal balances. It is from that provision that we pay in the first instance the funds needed by the municipalities. If that provision is insufficient, we are bound to find funds and we shall do so. I trust the Honourable Member would receive that assurance as satisfactory and allow us when the time comes when we receive an application for help from the municipality to deal with it as generously as we reasonably can."

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU:—"As a municipal councillor also I may submit that the municipality is actually on the verge of bankruptcy, and all the money we have submitted that the municipality is actually on the verge of bankruptcy, and all the money we have already spent on burning houses and paying compensation and on similar purposes. As for the assurance given by the Honourable Member, we have now reached the 13th of March and I do not think the disease will disappear within 18 days when the present year will close. I request that provision might be made for the next year. I do not think there is any chance of the disease disappearing next year; in fact people who know something of the disease say that it will make its reappearance in October. There is no chance of the disease disappearing, and I hope the Government would be pleased to consider my resolution sympathetically and make a reference to the municipality. If the municipality has not moved in the matter, it is because the matter is under correspondence. The Collector writes letter after letter saying that we should do this and do that, and we are writing to the Collector that we have no funds. If the matter has not reached the Government's ears, it is probably because the correspondence is still between us. But the fact remains that we have no funds to spare. I hope the Hon'ble Mr. Rajagopala Achariyar will kindly take this into consideration and see what can be done for Vizagapatam."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I shall look into it."

With the permission of His Excellency the President the resolution was withdrawn.

(Mr. Rajagopala Achariyar ; the President.)

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XXI-A. & 26-A. Agriculture.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I introduce the head XXI-A. & 26-A. AGRICULTURE."

His Excellency the PRESIDENT:—"I think the Council would be glad to adjourn and begin resolution No. XXXII to-morrow."

N. E. MARJORIBANKS,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Thursday, the 14th day of March 1918.

PRESENT:

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.I.E., Governor of Madras—*Presiding*.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O.

The Hon'ble Mr. L. E. BUCKLEY.

The Hon'ble Mr. A. BUTTERWORTH, C.S.I.

The Hon'ble Mr. M. E. COUCHMAN.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble the Lieut.-Col. G. G. GIFFARD, C.S.I., I.M.S.

The Hon'ble Mr. R. A. GRAHAM.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. A. R. KNAPP.

The Hon'ble Mr. S. B. MURRAY.

The Hon'ble Mr. S. SRININASA AYYANGAR (*Advocate-General*).

The Hon'ble Mr. J. H. STONE, C.I.E.

The Hon'ble Diwan Bahadur L. D. SWAMIKANNU PILLAI Avargal, I.S.O.

The Hon'ble Mr. O. G. TODHUNTER.

The Hon'ble Mr. T. RANGA ACHARIYAR.

The Hon'ble the Rev. G. PITTENDRIGH.

The Hon'ble Mr. A. SURYANARAYANA, RAO PANTULU.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU Garu.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

The Hon'ble Mr. P. SIVA RAO.

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.

The Hon'ble Mr. K. SADASIVA BHAT.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.

The Hon'ble Mr. K. RAMA AYYANGAR.

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU.

The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTURAMALINGA SETUPATI Avargal, Raja of Ramnad.

The Hon'ble Mr. B. VENKATAPATI RAJU.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.

The Hon'ble Mr. K. KUMARAN RAMAN KAYALAPPARA MUPPIL NAYAR.

The Hon'ble YAQUB HASAN SAHIB Bahadur.

The Hon'ble Mr. GORDON FRASER.

The Hon'ble Sir FAIRLESS BARBER, Kt.

The Hon'ble Sir GHULAM MUHAMMAD ALI SAHIB Bahadur, Khan Bahadur, G.C.I.E., Amir-i-Arcot or Prince of Arcot.

The Hon'ble the Most Rev. JOHN ALEN, D.D.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.

The Hon'ble Mr. T. RICHMOND.

The Hon'ble Sir FRANCIS SPRING, K.C.I.E.

The Hon'ble Diwan Bahadur K. R. SUBAYANARAYANAMURTI NAYUDU Garu.

The Hon'ble Sri SOBHA CHANDRA SINGH DEO, Zamindar of Serungada.

The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Bobbili.

(The President; Mr. Sadasiva Bhat; Sir Alexander Cardew.) [14TH MARCH 1918.]

The Council re-assembled at 11 a.m.

26-A. Agriculture.

His Excellency the PRESIDENT:—"We now proceed to resolution No. 32."

RESOLUTION RE ADDITIONAL PROVISION UNDER CO-OPERATIVE CREDITS.

The Hon'ble Mr. K. SADASIVA BHAT:—"The resolution that I beg to move runs as follows:—

'XXXII. This Council recommends to His Excellency the Governor in Council that an additional provision of Rs. 25,000 be made under the minor head Co-operative Credits in 26-A. and the same be met by a corresponding reduction under the heads "32-B." and "45-B."'

"I want that additional provision should be made for more inspectors. This matter came up once before at the discussion of the Financial Statement last year when Hon'ble Mr. Rama Ayyangar moved a similar resolution. The Hon'ble Sir Alexander Cardew replying for Government on that occasion wound up his speech by the assurance that, if the Registrar wanted additional inspectors, they will be found.

"I note however that in this Financial Statement the number of inspectors for the whole Presidency is 54—the same as before while an additional Assistant Registrar only is provided for.

"I do not know if the matter had been referred to the Registrar and if he has reported that he did not want additional inspectors it is somewhat difficult for me to believe that the Registrar does not feel the need for more inspectors.

"The total number of primary societies on 30th June 1917 was 2,145. It is true that supervisors maintained by unions supplement the work of inspectors in a way but it will be seen that only 1,758 societies are served by these supervisors. Fifteen of the unions are district supervising unions which cannot effectively supervise on account of the big area. The time of the supervisors is ordinarily fully taken up by arithmetical audit and collections. They have no time for real inspection, instruction or organization or propaganda. The time of the inspectors is at present fully occupied with final audit and organization. The Assistant Registrars have a flood of arbitration cases everywhere in addition to their already heavy charges. The result is that there is some lack of effective or real control and guidance; and not much occasion or scope for the missionary work of spreading the movement. The want of facilities for fast travelling as in Malabar and South Kanara reduces the time actually spent in societies and the degree of attention paid to the work of individual societies affected by the fatigue of travelling in more or less primitive modes. I say therefore that more inspectors are needed.

"The Fisheries Department has been attempting to organize co-operative societies among the fisher folk on the West Coast. They have not been successful everywhere. Possibly the Co-operative department if it could spare one or two men would succeed better.

"The societies have taxed themselves for supervision. I think that an increase in the inspectorate should be commensurate with and go hand in hand with such self-taxation.

"Before I conclude I beg leave to invoke the great authority of Mr. Wolff. Mr. Wolff writing in the last issue of the Bengal Co-operative Journal put in a strong plea for increased State aid for co-operation in India in the following words:—

'Checking, efficient and effective checking, is the very soul of co-operative credit. On the subject of teaching, the State may legitimately spend public money freely. That does not corrupt. That does not stand in the way of self-help. On the contrary it trains to it. When Lord Curzon as Viceroy paid me the compliment of referring to me as deprecating more than a modicum of State aid for purposes of business, he added that if further assistance should prove necessary it should be forthcoming. My impression is—from what I have read about the state of things in India—that for this one purpose of grafting, careful expert, regular inspection upon the tree of co-operation planted in 1904, which tree has so lustily shot forth and produced such ample foliage and fruit, as a means of improving and perfecting that fruit, further public aid is distinctly called for, and I venture to hope, that for such purpose, and for such purpose alone, it will be given.'

"A mere assurance that the Registrar's request if made for more inspectors will be granted is of no avail. Officers may hesitate before asking for more funds particularly in war time. If however definite provision is made in the budget, the needs will be met. With these words, I beg to move the resolution."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, I hope the Council will have no doubt of the readiness of the Government to provide any establishment that may be wanted for the promotion of the cause of co-operation. Last year I said that if any more money was wanted the Government would be able and quite ready to provide it. But the then Registrar whom we are pleased to see amongst us to-day did not come up with any proposals while he was in office; and his successor has been feeling his way and has been on a long tour in the Central Provinces. That may have occasioned some delay in his coming forward. Mr. Hemingway is unfortunately on tour now, but I made some inquiries from his office and have been told that they are sending up proposals for an increased establishment—in fact they have already

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forwarded them and they are on their way to the Accountant-General. The only thing to be done is that we need not make such a large provision as is proposed by the Hon'ble Mr. Bhat in his resolution. I understand that the Registrar's proposals will not cost more than Rs. 9,000; and I think if a lump provision of Rs. 10,000 is placed in the budget it will be more than enough for all the wants of the department. I have no objection to accepting the resolution if that figure is substituted and if the last portion of the resolution is also left out and we shall find the money from 32. MISCELLANEOUS."

His Excellency the PRESIDENT:—"The resolution is accepted in the amended form leaving out the source from which the money is to be found and substituting 10,000 for 25,000."

26-B. Scientific and Miscellaneous Departments.

RESOLUTION RE AN INDUSTRIAL AND TECHNICAL SCHOOL FOR THE WEST COAST.

The Hon'ble Mr. SADASIVA BHAT:—"I beg to move —

'XXXIII. This Council recommends to His Excellency the Governor in Council that a provision of Rs. 2 lakhs for establishing a soap factory made under the minor head Fisheries in 26-B be omitted and that an additional provision of Rs. 2 lakhs be made under the head 22. EDUCATION for the establishment of an industrial and technical school on the West Coast.'

"The resolution as it stands on the paper refers to a provision of Rs. 2 lakhs for establishing a new larger experimental (I find the word 'experimental' in italics) soap factory but it will be observed that in the Revised Financial Estimate the provision is reduced to one lakh. I must say at the outset that I have nothing but admiration for the good work done by the Honorary Director of Fisheries, Sir Frederick Nicholson.

"Honourable Members will see that this provision of one lakh is in addition to Rs. 1-10 lakhs lump provision for soap experiments. It will be seen also that a factory has been working for one year for which the necessary plant has been got down or made, and soaps of excellent quality turned out at a fairly good profit. When a new and larger allotment amounting to Rs. 2 lakhs is now proposed to be made, I wish to urge before this Council a few considerations: I am anxious that the Government should not do anything likely to prejudice those who have been for some time already engaged in the industry although in a small way. There are a number of small soap factories along the West Coast which turn out fairly good soap which find a ready market. I observe that some of them have secured recognition as soap makers in the shape of certificates of merit and medals at recent exhibitions at Cochin, Alleppey, Mangalore and I believe also in Mysore. I ask whether soap making is such an industry as can be said to be in the stage of experiment and that requires much experiment on a big scale. Soaps of very good quality are made in Western countries and even in India.

"I submit that it is not right that Government should engage in what appears to me to be merely a commercial venture, when it will be brought into competition with those locally pursuing the trade. Government too have to purchase the materials and mix them. With the resources of Government and in the anxiety of the subordinates of Government to make the industry may be killed especially when some of the products like caustic soda, potash, glauber's salt, silicate of soda, rosin, etc., are not easily available in these days or are very dear. If the Government are in possession of improved processes I say that the new factory should be like an Institute where Indian soap makers may be taken as apprentices and taught the new processes. The Institute may enable them to obtain these necessary products easily, advise them and see. The Institute may enable them to improve their methods and outfit. If the Government will recognize that the duty of Government is demonstration of processes and methods and instruction of persons engaged in the trade—and that the Government ought not in the course of the experiment and in its name kill by competition, the smaller men—if the Government undertake to ment and in its name kill by competition, the smaller men—if the Government undertake to take in these men as apprentices as soon as possible and to advise freely those already engaged in the trade, I am satisfied. The technical school I have suggested is one that will train the people on the West Coast to utilize their fish products, their oils and woods to industrial purposes.

"With these words I commend this resolution to the Council."

The Hon'ble Mr. YAQUB HASAN:—"I wish to say a few words."

His Excellency the PRESIDENT:—"Let the Honourable Member in charge give his reply and then you can say what you have to say."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I beg to introduce the head XXI-B-26-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.

"I am glad to find myself in a considerable measure of agreement with the Hon'ble Mr. Sadasiva Bhat though I hardly expected it from the wording of the resolution, because some of the points he has mentioned have already been anticipated by Sir Frederick Nicholson, and the one reason why we started the soap factory is in the interests of the smaller men, for whom the Hon'ble Mr. Sadasiva Bhat is rightly anxious. In the letter in which this scheme was sent up in September last, Sir Frederick dealt with this question, and with the permission of the

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Council, I will read a few passages from his report which will show exactly what our aim is—not a commercial venture to make money, which will incidentally have the effect of strangling a number of small industries. Honourable Members are aware that there has been a scheme of a large soap factory on the West Coast, and a very large sum of money—for a capitalist enterprise—was forthcoming. We could have no objection, but one of its effects would be to strangle all these people, on whose behalf the Hon'ble Mr. Bhat is rightly anxious. We wanted to do something, to provide these small men with the means of learning this trade. I shall now with the permission of the Council read a few passages. This is what Sir Frederick says:—'It will be seen that if we are to stimulate the establishment and ensure the success by instruction of a hundred or so of small local factories and prevent the establishment of secrecy and monopoly by larger factories, we must have a Government factory.' What Sir Frederick has apprehended is just the thing we apprehended; he took what I submit is the correct course. He says 'Moreover, in such factory will be trained the foremen, instructors, inspectors, and artisans who will be so much needed for a large Presidency soap industry. I may add that I have quite a number of applications already for instruction both by small capitalists and by students of whom at least two could usefully be trained if circumstances permitted. With a proper factory the place would become a small institute.'

"It is not merely starting schools where people can learn a great deal of theoretical knowledge but find great difficulty in applying it. It is doing a great deal to make them learn things under factory conditions. Sir Frederick says 'Again, the success of a small factory such as that of Government, will be a stimulating object lesson to small capitalists and show the possibility of success by small enterprise, whereas the mere establishment of huge monopolist soaperies would actually deter the small man from entering the industry.'

"He says very properly 'Finally the Government soap factory with its chemists, laboratory, and other industrial aids would shortly form a small technological institution where other branches of the oils and fats industries could be studied and demonstrated, such as candles, glycerine, oil paints and varnishes, edible fats, etc. Moreover the laboratory would form a centre for oil and fat analysis, a special subject in which Mr. Menon is well experienced, and by which the known grave adulterations whether of edible or of technical oils and fats, and the crucial defects in village oil manufacture which lead to industrial and export difficulties and losses, can be detected, combated and removed.'

"The fact of the matter is that this is intended not only for soap but to find a way for a great deal of improvement in the oil industry. Then the question naturally arises why should we rush it now? Sir Frederick says—'the present time is super-excellent for establishing a factory and laboratory and appointing a chemist; it is one which is now available but cannot recur. Present supplies of soap are very short and prices high, and, as will be shown below, if Government will forthwith establish a soap factory (with oil laboratory) costing about Rs. 60,000 for plant and pukka building and producing 1,000 to 1,100 tons of soap per annum (a mere trifle), the profits at present prices of the raw material on one side and of the finished goods on the other, will not only pay back in one year the whole cost of the factory and laboratory, but will give a margin. Sufficient to pay the oil chemist for some years: a second year should give a large additional profit.'

"This is experimental not in the sense that any of us have got a doubt about it; but it is not intended to be a government concern for the purpose of making profit or for the purpose of entering the trade against anybody else. It is intended to be a centre from which we can train all these small men who are doing this work, so that they could do it better and make more money out of it and get a sufficient amount of stamina to stand on their own legs, when they are brought face to face in competition with a large capitalist concern. Suppose a soap factory is started at a cost of Rs. 20 or 30 lakhs, the Hon'ble Mr. Bhat will agree with me, that it is not likely that the owners of that factory would be particularly anxious to train these small men, for whom he pleads. It is these small men that we should take care of. It is for this very reason that Honourable Member will see there is nothing that we are doing at which he need take alarm and would therefore withdraw the resolution."

The Hon'ble Mr. Yaqub Hasan:—"Your Excellency, I am glad the Government do not propose to accept this resolution. I consider the resolution to be a retrograde step and against the very principle which we had been advocating all along in this Council. We have often brought forward resolutions asking the Government to encourage certain industries. I remember the paper and the chemical industries. In the case of soap manufacture, the steps taken by the Government are in the right direction. We welcome and appreciate what has so far been done in this direction. We only wish that the Government will similarly take up some other projects which, for want of enterprise on our part, and for want of encouragement on the part of Government, have not yet been introduced in this country. We cannot expect that, with a small concern having a capital of one or two thousand rupees and with inadequate tools and plants and crude implements we can successfully compete with European countries and Japan in any industry. If we are to depend entirely on these methods and such limited resources we can never hope to do anything in the industrial line. These are days for large concerns and unless large amounts of capital are invested and factories are started on a large scale, we cannot hope to compete with foreign countries. Soap is one such enterprise that requires vast resources to develop it on the right lines."

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"It is not for Government to embark upon commercial enterprises, merely for the sake of making money, but they can do so only by way of introducing an industry into the country; and as soon as that industry becomes successful and takes firm root, it should be handed over to a private company to carry it on in the usual way, persons possessing the necessary trade capacity and capital will come forward to take it over. That was the case with chrome tanning and also with aluminium and some other things which were introduced under the auspices of the Government and the moment they became successful they were handed over to the people who were ready to come forward and take them up. Similarly, I expect that this soap factory and the fishery will in course of time be handed over to private capitalists. I therefore strongly oppose the proposition and I thank the Government for having rejected it."

The Hon'ble Mr. K. SADASIVA BHAT:—"I have heard the speech of the Hon'ble Diwan Bahadur P. Rajagopala Achariyar and I find from the passages he has quoted from Sir Frederick Nicholson's letter that he calls the new factory a technological institute."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"That is what it will develop into in the matter of the soap and oil industry."

The Hon'ble Mr. K. SADASIVA BHAT:—"Is that the language used in Sir Frederick Nicholson's letter to Government—that the factory will develop into a technological institute?"

His Excellency the PRESIDENT:—"No, no, the Honourable Gentleman is mistaken. What Sir Frederick Nicholson points out in the passages quoted is that the establishment of a factory like this must be to train up people. We cannot discuss our future policy on the present occasion."

The Hon'ble Mr. K. SADASIVA BHAT:—"I do not press the resolution, your Excellency. I should like to know whether that letter is available. Sir Frederick Nicholson says that there were a number of applicants. I should like to know how many have been admitted."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"There is no record of it on this file, but we can obtain the information for the Honourable Gentleman."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE INCREASED PROVISION FOR EXPEDITING PUBLICATION OF INSCRIPTIONS.

The Hon'ble the Raja of RAMNAD:—"My Lord, the resolution, which I have the honour to move, runs as follows—

'XXXIV This Council recommends to the Governor in Council that a sum of Rs. 8,000 be added to the budget estimate of Rs. 22,900 provided for the year 1918-19 under 26, B. a., Archaeological Department (Epigraphy) for pushing through the publication of unpublished inscriptions, and that a corresponding reduction be made under 45-B., CIVIL WORKS (CIVIL BUILDINGS).'

"At the very outset, I may be permitted to offer to the Government our great obligation for all that has been done in collecting ancient inscriptions and copper plates in such large numbers. That these inscriptions have largely enabled students of Indian history to unearth vast treasures of information otherwise not available, is a fact that no one can gainsay. While what has been done remains so, what is still left unachieved seems considerable. In the budget for the year 1918-19, I find only a provision of Rs. 22,900 is made for the Epigraphical Department under Archaeology. My request is to raise it by a small sum of Rs. 8,000 for enabling the department to publish more inscriptions than what it has been able to do hitherto. That many important events connected with early Indian history still remain buried in antiquity is a fact quite well known. As an instance, I can bring to the notice of this Council a great controversy that is now attracting the Tamil world as to which of the two towns—the modern town of Karur in the Trichnopoly district or Kranganur in the West Coast—was the celebrated capital known as 'Vanji' of the famous Chera kings, in days of yore. I am informed that the Velvikudi plates in the British Museum of which impressions are available in the Epigraphist's office here, and the Chinnamanoor plates, both relating to 750 A.D., would help a great way to arrive at a satisfactory solution of this vexed question. Likewise, another important plate known as "Tiruvalangadu plates" of about 1000 A.D. are also available at that office, and are not issued to the public as yet. I understand from the Government Order that there are something like 10,000 inscriptions in the office which have not yet been critically edited, though some meagre descriptions of them have now and then appeared in the annual reports. These reports, I am credibly informed, may not often be based on correct and checked texts. For these 10,000 inscriptions, only preliminary texts have been made in the Epigraphist's office without either translations or historical notes on important details for publication. The work of the department, I am constrained to observe, has been indeed very slow, though considering the allotment made for it, what has been done may be characterised as fair. I think, my Lord, that the public have a right to expect the Government to do more than what has been done hitherto in the matter. Archaeology is a subject of all-absorbing interest, and people of all shades of opinion are likely to be benefited in some way or other by the publication of these ancient inscriptions. For a period of sixteen years when Dr. Hultzsch was at the head of the Madras office, only 233 inscriptions have been published, which

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works at only fifteen a year; and Rao Bahadur Venkiah, who followed him, published none while here, but had some twenty or less published after he was transferred to the Government of India. And Rao Sahib Krishna Sastri, for the ten years he has been in office, has published only two copper plate inscriptions. Of course, their work cannot be solely judged by the quality of work done apart from their quality. While a single plate may be comprehensive and important, several others may be of no consequence and may not cover many pages. From the report, I gather that about 600 inscriptions are collected in the average every year during the months of August to February, and during these months the publication work also is undertaken. When the collection work is in progress, the Government Epigraphist, with one senior assistant, is left at the headquarters, and this is all the staff that is now available for doing the publication work. Each inscription must have a historical introduction, a correct text and translation and also explanatory notes wherever necessary. Further, the assistants now employed are not pandits, but are only graduates in arts. Now, may I ask whether the Government consider this establishment—of one Epigraphist and another assistant—adequate to wade through the overwhelming collections they have on hand remaining unpublished. For the other remaining months in the year, i.e., from February to the end of July, I am informed, the whole staff is engaged in reporting on the inscriptions collected in the year. Therefore, the Government will see that the existing staff, by itself, can never show a greater outturn of work than what they have been hitherto capable of doing which, I may again observe, satisfactory as far as it might be, is not all that could be desired. The Government, in their order No. 1035, Home (Education), dated 10th August 1917, observe that 'the number of inscriptions copied and examined fell from 835 in 1915-1916 to 668 in 1916-1917. The Assistant Archaeological Superintendent for Epigraphy is requested to push forward more vigorously the work of systematic publication of the inscriptions collected.'

"In the G.O. No. 47, Public, dated the 9th January 1914, to which my attention was drawn in reply to my question put at the last meeting of the Legislative Council, I find that Government have expressed their opinion, which not only completely supports my observations, but even goes further.

"We find in this Government Order the following observations—

"The attention of the Government has been attracted to the slow progress that has been made during the last few years in the systematic publication of the texts of inscriptions, copies of which have been secured by the Epigraphical Department. In their view, the primary functions of the department are—

(a) to search for and take impressions of inscriptions of archaeological interest,
(b) to prepare transcripts from the impressions taken, and to publish *in extenso* all texts thus obtained which appear to possess any value, together with translations and, where necessary, facsimiles.

"It is of much importance that the work of collecting impressions should proceed with all reasonable speed, lest before this is done, valuable material should be lost by the destruction of the original inscriptions. The Government are glad to acknowledge the activity which the Epigraphical Department has displayed in carrying out this work, with the result that a number of impressions approximating to no less than 10,000 is on record in the office at Ootacamund. They cannot, however, regard as satisfactory a system of working whereby scarcely one-twentieth part of this storehouse of archaeological material has been made available to scholars and to the public in its original shape, and which provides little prospect of a more rapid rate of progress inscriptions, such as that given in the appendices to Part I of the Annual Report, or of a digested summary of facts gleaned from the inscriptions examined during the year, which forms Part II of the report, can take the place of such publication.

"The Government accordingly desire that the Assistant Archaeological Superintendent for Epigraphy will spare no pains to carry forward the work of systematic publication so well begun on these lines by Dr. Hultzsch and that, to provide time for this, he will bestow less attention on the preparation of special articles for the *Epigraphia Indica* or the Annual of the Director-General of Archaeology. They, however, wish to lay stress on the importance of providing an exhaustive index to each volume published, and of drawing up beforehand a detailed scheme of work to be done. The results achieved and the programme thus drawn up should receive special notice in the Annual Report on Epigraphy.

"All that I now request the Government to be pleased to do in this connexion is what they have themselves felt as necessary for the better utility of this department, and while the usefulness and importance of the work is admitted on all hands, only a scheme that is required to carry out the intention of Government seems not yet to have been materialized. If an officer is appointed exclusively for doing collection and reporting work, then the present Superintendent, relieved of his report work, can, I think, be made to publish about 400 pages of printed matter in a year with the assistance of two more capable men. If, in addition to this, the book now called "South Indian Inscriptions" be converted into a quarterly or half-yearly journal, I am told, the help of outside scholars who are in the field can also be secured, provided some honorarium is offered for approved contributions. We can fairly take that about 100 pages of printed matter may be got from this source, which would thus make 500 pages approximately and which may be taken as sufficient to dispose of about 200 inscriptions every year. I think the publication of 200 inscriptions may be taken as a very fair output, considering the additional expenditure which is likely to be involved. One more Assistant on Rs. 250

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or 300, one pandit on Rs. 75. and one proof-reader on Rs. 75 or so, with some menial staff may approximately cost Rs. 500 a month or Rs. 6,000 a year. At Rs. 10 per page for approved contributions to be given as honorarium, Rs. 1,000 is required for 100 pages, and another Rs. 1,000 I have put down as the probable cost of preparing facsimile plates. I think, if these things are done, the magnificent result of getting 200 inscriptions published every year can be easily achieved. The total comes to only Rs. 8,000, which I now request the Government to be pleased to add to the budget provision of Rs. 22,900, and I sincerely trust the Government will not hesitate to accept this most useful and modest resolution."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, I must begin by complimenting the Honourable the Raja of Ramnad on the very remarkable knowledge, I might almost call intuition, that he has shown in this matter. The accuracy of his figures is quite remarkable and he has evidently been able to gauge the needs of the department to which he is referring with peculiar precision. I am sure that it would be a great satisfaction to Rao Sahib Krishna Sastri to learn that, in the opinion of the Honourable the Raja of Ramnad, what has been done may be characterized as fair. That no doubt will be a great gratification to him. As a matter of fact, the work has been done with great care and thoroughness, and has, I believe, met with the approval of other distinguished scholars in Europe and in this country. If the progress has been slow, it has been due partly to the fact that it has been done so thoroughly.

"There are various ways of dealing with this question of publication. One plan would be to continue the method of publication of what the Raja described as the transcript and translation of the regular texts. Another plan would be to publish the Tamil transcripts in facsimile without any translation; then those scholars who know Tamil will be able to read them and will have the whole material before them. It is an important question to be decided whether it is better to do that or to go on with the elaborate and thorough, but somewhat slow method, of publishing inscription by inscription. The Government have not yet considered what plan is to be adopted in the future. They know and they have felt for several years that the present rate of publication is insufficient. Sir Johu Marshall, the very talented head of the department, drew up a scheme to expedite the work, to have several officers who would work directly under him and take up a lot of publication work, but unfortunately the war intervened just when that scheme was nearly completed and the Finance Department of the Government of India declared that it was not imperatively urgent and so nothing has been done as yet.

"Rao Sahib Krishna Sastri has sent in certain proposals which tally with remarkable accuracy with those of the Honourable the Raja of Ramnad and those proposals are under the consideration of the Government, but the exact method which is to be adopted has not yet been decided. While I can assure the Council that any monies which can be spared will go to promote this cause, in which I am personally interested and which the Government collectively desire to see pushed, I regret that I cannot undertake to accept the resolution in the form it is moved."

The Hon'ble the RAJA OF RAMNAD:—"I am not anxious to press it. I just wanted to place this request before the Government, and having done that I do not want to press it."

His Excellency the PRESIDENT:—"The Government have every sympathy with the object of the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE OMISSION OF THE PROVISION UNDER EMIGRATION TO BRITISH COLONIES.

His Excellency the PRESIDENT:—"I propose to take up resolution No. XXXVI. As the greater includes the less, we can discuss resolutions XXXV* and XXXVI together."

The Hon'ble Mr. P. SIVA RAO:—"I have the honour to move the resolution No. XXXVI which runs in these terms:—

'XXXVI. This Council recommends to His Excellency the Governor in Council that the provision of Rs. 6,014 in the budget estimate for 1918-19 under the head of 28-Bf. (Emigration to British Colonies) may be scored out.'

"Your Excellency, if we turn to page 40† of the Revised Financial Statement, we find under the head of revenue against the item 'Emigration fees,' nil, is entered in the revised estimate for 1917-18 as also in the budget estimate for 1918-19. What explanation there is for the nil entry is to be found in paragraph 97* of the same Revised Financial Statement. It is thus explained. The prohibition of indentured emigration accounts for the nil entry in the revised estimate for the current year and the budget estimate for the next year under the second minor head 'Emigration fees.'

* The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—

XXXV. This Council recommends to His Excellency the Governor in Council that the allotment of Rs. 200 per month as an allowance to the Collector of Madras as Protector of Emigrants under "28-Bf. Scientific and Miscellaneous Departments—Emigration" be deleted.

† Vide page 408 infra.

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"Now if we turn to the head of expenditure, we find here under the sub-head 'Emigration,' a sum of Rs. 16,000 is provided for in the next year's budget while in the revised estimate for 1917-18, it was Rs. 15,000. Naturally the question arises as to why there was this expenditure when there was no indentured emigration; and I take it that there is no indentured emigration to Natal and Mauritius.

"Let us now turn to the details of this expenditure which are to be found on page 188 of the Civil Budget Estimate. It is stated here that the Protector of Emigrants, Madras, draws an allowance of Rs. 200 per mensem, that is, Rs. 2,400 per annum; and that the Medical Inspector of Emigrants draws an allowance of Rs. 150 per mensem or 1,800 per annum. There is a manager on Rs. 80 and so forth and the total figure given is Rs. 6,014. Your Excellency, the matter is very simple. When there is no indentured emigration and there is no emigration whatever to Natal and Mauritius, what is the object of keeping up this establishment. I just sent for the report on emigration and immigration and I find from the statement in it that there is no emigration to Mauritius during the year; and I do not find any statement showing the number of emigrants during the year in question to Natal either. I want some explanation as to why this expensive establishment is kept up. With these words I commend this resolution for the acceptance of the Council."

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"The Resolution No. XXXV * that I gave notice of is practically the same as what is now proposed by the Hon'ble Mr. Siva Rao with this difference that I did not propose the deletion of emoluments entered against the Medical Inspector of Emigrants. My Lord, under emigration fees there has been a gradual decline and during the current year nothing seems to have been collected and during the next year the same will be the case, because on account of the abolition and prohibition of indentured labour, nothing is anticipated. From the report that has now been read by my Honourable Friend, it appears that there were no emigrants to Mauritius and other foreign countries and such being the case I do not find any necessity why an extra allowance of Rs. 200 should be entered in the budget estimate for the Protector of Emigrants. In regard to the other establishment of manager, clerks, etc., it amounts to Rs. 4,000 and odd and it may be retained. If there be a small number of emigrants, the manager, the clerks and other persons in the establishment may well take care of them. Since there are no fees collected and no receipts under this head I do not see why there should be any extra allowance of Rs. 200 to the Protector of Emigrants. The item of Rs. 1,800 entered against the Medical Inspector of Emigrants appears to me to be unnecessary. Whatever that may be, I think in my opinion the entry of Rs. 200 as personal allowance to the Protector of Emigrants is quite unnecessary and I strongly advocate the deletion of it."

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, it is true that indentured emigration has been stopped since March last year which accounts for the nil entry under the head of receipts from emigration fees, but this does not mean that the Protector of Emigrants has no longer any duty to perform. Under section 13 of the Indian Emigration Act he has got certain duties to perform, with regard to the returned emigrants. He has to inspect them on the arrival of the vessels bringing in the immigrants; he has to inquire into their health, condition and treatment and advise them where they need advice. Besides that, under the Colonial Emigration Rules, he has to deal with the effects of deceased emigrants. They are entirely under his control. The Hon'ble Mr. Aziz-ud-din Sahib who is now the Protector of Emigrants informs the Government that those are troublesome matters which give him a very considerable amount of work to do. The clerical establishment, as the Hon'ble Mr. Siva Rao has said, consists of a manager and a clerk. Besides the clerical work connected with the duties of the Protector of Emigrants, they have to do similar work in regard to passports which have been transferred to them since April last year; and I am informed that the number of passports which they had to issue between April 1917 and February of this year was over 5,000. In these circumstances, after this explanation, I think the Honourable Member will not see any reason to press his resolution."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I am told that there is still work to be done by the Protector of Emigrants but as the work is far less, will the Government see their way to reduce the amount at least."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, I may mention for the information of the Honourable Member that the present holder of the office gets only two-thirds of the budget amount under the Civil Service Regulations. The salary is, therefore, automatically reduced by one-third."

With the permission of His Excellency the President both the resolutions were withdrawn.

RESOLUTION RE ABOLITION OF THE POSTS OF WEAVING, DYEING AND LEATHER EXPERTS.

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"I beg to propose—

'XXXVII. This Council recommends to His Excellency the Governor in Council that the budget provision in the budget estimate for the year 1918-1919 under "26-Bm." for (1) a weaving expert, (2) a dyeing expert and (3) a leather expert should be omitted.'

* Vide foot-note on page 425 supra.

[14TH MARCH 1918.] (Mr. K. R. V. Krishna Rao ; Mr. Rajagopala Achariyar.)

"My reasons for recommending the abolition of the posts of these three experts are these. We find from the report of the Department of Industries for the year 1916-17 that the dyeing expert was not in charge of the dyeing industry at all. He was placed on special duty for some years and now it would appear that he has been on the duty of investigating the process of manufacturing indigo. With regard to the weaving expert, it is said in the Revised Financial Statement that the expert is going to be hereafter employed or entertained and the provision made is for the expert that should be appointed hereafter. With regard to the leather expert he seems to have been on war duty and he does not seem to have been doing anything useful for that industry judged from this report. In the Industries Report, it is mentioned by the dyeing expert himself that he has now very little to do with the natural dyestuffs available in the Presidency; and he has already made some elaborate investigation with regard to the utilization of the indigenous dyestuffs and has submitted a report. I do not think that there is any large amount of work that he can do in this direction and I think that the entertainment of the dyeing expert is unnecessary under the present circumstances. With regard to the weaving expert I have no idea as to what the Government intend doing with this expert. It appears that we have a peripatetic weaving establishment and they are doing some useful work. In paragraph 24 of the report of the Department of Industries it is mentioned as follows:—

"I think that these peripatetic weaving parties are doing useful work. From my point of view, the objection to them is that they are difficult to control, and their success or non-success necessarily depends mainly on the conscientiousness and enthusiasm of the superintendents—not that I have anything to complain of in either superintendent on this score. A further objection is that if, as is commonly reported, the weavers are entirely in the hands of the cloth merchants and sowcars, the introduction of the fly shuttle loom and other improved appliances is not by itself of much use, for the increased profits resulting from the use of these appliances go into the pockets not of the weavers themselves but of those who finance them."

"It is said in this paragraph that the success and the utility of these parties themselves is questioned and doubted. I do not, therefore, think that the entertainment of a weaving expert will add to the success of this industry and is warranted and necessary under the present circumstances. As regards the weaving industry, large factories have been doing work and they are making handsome profits in spinning and weaving. With regard to the introduction of handlooms and flyshuttles, these peripatetic weaving instructors and parties have been doing all that they can do, and, as mentioned in paragraph 28 of this report, it is still a matter of doubt how far the success of the introduction of these small handlooms will be ensured in the future. In regard to the leather expert, my Lord, I think the leather industry especially the chrome tanning industry has gained a tolerably firm footing in this Presidency and the help of an expert is not quite so necessary. I therefore think it advisable that the budget provision under this head for these three experts may be omitted for the time being."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I fear that the Hon'ble Mr. Krishna Rao has not acquainted himself with all the facts in regard to these experts. He has taken up evidently the last report which we issued appertaining to the Department of Industries, and has come to the conclusion that these experts do not exist or are not doing satisfactory work and therefore their posts should be abolished. We are living in days when we all consider that there should be more experts; and at the first blush one will be startled at the proposal to abolish the few posts of experts that we have. But leaving that particular point aside, I think I must tell the Council fully what the facts are in regard to the experts so that the public may know what has induced the Government to go in for them and what exactly the reasons are why they have not been as useful as we would wish."

"Firstly, as regards the weaving expert. This question which the Honourable Member has raised of big mills and the position of the handloom industry, I remember long ago when I was here in a subordinate capacity; it has been discussed times without number; and the conclusion almost invariably came to was that the handloom industry was not likely to disappear in a day and it was worth while to do what we could to improve it. Considering the large number of people who derive their living from it and considering the long time that would take when it would be wholly displaced by mills, it is necessary to consider the question of improving the cottage industry, so as to enable the weavers to earn better wages."

"In July 1917 the Director of Industries submitted, after consultation with Mr. Chatterton, proposals to open a new weaving section in the Madura Technical Institute and he recommended that a highly trained handloom weaving expert should be appointed to superintend the weaving section. He pointed out that, if the weaving section were organized, it should be a centre for research, demonstration and training in connexion with the industry and that the whole problem was one of sufficient importance to engage the undivided attention of a real weaving expert. The Government accepted that conclusion and we are going in for a weaving section at the Madura institute; and we want to have at the head of it a really good man. We wrote to the Secretary of State to sanction the creation of the post of a weaving expert for a period of three years and any day we may get one although we have not yet got one. But we have to make provision for the post in the budget. Mr. Innes is looking out for a suitable Indian. But simply because we have not till now secured a man, we cannot knock out the provision in the budget. As to the Honourable Member's contention that the weaving expert will not have much work to do, I do not think he is right. I think there is room for looking after and developing the handloom industry and I certainly would not advise the Council to commit itself to the view that a weaving expert is not necessary and that no provision should be made for one."

(Mr. Rajagopala Achariyar, Mr. Venkatapati Raju; the President.) [14TH MARCH 1918.]

"Proceeding to the dyeing expert I may say that he was appointed temporarily for a period of two years and his services were retained for a further period of three years. The results obtained from his investigations had been sufficiently promising to enable this Government to decide in favour of the establishment of a permanent tinctorial laboratory with technical classes at Madura where those connected with the trade would be able to receive instruction in elementary science, the nature of dyeing materials, the technology of textile fabrics and dyeing processes. The appointment has now been made permanent and Dr. Marsden holds it permanently. On account of the war and the dislocation it has caused in getting dyes, Dr. Marsden was considerably handicapped. Instead of keeping him doing nothing, we deputed him to investigate into the methods of cultivation and manufacture of indigo in this Presidency, which is after all the indigenous dyeing material which we have got. It is worth while for the dyeing expert to look into it at a time like this when foreign dyes are not imported. Dr. Marsden has finished his work in the Agricultural Department and is reverting to the Industries Department on the 1st of April, and when he returns he will be the head of the Madura Technical Institute in addition to being in charge of the dyeing section in it. I submit, therefore, that there is no justification for saying 'let us abolish the dyeing expert and omit the provision made for him.' We have also applied to the Government at Home for the supply of a full range of samples of British dyes for instructional purposes and we are expecting the samples. I am sure that the dyeing expert will have ample work to do like the weaving expert and the Council would be very ill-advised in committing itself to the opinion that the dyeing expert is not needed.

"Then as regards the leather expert, the Honourable Member has proposed to the Council that he should be sent away. So long ago as 1908 the Industrial Conference held at Ootacamund thought and recommended that a leather trading school should be established in this Presidency and that provision should be made for technical education in tanning and that experiments should be undertaken in the school to determine whether or not the status of the Madras tanning trade could be improved. Accordingly we applied to the Secretary of State and obtained his sanction for a leather expert for a period of three years. In all these cases we get the man only tentatively for a short time before we commit ourselves to employ him permanently. In the year 1912 we approved of the scheme for the establishment of a leather trades school, submitted by Mr. Guthrie, the leather expert. It takes time to construct buildings and pending the construction of new buildings Mr. Guthrie was sent to Bangalore to make himself acquainted with the indigenous methods of tanning as adopted at the Mysore tannery. By the time the new buildings were nearing completion and he was making arrangements for starting classes, his services were requisitioned for war purposes. We are extremely sorry that he has had to go; but this is not the only branch of work which has been dislocated. Simply because the leather expert is more urgently required for war work under the Munition Board, it is not reasonable that the Honourable Member should say that we will not have the leather school or a leather expert; that ought not to be the conclusion that we will be justified in arriving at. We are not indefinitely waiting for Mr. Guthrie to return. Mr. Innes has employed his assistant Mr. Rajamanikkam Nayudu as assistant leather expert and the acting principal of the school. Taking all these things into consideration we will not be justified simply on account of the fact that these things are not working well in saying that these allotments are not needed to pay the men who are in charge of the work. Dr. Marsden takes charge of the Madura Institute where in addition to weaving there will be a dyeing section. We are looking out for an Indian who is a weaving expert and if we succeed in getting him he will have to be paid his salary. But if we do not succeed, the amount lapses. But that does not show that we do not want a weaving expert. As for the man acting for Dr. Guthrie as the principal of the leather trades school, he has to be paid. I must say that I am considerably disappointed at the line of argument taken up by the Honourable Member. We are all anxious to develop industries and at the first set back that we have it is proposed that we should knock out the experts. That is a most short-sighted policy and the worst thing that we can do for the development of industries."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"Your Excellency, even after hearing the Hon'ble Mr. Rajagopala Achariyar on this point, I think it is necessary to offer a few remarks. The object of the Hon'ble Mr. Krishna Rao in bringing this resolution prominently to the notice of the Council is to know, when money is being spent on experts, whether we are receiving any benefit. We want to draw the attention of the Government prominently to the fact that we are not deriving as much benefit as we should get from the large sums we are spending; and until and unless we are satisfied, there is no use saying that we have once engaged our expert, let us continue him from two years to three years and then make him permanent. Though I have not had experience of other experts, I have had experience of one dyeing expert who specially was sent out on indigo duty. That gentleman has no notion of indigo manufacture at all. He is a dyeing expert and he may understand some chemical terms. He goes to a place where he wants to teach how to manufacture indigo, but the experience he has in it is nothing as compared with the knowledge which the ordinary ryots have."

His Excellency the PRESIDENT :—"If the Honourable Gentleman will just resume his seat I would like to explain that this is not the occasion for the discussion of a general policy in regard to these experts. If we want to have a discussion on the general policy whether expert should or should not be employed, I am obliged to ask that this should be taken up at another meeting. This is a meeting for the discussion of figures. The Honourable Gentleman in moving the resolution was allowed to go too far. This is not an occasion for a general discussion of experts. I really do not think that the Honourable Gentleman who has brought forward t

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(The President; Mr. Rajagopala Achariyar; Mr. Venkatapati Raju; Mr. Yaqub Hasan; Mr. K. R. V. Krishna Rao.)

motion is quite right in his facts, because the facts stated by the Honourable Member in charge show that we cannot knock out the three experts from the budget. It will be destroying the whole machinery we have and we will be stultifying ourselves."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I might also mention that the man on the Munition Board is paid there and he is not paid from the Industries Department. He may be reverted at any time."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"I do not say anything against anybody personally, but I want to bring it to the notice of the Council that the Government should see that whenever experts are appointed their services are utilized for the purposes for which they are appointed and people derive the benefit which it is intended they should derive by the appointment of experts. For that reason, I say that more attention should be paid to see that the experts discharge those duties for which they are appointed."

The Hon'ble Mr. YAQUB HASAN :—"I am in entire agreement with the Hon'ble Mr. Rajagopala Achariyar and cannot advocate that because the few experts that we have are at present employed on other duties, these posts should be abolished altogether. The resolution before us practically aims at the abolition of these posts; and even if that is not the intention of the mover of the resolution, yet the acceptance of this resolution will eventually lead to that result. Therefore, in discussing this question we should entirely confine ourselves to the principle and not to the persons who at present occupy these posts. The remarks made by the Hon'ble Mr. Krishna Rao and the Hon'ble Mr. Venkatapati Raju will lead one to conclude that certain industries do not require any further development; and all that was necessary has been done and that those industries can get on without any outside encouragement or expert advice. I entirely differ from them. The Hon'ble Mr. Krishna Rao said that the weaving industry has been going on very well and that there is no necessity for a weaving expert. I do not agree with him; so also I do not agree with him that the dyeing expert has nothing further to do. In my opinion he has got a good deal to do. The field for research in this direction is so vast that not only one or two but half a dozen experts may be advantageously employed therein. It is quite another matter if the incumbents of these posts are not for the moment employed on work in which they are said to be experts. For instance the dyeing expert has for some time been employed on a work of which he had no expert knowledge; and so also the leather expert. I oppose this resolution on the ground that these places should not be abolished; but at the same time I would request the Government that the allotment made under this head should be used for the legitimate purposes and these experts should be employed only on their legitimate duties for which they were engaged and should not be taken away for other purposes however important they might be."

"In passing, I may also say that the other day a *communiqué* was issued to the effect that because the Director of Industries was busy with the war work, there was no necessity for the appointment of an advisory committee. In my opinion the reason given for the non-appointment of the committee was a good reason for its appointment. I hope that the Government will soon put that department on a basis which will make it really useful to the industries of this Presidency."

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU :—"My Lord, it has been admitted in behalf of the Government that the work expected of these experts has not been done satisfactorily as it was expected or desired. My object in bringing forward this resolution is that when these experts are not doing or are not able to do the work entrusted to them satisfactorily—"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (interrupting) :—"We do not say anything against the experts. If for reasons beyond their control we cannot get full value from them, we could not blame them. For instance, for Mr. Guthrie being taken away on military duty and being put to munition work, he cannot be blamed. The Hon'ble Mr. Krishna Rao will understand that what I said is not to be taken as a reflection on the experts or that the Government are not letting them put forth their best efforts. It is not contended that the experts themselves are not doing their work satisfactorily; that is not the point. But on account of the circumstances connected with the war over which we have no control, we cannot get the full return from the experts as we would otherwise have had. That is as much a matter of regret to us as it is to the Honourable Member. I trust that the Council understands it that way."

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU :—"Therefore, it is a fact that, under the present circumstances, for some reason or other, the work that is expected of them is not being satisfactorily done. What I want to point out by this resolution is that we are not expending public money on what is being done satisfactorily and that, as it is not possible under the present circumstances to be done satisfactorily, I say that the posts should be abolished. However, I do not press the resolution; but I only want to point out that the allotment made for any work should be properly endeavoured to be spent upon that work and we should obtain the full work expected. With these words I do not press the resolution."

With the permission of His Excellency the President the resolution was withdrawn. His Excellency the PRESIDENT :—"I should like to emphasise to the Council that the Honourable Member who has brought forward this resolution is really not fully informed on the

(The President; Mr. Yaqub Hasan; [14TH MARCH 1918.
Mr. Rajagopala Achariyar.]

subject and unfortunately has been allowed to criticise the experts themselves which I think is to be regretted a great deal. As a matter of fact, as regards the experts themselves, who are engaged—I should like to emphasise what my Honourable Colleague has said and we are only dealing with the dyeing expert and the leather expert as the weaving expert is not yet engaged and therefore does not exist—the dyeing expert and the leather expert have been fully employed and have been given a great deal of extra work not merely useful to the Presidency in peace time but useful to the whole of India. If there was a time when that work should be appreciated, it is now when India has a chance of developing her own industries and is anxious to help the Munition Board. It is most unfortunate that the Honourable Gentleman should appear not to understand that these gentlemen have been working most strenuously in public interests. It is a mere matter of accounting as to whether the work is done for the Madras Government or for the Government of India. It is perfectly easy to arrange with the Government of India that they should pay a portion of the cost, if work has been done for them. The work of these two experts has been most valuable during the last year or two so far as they have been free to do it. Even now I want to say, particularly in regard to Mr. Guthrie, who is here at present and who is coming back here and who has worked most strenuously, he is giving freely, of his own private time, to help us by going to the leather school three days a week. That is the sort of work that should be known, because it is very warmly appreciated by the Government. The Council would be glad to know that the Government are being very well served by this gentleman and there is no ground whatever for criticism put forward, I know, from ignorance, by the Honourable Gentleman."

RESOLUTION RE OPENING OF AN INDUSTRIAL SCHOOL AT NEGAPATAM.

The Hon'ble Mr. Yaqub Hasan:—"The Hon'ble Mr. Ahmad Tambi Marakkayar who went away last night has asked me to move the next resolution which stands in his name and I have much pleasure in doing so. With Your Excellency's permission I beg to move:—

'XXXVIII. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 25,000 be provided for opening at Negapatam an Industrial school, where mechanical training could be taught, out of the Rupees 62,000 allotted as lump provision for opening manual training centres under the head "22-F. EDUCATION—Government Schools—Special."

"Your Excellency, there can be no doubt that there is a crying need for the establishment of several industrial schools throughout the Presidency. At some places the schools have come into existence; but there are other important centres where their establishment is equally necessary. One of these centres in my opinion is Negapatam. The Hon'ble Mr. Ahmad Tambi Marakkayar has been moving the District Board of Tanjore for some time to establish an industrial school there. The last reply that he received from that Board was that as they understood that the Government proposed to establish a school themselves there, it was not necessary for the Board to move in the matter. So I beg Your Excellency to accept this resolution and to see that this school is established there in the course of the year. I may mention that there is a large railway workshop there, which will be a great convenience in giving practical training to the students of this school in the mechanical branch. In that district, there are several mills where students trained in the school can be employed. In my opinion Negapatam is a very good centre for a school of that kind. The Hon'ble Mr. Ahmad Tambi Marakkayar has pointed out that this amount may come out of the lump provision for opening manual training centres. I do not know whether the Director of Public Instruction will be prepared to have that amount cut short as he might have other schemes in view. As long as that school is given to Negapatam, I am not particular where the money is taken from. I am prepared to modify that portion of the resolution if the Government will be pleased to accept the motion."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I regret that I cannot accept the resolution moved by the Honourable Member for the reason that the sum of Rs. 25,000 will not really be utilized. We have hardly finished the reorganization of the technical school at Madura. That is being done on a large scale. We are committed to the Cocanada scheme for which an allotment has been made. That has to be started. The Madras trades school has to be put on a permanent basis. We have got all these things on our hands and in regard to many of these we have serious difficulty in completing the equipment on account of the fact that we cannot get tools, plant and machinery; we cannot procure them except at exorbitant prices. In a situation like this we should concentrate our attention on the commitments already made. We have the Madura Institute, the Cocanada Institute and the Madras one and we should concentrate our attention on these three and finish them before we start another school. Until that is done, I submit, that there is nothing to prevent the promising young men of Negapatam from going to Madras or Madura for the training they require. I do not say that at no time will Negapatam have a school. But the chances of its getting a school next year are very little. Therefore no useful purpose will be served by allotting Rupees 25,000 for opening a school at Negapatam. Therefore, I oppose this resolution."

The Hon'ble Mr. Yaqub Hasan:—"I do not wish to press this resolution, but I may be allowed to make one remark. If the Government will kindly formulate a definite policy of

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Sir Alexander Cardew; Mr. Davidson; the President;
Mr. Sadasiva Bhat.)

starting a number of industrial schools and keeping that policy before them, they will take into consideration, when establishing these schools, the claims of Negapatam as a suitable centre, I should be very much satisfied."

With the permission of His Excellency the President the resolution was withdrawn.

XXII & 29. Superannuation.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR then introduced the head XXII. & 29. SUPERANNUATION.

XXIII & 30. Stationery and Printing.

The Hon'ble Sir ALEXANDER CARDEW next introduced the head XXIII & 30. STATIONERY AND PRINTING.

XXV & 32. Miscellaneous.

The Hon'ble Mr. DAVIDSON next introduced the head XXV & 32. MISCELLANEOUS; and in doing so said:—"No information has been asked for under this head."

RESOLUTION RE GRANT TO THE DEPRESSED CLASSES MISSION, MANGALORE.

The next resolution which stood in the name of the Hon'ble Mr. SADASIVA BHAT ran as follows:—

'XXXIX. This Council recommends to His Excellency the Governor in Council that a provision of Rs. 40,000 made for the Lawrence Memorial School, Ootacamund, under the head "32-B. MISCELLANEOUS—Donations for charitable purposes" be reduced by Rs. 10,000 and that the amount be granted to the Depressed Classes Mission, Mangalore.'

His Excellency the PRESIDENT:—"I will read the next resolution of the Hon'ble Mr. Sadasiva Bhat in the form in which he wants to move it:—"This Council recommends to His Excellency the Governor in Council that a provision of Rs. 10,000 be made for grant to the Depressed Classes Mission, Mangalore, and that reduction be made under the head '32-B. MISCELLANEOUS—Donations for charitable purposes.'"

The Hon'ble Mr. K. SADASIVA BHAT:—"Your Excellency, the good work that is being done by the Depressed Classes Mission in Mangalore is fairly well-known to require any lengthy speech to commend the same to the Council. The depressed classes among whom the mission is working are the Holeyas and Koragas of South Kanara. They number about two lakhs and their condition has been described in the District Manual as follows:—"Such of the Holeyas as are not still considered as farm slaves or *Mulada Holeyas* (Hereditary Serfs) come as a rule under the designation of *Salada Holeyas* or a Holeyas who is bound to his master by a debt. Slavery, of course, is legally abolished but custom dies hard."

"The state of education among these classes even after 12 years of work by this Mission can be gathered from the administration report of 1910:—"The percentage of male pupils to the male population of school-age was the largest, viz., 91.5 in Tinnevely and Madras came next with the 68 per cent, while South Kanara (Mangalore) district held the last place with 15 per cent." The Mission has been working among these depressed classes and has been gradually expanding its work amongst these communities by opening schools. The various institutions that this Mission maintains are fourteen schools for boys and girls including night schools, free boarding houses for boys, an Industrial Institute, colonies for houseless Panchama families, associations for encouraging temperance, economy and social service. I may also say that the Mission is, to my knowledge, the only one of its kind conducted entirely by Indian agency on Indian lines and supported so far entirely by public subscriptions. The two settlements or colonies that have been already founded have housed—I am told 36 families in one and 28 families in the other. The Mission is conducted by a strong representative committee and they have taken over two other plots of land outside Mangalore for the purpose of founding two other colonies for housing homeless Panchamas. I ask that this Mission may also be taken on the list of charitable institutions under 32-B and that such aid may be given by the Government to supplement private charity which has hitherto flowed and which I hope will continue to flow up for the maintenance of the good work done by the Mission. If the Government will give a grant, I have no doubt that the Mission will be encouraged to appeal to local assistance and private charity before embarking on these schemes which will cost them about Rs. 20,000. The Mission has to find the money. Government have given them land as also some private landowners, and it is proposed to house homeless Panchamas on these plots. But the Mission will have to find materials for building houses and for sinking wells. It is for this purpose that I request the Government to include this Mission in the list of institutions eligible for charitable donations."

"With these words, Your Excellency, I commend the resolution for the acceptance of the Council."

(Sir Alexander Cardew ; Mr. Sadasiva Bhat ;
the President.)

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The Hon'ble Sir ALEXANDER CARDEW :—" Your Excellency, I am afraid that it is rather difficult for the Government to meet the Honourable Member on this subject. The Council will have observed that what the Honourable Member dealt with when he began his speech was Education, and he made reference to the state of education among them, he made reference to the general backward state of education among the depressed classes all over the Presidency. That is a matter that we are all aware of and that we all deplore, and the Educational department is doing what it can to assist the promotion of the education of the backward classes. So far as this Mission is concerned, that education does receive help from the Education department. The Honourable Member has omitted to mention that the Honourable the Director of Public Instruction has given four of the Mission's six schools an increase of 100 per cent of grants and to others an increase of 50 per cent so that the Council will observe that there has been no backwardness on the part of the Education department to help on the Mission in regard to educational work.

"Then the question is: Is it desirable for the Government to go further and give a general gift of money to this Mission for purposes which are non-educational? Really we do not know what the purposes are and the Honourable Member did not tell us also to what extent the purposes of the Mission are being met from private charity. We do not know what the subscriptions are which the Mission collects and what proportion this subscription bears to the large sum which it is suggested should be given. There is no definite scheme before us to show how the money will be utilised. From these points of view, it would not be advisable to accept this resolution and put money in the budget. There is a great deal to be said, in matters of charity, for leaving private bodies to come forward and fill up any gaps that exist. It is only the public that know how these works are carried on and where they are needed. Government have not got sufficient organisation to go into the question, whether it is necessary to make a grant of this very large sum of money. I think it would be a pity to dam up the flow of public subscriptions by giving a large grant from official revenues. Whilst I have no doubt that the society is doing good work and is recognized by the Educational department on the educational side and I believe Mr. Ranga Rao deserves all commendation for his efforts for educational work on behalf of these communities we cannot ear-mark this amount in the budget without definite information about the utilization of the money or any definite scheme, and a fuller inquiry will be necessary before anything of this sort is undertaken."

The Hon'ble Mr. K. SADASIVA BHAT :—" Suppose there is a scheme put forward by the Mission before the Government in furtherance of its objects, with regard to colonizing or homing these Panchamas. It is for that scheme that I have asked for help."

The Hon'ble Sir ALEXANDER CARDEW :—" We are quite prepared to consider it, but we do not give any definite undertaking to accept any scheme."

The Hon'ble Mr. K. SADASIVA BHAT :—" I distinctly ask the Government for aid to supplement private charity. I can give exact figures contributed year after year for the maintenance of the work of the Mission, because they are published widely in their annual report. I find last year the receipts were Rs. 3,540."

His Excellency the PRESIDENT :—" May I offer a word to the Honourable Member? From what the Hon'ble Sir Alexander Cardew said, I feel sure that the Government are quite in sympathy with the work of the Mission, but as Honourable Members know, there are dozens of voluntary societies throughout the Presidency which are doing excellent work, and our work here will be thrown into confusion, if advocates of each of these societies should come up, as the Honourable Gentleman has done, and ask for Rs. 10,000 for this society and for Rupees 20,000 for that society on the ground that it is doing good work—it will be really difficult to conduct public finance on those lines. I suggest that we should accept what the Hon'ble Sir Alexander Cardew said. If the Mission has any definite scheme or purpose which they think the Government would be willing to consider, they should send it up just as they have done in the case of their schools. In the case of their schools, I believe they have sent up requests and these requests have been examined and some relief has been given. I do not think the Council will support the claim of the Honourable Member for a lump grant for a voluntary society which is doing good work. It is not really appropriate."

The Hon'ble Mr. K. SADASIVA BHAT :—" I do not press the resolution, Your Excellency." With the permission of His Excellency the President, the resolution was then withdrawn.

RESOLUTION RE GRANTS TO SUPPLEMENT THE RESOURCES OF MUNICIPAL COUNCILS.

The next resolution which stood in the name of Hon'ble Mr. A. S. Krishna Rao Pantulu ran as follows :—

'XL. This Council recommends to His Excellency the Governor in Council to allot to each of the municipal councils in the Presidency a sum amounting to 25 per cent of their ordinary current income and to make a corresponding deduction under head 45. CIVIL WORKS.'

His Excellency the PRESIDENT :—" I have communicated to the Honourable Gentleman that this resolution raises a general question of increasing the grants to municipal councils in

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the Presidency, by allotting to them 25 per cent of their current ordinary income. That is not an appropriate subject for discussion at this meeting. It raises a general question which is more appropriate for another meeting and perhaps the Honourable Gentleman will consider and bring it forward at another meeting."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—" Your Excellency, though this resolution relates to the budget, it does raise a question of policy in regard to the giving of grants to municipal councils. I have no objection to bring it up at the next meeting. I shall give notice."

His Excellency the PRESIDENT :—" The character of this meeting is that it should be more or less an informal discussion of the different items."

With the permission of His Excellency the President, the resolution was not moved.

His Excellency the PRESIDENT :—" The next resolution is in order, as it asks money for a definite purpose. I call upon the Hon'ble Mr. Siva Rao to move it."

RESOLUTION RE SUBSIDIES TO LOCAL BODIES FOR PLAGUE EXPENDITURE.

The Hon'ble Mr. P. SIVA RAO :—" Your Excellency, I have the honour to move this resolution :—

'XLI. This Council recommends to His Excellency the Governor in Council that the budget allotment under "32-D. Miscellaneous—Contributions to local fund and contributions in aid of municipal balances" may be raised by one lakh of rupees for payment of subsidies for plague expenditure and that the same may be met from the head under "32-E. Miscellaneous—Reserve provision at the disposal of the Government."

"This resolution asks for more liberal provision for payment of grants to local bodies towards measures for combating plague. If we turn to the budget estimate for the year, I should expect that the Government should have provided something under the head '24-B. Sanitation.' The only provision they have made is Rs. 89,000 under the head of bubonic plague and there has been no provision whatever under the head of grants or subsidies to local bodies for measures taken for combating plague. If at all it should come, it must come under '32-B. Miscellaneous', and in paragraph 158, page 52 of the Draft Financial Statement, the object of this contribution has been explained. 'The object of these contributions is to restore the financial position of such of the municipalities as are confronted with heavy and unforeseen charges which they are unable to bear, such as expenditure on plague-preventive measures.' So I take it, Your Excellency, that the only provision relating to this is under the head of 'Contributions in aid of municipal balances', and a sum of Rs. 50,000 has been allotted for the purpose and that not merely for plague-preventive measures, but also for restoring the equilibrium of municipal balances and in aid of the general resources of municipal bodies. For nearly 67 municipalities, we have an allotment of Rs. 50,000 in aid of their general resources. It does not require very close scrutiny to make out that this allotment is grossly inadequate for the purpose. As for local bodies there is a provision of Rs. 2 lakhs which has been ear-marked for making grants to the Nilgiris, Koraput and so forth, but no reservation is made for grants to local boards for plague measures. My Lord, the Council will be pleased to remember that in the month of March last year, 1917, I moved in this Council that the local bodies should be relieved altogether of this plague expenditure; in other words, that this plague expenditure should be provincialised. I urged three reasons for that firstly, we were too poor to undertake this costly affair, secondly, it was more or less a provincial concern to combat plague, and I also put it on the third ground that we had absolutely no control over these measures, and the principle enunciated by the Hon'ble Sir Alexander Cardew yesterday when he was dealing with a resolution about headquarter hospitals that he who pays for the services ought to control it should be followed. I urged that ground also; I urged before the Council that this contravened the well-known principle that one who pays for the service ought to control it. I was told by the Honourable Member in charge that the combating of the epidemics and the question of public health was one of the fundamental duties of local bodies and that they ought to undertake it whatever may be the expenditure. I lost my proposition for the time being, but I brought it up in another form, I think, at the last Council meeting that we should be vested with some control. I said 'even if we are not relieved of this expenditure, let us have some control'. I was then told by Government that it was too serious a matter to be entrusted to us; it was a provincial concern; it was something like a fire breaking out in a locality and the putting out of that fire does good not merely to that locality but prevents its spreading to other portions of the Presidency. They said that it was a responsibility too serious to be entrusted to poor bodies like municipalities and local boards. Now, Your Excellency, we are landed in this dilemma. We asked for control and Government are unwilling to give it. When we say they should bear the whole expenditure, they are not in a mood to listen to it.

"Turning to the figures, you will see how the plague policy is taxing our last pie. The position was very well characterised by my Hon'ble Friend Mr. Suryanarayana Rao when he was asking for a grant of Rs. 20,000 for Vizagapatam. He said 'we are on the verge of

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bankruptcy.' That sums up the whole situation ; if we are not on the very verge of bankruptcy we are on the brink of insolvency. With regard to the Bellary Council with which I am acquainted the figures are as follow under the head of plague:—Expenditure in the year 1913-14 was Rs. 3,416 ; in the year 1914-15, Rs. 8,357 ; in the year 1915-16, Rs. 3,000 and odd, and in the year 1917-18 it is Rs. 5,930. I know, as a matter of fact, that this year the expenditure has gone up by leaps and bounds and on account of the rat-trap operations and other such experiments it has come to Rs. 15,000 for the official year. Honourable Members will realize what this expenditure of Rs. 15,000 means to us when our normal revenue is only Rs. 70,000. It is about one-fourth of our normal revenues. How are we expected to look after our other concerns, elementary education, sanitation and medical relief and roads and so many other concerns like combating with epidemics such as cholera, smallpox? We are found fault with sometimes that this road is not good, or that that road is not good. If we are to spend 25 per cent of our normal revenues for carrying out a policy which is not our own and which we are asked to keep up for ever, because it pleases the Government to keep it up—I may say that the sooner it is given up the better—how are we to keep up the normal condition of our municipality?

Turning our attention to the budget estimate for the Bellary Council for the year 1917-18 the Government called upon the Council to submit proposals for retrenchment of expenditure. Then the Chairman reported that the normal expenditure exceeded the normal receipts by Rs. 9,070 and he pleaded hard that plague expenditure should be limited. He requested the Government to endorse his proposal that the Council's share of plague charges may be limited to Rs. 2,000, the excess being borne by Provincial funds. I may say incidentally that on an average we have been spending something like Rs. 5,000 all these fifteen years. Government were unable to accept the share of the plague charges being limited to Rs. 2,000. Unless this expenditure is taken off from municipal budget, there is no prospect of our restoring the equilibrium of our finances and there is no way of making both ends meet. Taking the budget estimates for the whole of the Presidency, the Government have been paying about Rupees 98,000 for direct expenditure. If you turn to the budget expenditure of the local bodies in the year 1916-17 you will find the expenditure which was incurred by municipal bodies came to Rs. 93,000, while the budget estimate for 1917-18 came to Rs. 82,000 for municipalities and Rs. 76,350 for local bodies. Last year the plague figures were very high. Plague spread very far and wide, and I dare say the expenditure will go up by a few lakhs this year. Then, are we to bear all this expenditure ourselves? The simple question seems to be that this branch of expenditure should be met by Government and let them have the satisfaction of enforcing these measures.

Let me explain to Honourable Members of this Council what plague measures are. Whether with or without plague, we have of necessity to maintain an establishment of notification clerks, inspectors and so forth ; and on an average we incur about Rs. 3,000 even if there be no active outbreak of plague, and when there is plague, there are the costly measures, for example, compulsory evacuation which also means that we should provide some health camps, some model huts for the poor. If we embark on a policy of incendiarism as the Vizagapatam Municipality seems to have embarked upon, if we are driven to pay compensation for burnt houses, then it will cost us infinitely more. The Hon'ble Mr. Suryanarayana Rao asked for Rs. 20,000 ; but if he goes on burning houses it will cost even Rs. 1 lakh. I may also refer to inoculation. We have to appoint special officers to induce people to undergo inoculation. We will have to maintain plague hospital, construct a decent plague hospital ; we will have to pay for inoculation and provide for offices for it, and all these measures are very costly. I have not referred to the rat-trap operations which have been costing us Rs. 300 per month. There is again the disinfection by kerosine emulsion which takes away hundreds of our precious money. Kerosine emulsion is distributed pell-mell to all persons and bodies, rich or poor, to Collectors, offices, district boards and other bodies. If there is a rat-fall thirty times in a house, it is disinfected each time and all this expenditure is put up on the head of the municipality. I only ask Your Excellency that this situation should be seriously considered and some sympathy should be shown to local bodies, so that they may be allowed to discharge their normal functions without being put to the necessity of incurring this expenditure.

In this connexion I may refer to the recommendation of the Decentralization Commission. They said that plague presents so many unique features and the dealing with it is such a costly affair that local boards should not be taxed with any portion of its expenditure. As regards the municipalities, they suggested that the Government should contribute a material portion. That was the principle that they laid down. Plague measures also involve measures of general sanitation and the opening up of congested areas. I do not want to detain the Council very long. I hope Your Excellency's Government will seriously consider the situation and save local bodies from the state of insolvency in which they are at present landed and make liberal grants, if they do not take over all the expenditure of local bodies, at least make very liberal grants to local bodies to enable them to combat with these epidemics. They have been making liberal grants in the case of malaria ; for instance, the Bellary Council got Rs. 20,000 in one year.

"With these words, I commend this resolution."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Your Excellency, we have had more than one discussion on plague in this Council during the last one year, we had one very recently ; and I therefore do not propose to travel over the whole ground. Honourable Members are aware and are no doubt quite conversant with the reason why, on the one hand, plague

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expenditure falls first on local bodies while, at the same time, the control of plague administration is in the hands of the executive officers of the Government. The two positions may seem somewhat inconsistent, but I believe that has been explained on more than one occasion. The present practice is that while the expenditure is incurred in the first instance by the local body, if a district board or municipality finds its funds unequal to bear the burden of plague charges, it first tries to make up a budget by omitting all avoidable expenditure and if it applies afterwards for help from Provincial funds, we are bound to give that help. So far as the figures are concerned, these are figures for 1918-19. In putting these figures, we follow the actuals of the previous year, and it cannot be said that we are going to have plague next year and that we should provide for it in advance. Ordinarily, we go on the actuals of the previous years. So far as municipalities are concerned, the actuals are within the allotment and the provision of Rs. 50,000 is to help their balances. The municipal councils have only certain items of expenditure ; all items do not fall upon them. The regulations say what they are ; inoculation goes to Government, but even in regard to these items which fall on local bodies in the first instance, if it is found that a local body is unable to bear the expenditure, the Provincial Government go to their help. You may rest assured that, during the course of next year, if unhappily there is such a large increase of plague and a great strain on local bodies, we will recognize our obligation to go to their help more than in the past. But we cannot conjecture here the probabilities so as to increase the allotment. Nobody is aware what the future would be and we can only make provision for what has been the case in previous years. In the last debate we had, I mentioned the distribution of plague expenditure and I said how it stood last year. I have before me revised figures for the current year 1917-18, and I find that Provincial expenditure is expected to amount to Rs. 1,92,800, local bodies are expected to spend Rs. 1,03,178 and municipalities Rs. 96,540. That is, as between them, provincial pays little less than half and local and municipal little more than half. I confess, I feel considerable sympathy with the situation which local bodies find themselves in, in regard to plague. I quite see that, while they feel that their control over plague administration is limited, comparatively limited, due to circumstances which we all understand, which were explained to you, they are asked to pay in the first instance for expenditure, even though there is the contingency that the Government will come to their rescue. I can quite realize their feeling. So, I propose, without going into the merits of this question of distribution just now, to appoint a small committee of two collectors who have had experience of plague work and two or three men belonging to local bodies who have been dealing with it—I am sure the Hon'ble Mr. Siva Rao will be one, because in the knowledge of plague he quite takes the palm and I do not think we can keep abreast of him—and that committee will soon be appointed and the instructions to this committee will be to look into the calculation of expenditure and do what they can to transfer such burden as may be to the shoulders of the Provincial Government, so that we might get more into accord with the principles for which he rightly contends—that we should not have much divergence between the authority that controls a department and the authority that pays for it. In view of the likelihood of that committee sitting soon, it would probably not be desirable that we should discuss these details or express any opinions which may appear to preclude any fair and reasonable discussion ; and I therefore deprecate further discussion and I recommend to the Honourable Member's consideration the propriety of withdrawing the resolution and allowing the committee to sit. He will be in a position to put before this committee all that he has to say."

The Hon'ble Mr. P. SIVA RAO :—"I thankfully accept the proposal for the formation of a committee and I withdraw the resolution."

With the permission of His Excellency the President, the resolution was then withdrawn.

XVI-B. & 19-B, Law and Justice—Jails, XVII. & 20. Police.

The Hon'ble Mr. H. F. W. GILLMAN :—"I introduce the heads, LAW AND JUSTICE—JAILS AND POLICE. Under this latter head I want to answer a question which has been asked by the Hon'ble Mr. Sadasiva Bhat about the increase in the cost of the Kavali and Bitragunta criminal settlements. The reason is that since the estimate of 1917-18 was framed, the criminal population has more than doubled and we have had a lot of settlers transferred from the Anamalai and from Kalichedu, which settlement we hope to abolish in a very short time."

The Hon'ble Mr. H. F. W. GILLMAN then introduced the head XXIX. & 42. IRRIGATION—MAJOR WORKS and XXX. & 43. MINOR WORKS AND NAVIGATION.

RESOLUTION RE PROVISION FOR CONNECTING THE BUCKINGHAM AND NEGAPATAM-VEDARANNIYAM CANALS.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR :—"Your Excellency, I wish to move the resolution that stands in my name, viz.—

"XLII. This Council recommends to His Excellency the Governor in Council that the allotment under '43-B. IRRIGATION—Minor Works and

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facility of railway communication by double lines were given, the relief that would be given by this canal will make it worth while to spend any money that may be incurred by Government. Therefore, this deserves the immediate and early attention of Government; and I brought the motion to the notice of the Government in that view. I suggested that the portion from Porto Novo to Negapatam at least might be cleared up. The Hon'ble Mr. Gillman said that there was French portion in two sections. I do admit it; but the French territory on the Karikal portion of it is so absolutely small that it is negligible. There would be no difficulty, particularly in the existing friendly relations between ourselves and the French Government, in arranging this matter, and it would be equally advantageous to them to have these canals. If the Government have only a mind, there will be no difficulty in connecting at least that small portion of the canal. I feel sorry that the Government have not realized the importance and the urgency as I actually desired they should do under the existing pressing circumstances. With these remarks, I once again commend to the very earnest consideration of the Government a re-consideration of their attitude towards this resolution and at least promise us a fair beginning in the direction that I have pointed out."

The Hon'ble Mr. H. F. W. GILLMAN :—"I stated, Your Excellency, that the main objection which the Government have for undertaking works of this kind is the expense. You have to cross three big rivers and you have to dig a canal of the same length as the Suez Canal. If there was a prospect of a reasonable return, Government would no doubt consider it; but they believe that there is no such prospect. The conditions existing in the present Buckingham Canal go to show it. There is very little through traffic in the Buckingham Canal north and south and the traffic does not comprise valuable commodities like grain and so forth. The object of the canal, if it should be established at all, should be for through traffic. I am not satisfied from anything that the Hon'ble Mr. Chidambaranatha Mudaliyar has said that there is reason to think that there would be such a considerable volume of through traffic as would justify the Government in undertaking such a colossal work."

The resolution was then put to the Council and lost.

RESOLUTION RE PROVISION FOR IMPROVING SPRING CHANNELS UNDER THE PENNAR.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—"I have the honour to move this resolution—

'XLIII. This Council recommends to His Excellency the Governor in Council to provide a sum of Rs. 25,000 for repairing and improving the spring channels under the Pennar river and to make a corresponding reduction under the head 45. CIVIL WORKS.'

"This resolution brings to the notice of the Council the desirability and the importance of improving certain spring channels under the Pennar river. It would be within the recollection of the Council that between 1914 and 1915 I drew attention to certain spring channels in the Pennar river in the Cuddapah district and when inquiry was made it was clear therefrom that they had become silted up owing to various causes, that the wet cultivation under them had decreased and that there was consequent loss of revenue also. It is not necessary, at present, to inquire whether it is due to any neglect on the part of the ryots in those tracts under those channels or to other causes. The fact remains that the channels which have been irrigating the lands for a fairly long number of years have been silted up and that it is not possible for these persons to receive that advantage which they were entitled to receive. As a result of the investigations then made, I know that some small repairs were effected, but much more remains to be done in that direction.

"I may also mention that it is not in the Cuddapah district only but in the Nellore district also that there are spring channels which have become abandoned and ryots are not in a position to use these channels. If steps are taken to improve these channels, I have no doubt whatever that they will afford considerable relief to the ryot population and bring thousands of acres under cultivation. Some years ago, representations were made to the Government, but on account of expense and other difficulties steps were not taken. I think it is time that on account of the importance of the work some definite attempts are made to improve these channels and that a specific provision is made for them; these channels, small though they may seem, would really afford relief to a large number of ryots in the tracts concerned. I have knowledge of the conditions of the tracts in both the districts of Cuddapah and Nellore and I have no doubt that it will be a boon to the people concerned."

The Hon'ble Mr. W. J. J. HOWLEY :—"Your Excellency, the Honourable Mover of this resolution has mentioned that a number of these channels under the Pennar river have become silted up. It is quite true that that is the case. The Honourable Member mentioned that he did not consider it necessary to inquire whether this silting up was due to neglect on the part of the ryots or to other causes. The fact is that this silting up is due to long-standing neglect on the part of the ryots, who have been failing to carry out properly the customary silt clearance.

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It has always been recognized that silt clearance in spring channels is a duty which devolves upon the ryots and not upon the Government. Government undertake repairs with regard to spring channels only when they are of the nature of permanent improvements, such as the construction and repair of head sluices, cross drainage and other such masonry works, or the closing of breaches which are due to the want of suitable cross drainage works. In no case do we undertake silt clearance. In some districts, this silt clearance is attended to by panchayats; in other districts there is what is called an irrigation cess fund, which is a voluntary fund which represents the proportionate value of the ryots' customary labour. In Cuddapah, however, there are neither panchayats nor irrigation cess funds. The result has been that these channels have been very much neglected. The Collector in a report stated 'the silt clearance in channels is usually confined to the removal of silt to just above the water level and depositing it on the inner slopes. Owing to the heavy drift of sand, the spoil banks of the channel have gone higher up and the inner slopes have become steeper, so that the fresh shower of rain drives down the silt already removed again into the channel.' The result of this hand-to-mouth policy has been the progressive deterioration of these channels. Their slopes have become steeper and steeper and the banks higher and higher until they have become in some places so much as 15 or more feet in height. It was suggested, and it is the case, that the only remedy for this state of things is to cut back the slopes of the channel to the proper angle, and to cut the berms at suitable levels, on which the silt can be deposited when it is first taken out from these channels. That, of course, is a duty which devolves, or should devolve upon ryots. It is owing to this custom of placing silt on the slopes of the channels that they have become silted. If the ryots choose to take sand and silt in the first instance to the upper side of the banks on either side, there will be no necessity for these berms. However, Government have recognized in the case of the Pennar channels in Jammalamadugu and Prodattur taluks—I am afraid I have no information about the Nellore channels—that things have got somewhat out of hand and that the repairs are rather more than the ryots may be expected to be able to carry out themselves. Orders were therefore issued that the Superintending Engineer should after consultation with the Collector make estimates for the repairs of two or three channels and submit them for the orders of Government. In the case of spring channels no repairs other than the improvements I have already referred to can be carried out except with the sanction of Government. It is only in quite exceptional cases that Government do any repairs to spring channels. There are 7 of these channels in charge of the Public Works Department in Cuddapah district, with a total ayacut of 2,988 acres. The largest of these channels is Thallamapuram channel. An estimate amounting to Rs. 680 for this channel was sanctioned in October last and the work is either in hand now or about to be taken in hand. The next channel is Kothapalli channel with an ayacut of 629 acres and an estimate of Rs. 1,020 was sanctioned and sent for execution in July 1917. The next channel is Peddasettipalli channel with an ayacut of 432 acres and an estimate for Rs. 3,850 is now before the Government and orders will be passed in a few days. There is one more channel, the Rameswaram channel, and the Superintending Engineer says that the estimate is ready for submission.

"The Honourable Member will therefore see that considerable action has already been taken by Government in the case of the Pennar channels. The arrangement was that each channel should be considered on its merits, and this has been done in the case of each of the estimates which have so far come to Government and in the case of the remaining channels (which are only small channels) the same course will be followed, and if necessary, the berms of these channels also will be cut at the cost of Government. Any further cases which may arise will also be considered on their merits. Perhaps on this assurance the Honourable Member will not consider it necessary to press the resolution."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—"I do not press the resolution."

The Hon'ble Mr. T. RANGA ACHARYAR :—"I wish to speak on one portion of the Hon'ble Mr. Howley's speech. He raised the broader question as to the liability of Government to maintain these spring channels."

His Excellency the PRESIDENT :—"I do not think it is suitable for this discussion. If you want to raise it, you must take a suitable opportunity."

With the permission of His Excellency the President, the resolution was then withdrawn.

RESOLUTION RE RECEIPTS FROM RENT ON GOVERNMENT BUILDINGS USED AS RESIDENCES.

The next resolution which stood in the name of the Hon'ble Mr. M. Ramachandra Rao ran as follows :—

"XLIV. This Council recommends to the Governor in Council that the provision made under 'XXXI-B. CIVIL WORKS—Rent on Buildings' raised from Rs. 2,30,000 to Rs. 2,80,000."

With the permission of His Excellency the President, the resolution was not moved.

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allow other districts to come in, the result will be that the really poor districts will get squeezed out and this Government cannot therefore accept any new principle, nor can I advise the Council to accept any. I cannot possibly accept the resolution, because it will really commit us to a policy which is wholly opposed to the policy which we have adopted and which is a settled fact.

"At the same time, I am bound to say as one who has had some experience of Ramnad, where I had been a Divisional officer, I think that the construction of roads is one of very great difficulty, and it is much more costly to maintain roads there than probably in other districts. In view of the fact that we are in a position now to help some boards for this purpose, we are issuing orders to place Rs. 1 lakh at the disposal of the Ramnad District Board in the current year and ear-mark it for the improvement of communications. I trust that the money will be wisely spent and the Honourable Member will see that, while we cannot accept the resolution as it stands, because it is a departure from the policy that we have laid down, we are prepared to meet the Member half way and help him as far as we can."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I am very thankful to the Honourable Member and to the Government for allowing that sum of Rs. 1 lakh to be given to Ramnad for the construction of roads. I am not very particular about it, but I am particular about the resolution that I have placed before this Council. The Hon'ble Mr. Rajagopala Achariyar will, on examination, find that none of his principles will stand scrutiny. So far as Salem is concerned, not one of his arguments will apply. It has got an area of 6,298 square miles, a population of 1,700,527, and a mileage of 1,542 and its total receipts are Rs. 7,66,991. I do not know under what principle it could be brought under this category. That would not apply to the point that has been taken by the Hon'ble Mr. Rajagopala Achariyar. He was referring to population and to receipts per square mile, to the population of the districts being poor and the number of villages being few and limited, and therefore in the case of Bellary and Kurnool the population being half of Ramnad, the fact that Rs. 72,000 is given, while they get Rs. 50,000 and 43,000 from land cess whether this would create a difference of Rs. 22,000 is the point. The point I refer to is that this particular area in the Presidency has been left absolutely uncared for by the Government while Government realized from it the major portion of their revenues. If only 573 miles of roads exist, how could it be said that Ramnad has been brought to the ordinary condition of other districts? It has to be treated as a special district, till the ordinary condition is restored. Needy district boards have of course to be given help. What is needed is a circumstance that has to be decided upon. The question to see is what the population is and how much the district has been made to come to the level of an ordinary district in the Presidency. Take it as 800 miles of road and let Ramnad be brought up to the level of 800. Its population is very big, the number of villages is more than 3,000 and we have a large area of more than 4,000 miles to be covered and without communication it is going as though it were through a desert. Officers who have been there feel it. They have sent out plans and estimates, saying that unless the district is opened up, it will be very difficult. Your Excellency has been there, but only through the main road, the Trichinopoly road and no other portion has had the pleasure of receiving Your Excellency. Your Excellency would have had an idea of the dreary portion and the sandy tract. If once Your Excellency passed through them, you will find one expanse of a desert-like country and at a distance of every 10 to 30 miles, we have small villages. I want the barest justice done to it. Special consideration has been shown to the Agency and other portions of the Presidency. Government should look to this district until it is brought up to the normal condition of our districts and my figures will show that I have a case to press before the Government. If I am assured of the consideration of this matter I will not press it."

His Excellency the PRESIDENT:—"The Honourable Gentleman has laid his argument twice and my Honourable Colleague replied to it in a liberal spirit. If my Honourable Friend is inclined to quarrel with the Honourable Member—"

The Hon'ble Mr. K. RAMA AYYANGAR:—"Unless the assurance is given, I should like to have a division."

The resolution was then put to the Council and lost.

At this stage the Council adjourned for a short interval.

RESOLUTION RE IMPROVEMENT OF THE ROADS IN KODAIKANAL.

The Hon'ble Mr. K. RAMA AYYANGAR:—"The next resolution that I have to propose runs as follows:—"

'XLVI. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 10,000 be provided for widening and improving of the roads in Kodaikanal and the same be met by a corresponding reduction under the head 45-B. CIVIL WORKS.'

"If Your Excellency pleases, this may be met from '32-B. Miscellaneous.'

"My Lord, this is a small but important request that I make. The municipality has been pressing for some time—"

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The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (interrupting):—"We have sanctioned a sum of Rs. 10,000 to be distributed this year. So you may withdraw the resolution."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I withdraw it and I thank Government."

With the permission of His Excellency the President, the resolution was then withdrawn.

RESOLUTION RE GRANT TO THE MADURA MUNICIPAL COUNCIL FOR IMPROVING ANUPANADI CHANNEL.

The Hon'ble Mr. K. RAMA AYYANGAR:—"The next resolution which I propose to move runs as follows:—"

'XLVII. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 40,000 be provided in the budget for 1918-1919 for grants to the Madura Municipality for the improvement of Anupanadi channel and the same be met from the provision for minor sanitary grants in the same budget.'

"My Lord, your Lordship is aware that this Anupanadi channel runs through the heart of Madura and drains itself into the tank which has a big ayacut. This renders Madura liable to be infected almost throughout the year for about seven months in the year. Though the Vaigai river is not filled with freshes, yet all the spring channels keep it wet at all the time and the drainage of the town falls into it. It is a source of the greatest cause of infection, and it has been found necessary to pave it with stones on the sides and also cement the floor so that the town may be free from infection. Under these circumstances, I press, my Lord, that this may be provided for in the budget."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the work is estimated to cost Rs. 65,100 and a half-grant of it will be Rs. 32,550. We have ordered a half-grant for the current year and ordered disbursement of it in the current year."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I think it would be treated as a special case. I thank the Government for it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"We would rather not make an inconvenient precedent."

With the permission of His Excellency the President, the resolution was then withdrawn.

RESOLUTION RE GRANTS TO TALUK BOARDS TO MAKE UP DEFICIT BALANCES.

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, the resolution runs as follows:—"

'XLVIII. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 2 lakhs be provided for grants to taluk boards to make up their deficit balances and the same be met by a corresponding reduction under the head "45-B."'

"As before, I request I may be allowed to put it under '32-B. Miscellaneous.'

"My Lord, the object of this resolution is that in the case of such taluk boards as have been for years together in deficit, some attempts might be made to relieve them. I do not, of course, object to carefully seeing that they do not any more budget for deficit balances, but owing to wrong postings of figures and wrong calculations they have been utilizing funds which could not be utilized for other purposes. For instance, in the Madura District Board, large amounts of provincial balances were spent on roads as though the money was available for roads, but subsequently we had to cut short our expenditure and we managed to restore the finances of the board to the proper condition. In the case of most of these taluk boards, once they have been in debt, they find it almost impossible to make up, because even the ordinary conditions of expenditure are so great that they cannot afford to spare any money. The district board grants some subventions from Provincial grants and also otherwise, but all these are barely sufficient for meeting the current expenditure of these boards. My submission is that if at a time like this when we have a reserve of about Rs. 7 or 8 lakhs, even after the disposal of other funds, attempts should be made to see that these deficits are made up and strict injunctions are put upon them not to hereafter make deficit budgets as far as possible, that will go a great way towards relieving them and helping them to have better prospects. I only ask for Rs. 2 lakhs, for this reason that on a comparison of the deficit balances of the various taluk boards it is much more than this. I thought a close scrutiny will enable Government to find out cases in which this must be given to make up the deficit. In other cases, where they have funds which should be appropriated by them for their own expenditure, they may be asked to be debited with these funds and where real deficit arises, help ought to be given by the Government. For municipalities, provision has been made to cover such deficit balances. I want that in the case of taluk boards also, attempts must be made to clear up existing debts, so that they may start with a fresh and good financial year."

"With these words, I commend the resolution to the Council."

(Mr. Rajagopala Achariyar; Mr. Rama Ayyangar; [14TH MARCH 1918.
Mr. M. Ramachandra Rao; Mr. Chidambaranatha Mudaliyar
Mr. Ranga Achariyar.]

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I am wholly unable to accept this resolution and I would advise the Council not to accept it. The Honourable Member spoke of municipalities; but really there is no analogy. The municipality is under the Government; the taluk board is under the district board. If we are to provide for taluk boards to get over their deficits, we will have to provide for union panchayats. The Government deal with district boards. The district boards are responsible for keeping their own finances and the finances of all bodies subordinate to them in order. If any taluk board has a deficit, it is the duty of the district board to insist upon its coming into line, either by retrenchment or by making a grant out of its own funds. We only deal with applications from district boards. To ask us to make provision of Rs. 2 lakhs to be utilized for expenditure for institutions not subordinate to us direct, but subordinate to these district boards which are subordinate to us, to enable them to wipe off deficit balances, is a thoroughly wrong principle and would weaken the authority of the district board and would offer a premium to the taluk boards to be extravagant, because they will know they will be paid off their deficit balances. I think it will cut at the root of the machinery of local administration so far as local bodies are concerned and I must oppose it as wrong in principle."

The Hon'ble Mr. K. RAMA AYYANGAR:—"My Lord, I don't want to press this resolution to a division. District boards might apply in cases where it is quite urgent and necessary."

With the permission of His Excellency the President, the resolution was then withdrawn.

RESOLUTION RE GRANT TO MUNICIPAL COUNCILS TO RELIEVE THEM OF TOLL CONTRIBUTIONS TO DISTRICT BOARDS.

The next resolution which stood in the name of the Hon'ble Mr. Rama Ayyangar ran as follows:—

"**XLIX.** This Council recommends to His Excellency the Governor in Council that a sum of Rs. 1,00,000 be provided in the budget for 1918-1919 to relieve municipalities of their contributions to district boards from the toll receipts and that a corresponding reduction be made under the head '45-B'."

With the permission of His Excellency the President, the resolution was not moved.

RESOLUTION RE CONSTRUCTION OF A BRIDGE OVER THE COLEROON.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"May I point out that resolutions Nos. L and LII cover the same ground? I merely suggest to my Honourable Friends whether it is so."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"They are different subjects."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"They are different projects."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Your Excellency, the resolution which I wish to move for the acceptance of this Council runs thus:—

'**L.** This Council recommends to His Excellency the Governor in Council that an allotment of Rs. 50,000 be made under 45. CIVIL WORKS for the construction of a bridge over the Coleroon river at Anaikkara Chatram and a corresponding reduction be made under the special grants to local bodies for roads and bridges under the same head.'

"Your Excellency, this is just the place where there was a bridge till very recently, about a decade back."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"That bridge was washed away in 1884 in the floods."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"I believe it was in 1896."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"It was in 1903."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Was it washed away in 1903?"

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Yes."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"The Council may observe that this is the only bridge that connects the Tanjore district with the South Arcot district across the Coleroon river, the other bridge being at the lower Coleroon Anicut, in fact, over 20 miles off at the western end of the district. Apart from that, there is no other bridge, which crosses the Coleroon in the South Arcot district and what is more this bridge is just a few yards from the railway bridge. It is on the main road which connects the portion south of the river as well as the portion north of the river, in the main road to Madras. More than all, the Chidambaram and other valuable products, lies just on both sides in point of population and outturn of paddy also on the side of the Tanjore district as well, the most valuable lands lie on both sides of this spot, at Anaikaranchatram. This bridge was carried away by flood about 1903 and for some years

[14TH MARCH 1918.] (Mr. Chidambaranatha Mudaliyar; Mr. Rajagopala Achariyar; Mr. Ramanuja Achariyar.)

later, there has been a serious proposal to rebuild that bridge; but unfortunately later on that idea has somehow been dropped and the difficulty which people have been feeling is something very serious. Above all, ever since the railway traffic became less and less convenient and more and more hard, the difficulty of the want of the bridge is every moment becoming more and more keenly felt. Under these conditions, a bridge over the Coleroon river at Anaikaranchatram is a very great necessity in the interests of both the districts as well as the general main road from the south to Madras direct and I trust that the Government would see their way to accept this resolution and provide the necessary funds for that bridge over the Coleroon at Anaikaranchatram."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I find from the previous correspondence that in 1904-05, the cost of a bridge in this place was estimated to be about Rs. 5 lakhs—4.82 lakhs—for a new bridge for road traffic at the place mentioned. Then the Government considered it prohibitive and the expenditure could not be justified in view of the pressing needs of the locality. Apparently, the difficulty now is that railway arrangements are so very defective that probably the need for a bridge is more felt now than it would have been under more normal conditions. There is nothing before me to show what has taken place since 1904; and I have no objection to send the matter over to the District Board of Tanjore to look into and tell us what they think. I would prefer that the local body should have an opportunity of considering the suggestion and telling us what they think, without my committing the Government or the Council to a definite statement that this bridge is so necessary, that an expenditure like that suggested should be at once incurred. Pending that, I do not think we can agree to make a provision."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"You will send it to the District Board of South Arcot also."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"We will send it to both the District Boards of South Arcot and Tanjore. The Honourable Member will see that we cannot do anything more."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Your Excellency, I may just mention that both the District Boards of Tanjore and South Arcot considered this question as soon as the bridge fell down, within a year or two since that date and both the boards, if I remember right, wrote to Government pressing for it and I am not quite sure what exactly the reply of the Government was to that. But apart from that, I wish to inform the Council that the necessity for this bridge is being so keenly felt and now more keenly felt than ever, that it would be desirable that the Government give the Council an idea to what extent the Government are likely to support this bridge before asking the various local bodies to contribute to it. It is such a costly bridge and from all that I hear, I believe the bridge at the first opportunity was constructed by the Government themselves. From all that I learn I think the bridge is not likely to cost as much as Rs. 5 lakhs. My own memory is that it was expected to cost about Rs. 2½ lakhs. The Honourable Member's figures are more likely to be correct. What I learn from the Engineering officers, is that it is not likely to cost more than Rs. 2½ lakhs."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The estimate here is roughly Rs. 5 lakhs."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"May I know whether it is an iron bridge or a masonry bridge?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I have not got the information. I will give the information later on if the Honourable Member wishes it."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"From all the care that I have taken to make inquiries, I have been informed by Engineering officers that it is not likely to cost more than Rs. 2½ lakhs to construct a masonry bridge. That is what I have been able to gather. It is open to Government to arrive at their own estimate. But I am here to point out that the necessity for this bridge is being very keenly felt and particularly the Chidambaram taluk, being a heavy paddy-producing taluk, finds it difficult to carry its produce from that side to the Tanjore portion where a good deal of conversion of paddy into rice takes place and also for other purposes; the prices are markedly reduced in the Chidambaram taluk owing simply to the want of such a bridge across the Coleroon. Under these conditions, it is highly desirable that the Government should give their serious attention to provide this one bridge for the districts of South Arcot and Tanjore at as early a date as possible. I am thankful that the Hon'ble Mr. Rajagopala Achariyar has promised to give his attention to the ———"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"What I said was that I

would refer the question to the District Boards of South Arcot and Tanjore; assuming that they had an opportunity of considering it long ago, ten years ago, I am sure the Council will agree with me in thinking that, in a matter like this, we should consult them now."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"If the matter is referred to the district boards, the necessity for it will be a thousand times more insisted than before. I can assure the Council of that. What I want by means of this resolution is to make the position of Government clear in this matter; without Government help, if not entirely, at least to a very substantial degree, in the construction of this bridge, it is not possible to construct the bridge. It is in that view that I venture to place this before this Council and for the

(Mr. Chidambaranatha Mudaliyar; the President; [14TH MARCH 1918.
Mr. Rajagopala Achariyar; Mr. Ranga Achariyar; Mr. Siva Rao.)

consideration of Government. So what I exactly expect is that the Government should be in a position to promise us some substantial aid in seeing that this bridge is a reality. It is more with that idea that I brought forward this resolution."

His Excellency the PRESIDENT:—"Does the Honourable Gentleman wish to divide the Council?"

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"We know what the result is likely to be and I do not see any purpose in pressing this resolution before the Council."

His Excellency the PRESIDENT:—"The position of the Government is this: my Honourable Colleague Mr. Rajagopala Achariyar has said that he would remit this matter to the district boards concerned and invite their opinion and has pointed out that until their opinion is received, the Government can make no pronouncement whatever or begin to think about it."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"The district boards have already laid their opinions before the Government."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Twelve years ago."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"They are likely to express themselves now more strongly than ever because the need is more keenly felt."

The resolution was then put to the Council and lost.

RESOLUTION RE PROVISION FOR VILLAGE ROADS IN DELTAIC TRACTS.

The Hon'ble Mr. T. RANGA ACHARIYAR:—"My Lord, the resolution which I have the honour to move runs thus:—

'LI. This Council recommends to His Excellency the Governor in Council that from the 'Grants to district boards chiefly for village roads' provided for in the contributions under the head 45-A. CIVIL WORKS, Rs. 2,00,000 be specially allotted for village roads in deltaic tracts.'

"It will be noticed by reference to page 51* of the Revised Financial Statement that the items granted for village roads last year were distributed to the district boards mentioned there, namely Anantapur, Bellary, Kurnool, Cuddapah, Chittoor, Salem, Nellore and Chingleput and the last sentence says 'it is proposed to give similar grants for the year 1918-19.' It looks as though Government have committed themselves to repeat the distribution in the coming year to the same districts. I wish to press the claims of the deltaic tracts for consideration at the hands of the Government. The necessity for roads is more felt in deltaic tracts than in case of other districts. The deltaic tracts, it is true, contribute largely to the land revenue and also to the road cess, but at the same time this matter has to be remembered that it is more costly and more difficult to construct village roads in these deltaic tracts. We will have to acquire very valuable lands, build culverts for irrigation channels that run through them, so that to make one mile of road in a deltaic tract, I take it, is ten times more costly than in the case of poor tracts like Anantapur where the ground is dry and where village roads are not so much a necessity as in the deltaic tracts. Any one who has experience of these deltaic tracts knows the numerous villages situated quite close to each other, unfortunately with no communications with each other, with merely facilities for foot-traffic, but with a lot of grain to transport, which they are unable to transport, except by head-loads; and in the absence of communication, in the rainy season the first crop or the *kar* crop as it is called, in order to sell their paddy, they have to take on head-loads on slippery grounds for two or three miles to reach the main roads, because the village roads are not constructed so rapidly as they ought to have been in these tracts. For instance, taking Tanjore district, they have more costly roads to maintain; they get Rs. 4 lakhs by way of road cess, it is true, but most of it is spent on the Vallam side, or on the southern side and the deltaic tracts are bound to be neglected. In many cases the taluk boards have found it a necessity to form village roads, and more than fifteen years ago they said that village roads would be constructed where villagers were willing to give one-half, but the taluk boards have been unable to take up the work. The underlying mistake lies in the policy of the Government in the distribution that they are making. I do not grudge any grant that the Government make to the poor districts, but let not the deltaic tracts suffer on that account. I wish that the whole of the Rs. 5 lakhs should be reserved not only chiefly for village roads, but exclusively for village roads, and secondly I ask that a decent portion of it might be specifically allotted also to the deltaic tracts. I wish to press on the attention of Government that they are guided by a wrong policy in omitting altogether the deltaic tracts from the list of districts to which this grant ought to be made. I, therefore, recommend this resolution for the acceptance of the Council."

The Hon'ble Mr. P. SIVA RAO:—"If Your Excellency allows me, I wish to say a few words. I oppose this resolution with all the vehemence I can command. I know the history of this policy which the Government have now embarked upon. It is the policy which I recommended in March 1917. I made it a grievance that this Imperial grant of Rs. 14 lakhs now raised to 17 lakhs had been distributed on the one-fourth basis, namely, it is distributed proportionately to the land-cess collected by them. The result was that the poorer district boards which could not collect much

* Vide page 509 infra.

14TH MARCH 1918.] (Mr. Siva Rao; Mr. Rajagopala Achariyar;
Mr. M. Ramachandra Rao.)

land-cess or much land revenue suffered. On the other hand, I was strongly of opinion that in the distribution of this grant of Rs. 17 lakhs the grant should be distributed in inverse ratio to their resources. That was the strong view I had, not only now, but for the last 10 or 12 years, since I began to think about this matter. I know that the district boards of the Ceded districts have petitioned Your Excellency from time to time whenever Your Excellency visited our parts. Then they were told that the needs and requirements depended upon the population and so forth. I took the opportunity in 1917 to have that policy reversed as the result of an informal discussion and I promised not to lay my hands on the Rs. 17 lakhs grant because it had been stereotyped. Even now, I contend that the distribution is not quite logical, but whether logical or illogical it has been sanctified by custom, stereotyped by long practice and I made it a point not to touch it on the understanding and under the impression that my colleagues would not contest this principle of help being given to the poorer district boards. If the Honourable Members of this Council will be pleased to refer to the discussion that went on in March 1917, they will find the Honourable Member in charge urged that it is possible that other district boards might object. Then an assurance was given by my Hon'ble Friend Mr. Ramachandra Rao that in the matter of distribution to the poorer district boards nobody need cavil at it, because the principle was sound. I was once inclined to contest the principle on which the Rs. 17 lakhs was distributed according to the resources of district boards. I have also contended very strongly that the needs and wants of a district board do not depend upon the capability or upon its capacity to collect road-cess. Road-cess depends upon the collection of land revenue, which again depends upon the irrigation facilities. Deltaic tracts have a good deal of irrigation facilities and they can collect more land revenue and hence more road-cess. The Government have now come to the conclusion that these poorer district boards should receive some sort of help from the Provincial funds, if not from the Imperial funds. Now an attempt is made for the second time to shake that principle, the principle of doling out help to the poorer district boards. I take very strong exception to that. My Hon'ble Friend Mr. Ranga Achariyar said: 'I do not grudge the poorer district boards being given help.' But, as a matter of fact, the resolution shows that it is grudging. He wants that out of the Rs. 5 lakhs that has been given to district boards Rs. 2 lakhs should be cut out. If in the way that my Hon'ble Friend Mr. Rama Ayyangar did, he makes out a special case for any deltaic tract, as in the case of Ramnad, where road-forming is difficult, by all means let him have a special grant; but why lay his hand upon the wants of which I make bold to say he does not know much of. If he makes out a special case, the Local Government will be ever ready to listen to him and comply with his request. He says that road-making is difficult in the deltaic tracts where the acquiring of fertile soil is all very costly and he said that it was all dry land in the Bellary district. I may tell him that Bellary is too full of black cotton soil and that it is very difficult to maintain roads, but I know the needs of my locality and I assure my Honourable Friend that in the to form roads. I do not think my districts lag behind. Under these circumstances, I take strong exception to the shaking of that principle which has been arrived at after some deliberation—the principle of helping the poorer district boards with some grants out of Provincial revenues and the principle of stereotyping the Rs. 17 lakhs of grant."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I have very little to add to what has already been said on the subject. Honourable Members may remember in connexion with a previous resolution that I have explained the principle upon which we have stereotyped the Government of India's grant of Rs. 14 lakhs, now raised to Rs. 17 lakhs, so that all district boards which have been accustomed to get a particular grant from Government based upon their revenues may not be disappointed and their arrangements may not be dislocated. Having done that, we gave ourselves a free hand. We said 'we shall now give preferential grants to those district boards which are markedly poor.' For that purpose, mainly in consideration to those district boards which are markedly poor, I would deprecate the cutting down of stereotyped grant which will be given year after year. It is a non-recurring grant and not like the any grant. This is one of the most difficult tasks, a central Government having to hold the scales even as between the needs of the several localities; and I submit that the arrangement that we have arrived at is on the whole the fairest, in view of the commitments already made and the needs of the several localities. I would take this opportunity of inviting reference to the statement 3-E giving statistics of roads in the consolidated administration report sent up to the Government of India where the last column has given the outlay on roads from which it will be seen that the deltaic tracts have spent quite a large amount on roads, whereas the poorer district boards have been spending quite smaller amounts. I do not want to trouble the Council with a statement of figures, but a perusal of the figures will quite support my position. I have taken the arrangement that we have adopted as a reasonable one and it is advisable that when we come to a reasonable arrangement we should allow it to settle down because constant tinkering with it would produce a feeling of uncertainty. As the Hon'ble Mr. Siva Rao pointed out, if any district board has any special need of a particular kind and if funds are available, we can treat it like Ramnad, but to attempt to put well-to-do district boards in the same category as the poorer district boards like the Ceded districts will be cutting at the root of the policy we have been pursuing."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"I am at one with the Honourable Member as regards helping the poorer district boards. It seems to me that this resolution is partly due to a misapprehension of the wording in the Revised Financial Statement—

(Mr. M. Ramachandra Rao; Mr. Rajagopala Achariyar; [14TH MARCH 1918.
Mr. Ranga Achariyar; the President.)

grants to village roads. The Hon'ble Mr. Ranga Achariyar laid special stress on the wording which does not give any indication that the grant was intended for the poorer district boards. However, may I ask for which districts this Rs. 5 lakhs grant is intended?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"We have the information here. Anantapur got one lakh, Bellary got Rs. 80,000, Kurnool Rs. 80,000, Cuddapah Rs. 80,000, Chittoor Rs. 40,000, Salem Rs. 40,000, Nellore Rs. 40,000 and Chingleput Rs. 40,000. In the previous discussion I explained the principle on which we put them all in this category."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"It seems to me to be a fair distribution. I do not think my Honourable Friend would like to interfere with that distribution. It is quite open to us to come forward with a request for deltaic tracts later on on different grounds."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"The question which I wish to bring prominently to the notice of Government is that the Government should not be merely content with making a distribution of the Rs. 14 or Rs. 17 lakhs on that standardized rate. So far as that question is concerned, I do not quarrel with any, but I say that in making the grants from Provincial revenues the question should not be put aside, namely, the needs of the deltaic tracts should not be put aside altogether from the consideration of Government. The policy which the Hon'ble Mr. Rajagopala Achariyar has again affirmed to-day, although his allusions to the former grant made to the deltaic tracts, do not seem to be relevant to that conclusion which he has drawn, seems to suggest that the deltaic tract is put out of consideration in these grants altogether. What is meant by the needs of the district board? The question is not so much the poverty of the district boards, as whether the district boards are in a position to carry out the policy of extending village roads. I take it that the policy of the Government is that village communications should be extended and materially and speedily extended as far as possible. There is much greater necessity for them in the deltaic tracts than in those tracts which are merely dry grounds where roads can be easily made where there is very little transport, whereas in deltaic tracts they have got a large amount of transport. It is not passenger traffic but it is goods traffic that we have to look for. In the case of village roads, facilities must be created both in the interests of Government and in the interests of the people. Whereas these poorer district boards have very little grain to transport, how do you expect the Tanjore District Board, however rich it may be to carry out a policy of village roads between villages and villages, how are they to acquire land at the rate of Rs. 1,000 an acre in order to construct roads and how are they to construct costly culverts over the numerous channels? Surely the necessity of district boards is to be taken into consideration with reference to the needs that they have. They have larger needs and they have to spend ten times more money on roads. As I said, I do not want to be drawn into conflict with these poorer district boards; but I do object to this policy of the total exclusion of deltaic tracts which I see indicated in this paragraph. Whatever Provincial revenues are made available for village roads, some portion of them must be given to deltaic tracts. If he will not earmark these grants for village roads only for these dry tracts, if the Honourable Member will also consider the claims of the deltaic tracts along with the claims of other districts in making grants out of Provincial revenues, I have no objection. If the Honourable Member will give an indication as to what the Government's attitude is on this matter, I do not want to press this resolution to a division."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"We are only dealing with this grant of Rs. 5 lakhs for 1918-1919 and I have explained how it is arrived at. The Honourable Member asks me what exactly is the policy that we are going to pursue in future years. This is not a stereotyped grant. Probably we may not give it to anybody if we have no money. I would rather not tie the hands of the Government by a pronouncement in regard to a matter like that, nor is it desirable that the Council should by a premature resolution, commit itself on a matter which does not arise. The wording there is not village roads; the wording is 'grants to local boards for the improvement of village or other roads.'

The Hon'ble Mr. T. RANGA ACHARIYAR:—"So long as it is not a stereotyped principle, I don't wish to press this for this year."

His Excellency the PRESIDENT:—"We are really dealing only with figures for this budget; we are not going back upon any policy or enunciating any new policy."

With the permission of His Excellency the President, the resolution was then withdrawn.

RESOLUTION RE PROVISION FOR CONSTRUCTING BRIDGES OVER CERTAIN RIVERS IN THE TANJORE DISTRICT.

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Your Excellency, the next resolution runs thus:—

"LII. This Council recommends to His Excellency the Governor in Council that a special allotment of Rs. 1,50,000 be made in the budget under the head 45-A. CIVIL WORKS for the construction of bridges over the rivers Kudamurutti, Arasalar, Thirumalarajan and Cauvery between Papanasam and

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Kapistalam in the Tanjore district and that a corresponding reduction be made from the item of Rs. 5,56,000 'Reserve provision at the disposal of Government' under the head 32-E. MISCELLANEOUS."

"Your Excellency, it deals with a very vital need in the heart of the Tanjore district. Within the distance of a mile, there are four rivers between Papanasam and Kapistalam and these two villages of Papanasam and Kapistalam and all the villages lying about formed part of the Kumbakonam taluk. After the subdivision of that taluk, into Papanasam and Kapistalam, Papanasam has become the headquarters, where there is a secondary school which supplies the needs of villages for eight miles round about and there is a hospital there. It is the taluk headquarters and I am not sure that it will not become the headquarters of a district munsif, having regard to the growth of litigation in those parts. In the Papanasam taluk, rich villages lie north of these four rivers. There the necessity for bridges across these four rivers, was felt for a long time and when Kumbakonam was in charge of an Indian Civil Service Officer, it was engaging the attention of Collector after Collector and in 1911, the matter came to a head and was brought up before the district board of Tanjore when Mr. Austin was Collector and then the district board of Tanjore unanimously passed a resolution that these bridges should be built across the four rivers which are all merely irrigation streams, all situated within a mile and we have to cross four rivers to reach this distance of one mile. Otherwise, in seasons of flood, children, who have to go to school and people resorting to hospitals, have to cross these rivers through ferry boats and for nearly eight or nine months in the year it is very difficult for people to reach the headquarters of the taluk and for children to cross these rivers for the purpose of getting their education. Otherwise, we have to go ten miles west towards Tiruvadi or towards Kumbakonam side to cross the rivers. As I said, there is a large number of villages on the northern side of the river with a population of 15,000 to 20,000 people and with about 10,000 acres of wet land; the people owning such extent are put to this difficulty and nearly 35,000 kalams of paddy have to be transported to the railway station for being sent across for sale. Nearly 30,000 carts have to cross these places to carry the paddy. The matter was very carefully investigated by Mr. Austin and the district board unanimously passed a resolution that these bridges should be built upon these rivers and Mr. Sitarama Ayyar, the then Assistant Engineer, who was asked to estimate, estimated that the cost of these bridges, would come to about 2½ lakhs.

"When the matter was sent up here in 1912 the Engineering College people thought that it would be a good idea, being four rivers in such a short distance, that it would be a good place to build model bridges, so that the students of the Engineering College might have a place to go to in order to understand such things, and therefore they said 'why not alter the design of the bridges and make them more beautiful, model bridges for the purpose of educating the people who attend the Engineering College.' So they said that this modest estimate of Rs. 2½ lakhs might be altered. When that suggestion was being considered that it was to be a provincial thing altogether, because it would be an adjunct to the Engineering College, preparations were actually being made to start the foundation. Then it was stopped, and this matter was taken up and investigated afterwards by Mr. Wood. He and, I think, Mr. Walsh, who was the Vice-President of the District Board went to the spot and I remember there was a conference of the ryots of the taluk and I was present myself and presided at that conference, when Mr. Wood also was present; and we had a discussion as to the practicability of these proposals and we came to the conclusion that we must go on with the original estimate and that the other thing will have to wait indefinitely. Afterwards, for some reason or other, Mr. Wood without even consulting the district board, which originally passed this resolution, wrote up to the Government that he was investigating the matter, although they applied for a grant towards this purpose. He actually said 'you need not make that grant now. I am further investigating the matter.' He did further investigate the matter and we all came unanimously to the conclusion that this matter must be pushed through. To those who are not familiar with the Tanjore district, I would say this: These roads go from east to west and also the southern portion of the district is upland. This is the fertile portion and the richer portion. There are roads on both sides of the river going from east to west and going to Trichinopoly. There are cross roads connecting these two rivers. Near Tanjore there is the road to Tiruvadi. So also in Kumbakonam, ten miles west and ten miles east of Papanasam, we have a cross road which connects the northern portion of Tanjore with the southern portion of Tanjore. It will open up a nice good portion of the cotton-producing district, the Trichinopoly district up to the Udaiyarpalayam side and up to the Ariyalur side. Having regard to the immense cart traffic, they said that it was an absolute necessity to go into the matter. The matter was held up, the district board passed a resolution and every one connected with it felt it a necessity, but having regard to the fact that they have numerous demands, the district board do not find it easy to make these roads. It is not an easy thing in Tanjore to make roads and the demands on the district board are very great indeed and one such instance came up to-day in the resolution of my Honourable Friend Mr. Chidambaranatha Mudaliyar where the Tanjore District Board are unable to take the matter. This also, the Tanjore District Board are unable to take. It is more a provincial matter, it is a matter in which it may not be just to throw the whole burden or even a large portion of the burden upon the local board.

"I drew the attention of Government to this matter last May at the Ootacamund session and the reply was that it was primarily the duty of the local board to provide means of communication. I submit that it is not a sufficient answer to this difficulty. It is a need felt by classes of

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people who pay largely to the Government. They contribute largely to the revenue of the Presidency and as I said already, it will open up the two districts, Tanjore and Trichinopoly districts. These numerous irrigation canals and streams in that area create a great deal of difficulty. It is not so much the village roads, but the cross roads that carry produce. The matter is of very great importance. I know the locality personally, being a native of that part myself, and I deny myself the pleasure of going to my native village in consequence of the great difficulty I am put to in going there. For some six or seven months in the year, it is impossible to reach my village, whereas the railway station is only one mile from my village. There are thousands of people who are put to that inconvenience. The district board is quite willing to take it up, but they are afraid to approach Government now on account of war conditions. If the Government will refer the matter to the board, I am quite sure they will send forward proposals. I do consider that this is a matter which has engaged their attention for the last fifteen years. It is a matter which cannot be delayed any longer. It is a matter of great public utility and it is a work which, I submit, is primarily the duty of the local Government rather than of the local board to undertake. But let us not quarrel over that. The district board is quite prepared to take a fair share of the burden, but they do want considerable help from the Government, and I appeal to the Government very strongly to accept this resolution and if necessary, refer it to the district board and get their opinion. As a matter of fact, I know that they are keen on it; but they feel that it is impossible to provide for this necessity. It is an absolute necessity for the people there.

"I therefore commend this resolution."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the Honourable Member has given an account of the previous correspondence on the subject which saves me the need of doing so. It is true that at one time the Tanjore District Board did press the needs of the locality, but later on however the President of the District Board wrote to us that he was not satisfied with the necessity for providing these bridges and that he felt grave doubts whether the expenditure involved should be incurred. When I had correspondence with the Honourable Member I said that this was a matter essentially for the local board to consider.

"We allow ourselves considerable latitude in dealing with these things here, but it is a matter for consideration whether, after all, it is good for local boards that the impression should spring up that we deal so very much with local questions here. I would rather allow the local bodies to deal with these questions and not deal with them here behind their back; but in this particular case, I recognise that, in view of the correspondence that has already taken place, and the reports from the district board not quite at one with another, I will refer the thing to them and ask them to reconsider the whole matter in the light of circumstances now and tell us definitely what their opinion is as to the need for this bridge and as to how it is proposed to finance it, what help, if any, they need. We can then consider the question on its merits. That is the utmost we can do in this case and I trust that the Honourable Member would see that and he will not press for a commitment to this bridge in the budget allotment."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I accept that solution of the difficulty and as the matter will be referred to the district board, I shall not press it."

With the permission of His Excellency the President, the resolution was then withdrawn.

His Excellency the PRESIDENT:—"There are some heads not introduced."

The Hon'ble Sir ALEXANDER CARDEW:—"I introduce the last head 'Transfers between Imperial and Provincial Revenues.'"

I also introduce the head 36. REDUCTION OR AVOIDANCE OF DEBT.

The Hon'ble Mr. H. F. W. GILLMAN:—"I do not think I formally moved 'Civil Works.' I introduce it formally—XXXI. & 45. CIVIL WORKS."

His Excellency the PRESIDENT:—"It concludes all our heads to be introduced and all our resolutions. The Hon'ble Mr. Gillman will now take up No. 2."

THE MADRAS CHILDREN BILL.

The Hon'ble Mr. H. F. W. GILLMAN introduced a Bill to make further provision for the custody, trial and punishment of youthful offenders and for the protection of children and young persons, and moved that it be read in Council. In doing so he said:—"Your Excellency, I beg to introduce the Madras Children Bill and to move that it be read in Council. It is I think generally recognized that the law governing the punishment and the protection of juveniles is both defective and inadequate. The defects in the law regulating punishment were borne in upon the Government two or three years back, when in spite of instructions to magistrates which were intended to deter them from sending juveniles to prison and in spite of exhortations in the reviews of the annual reports on criminal justice it appeared that young people, juveniles, were being incarcerated and that Madras which of all presidencies was returning the greatest number of young people imprisoned continued to maintain its undesirable precedence in that respect. Besides that, the Government were impressed by the utter inadequacy of the power to protect young children who were, so to speak, potential criminals but had

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not committed any crime, for whereas in England most of the institutions and most of the schools that had been established are intended for the children of that class, here in India our hands are tied and we can do nothing for a boy until he has committed a crime and been convicted, and we can do nothing for a girl at all. We cannot, in fact, intervene to save from a life of crime the waifs and strays of the streets and those who are keeping bad company. Our helplessness is in the opinion of the Government due to the fact that the laws which we have to administer are archaic and out of tune with the ideas and conditions of the present day.

"The principal enactment which provides for the special treatment of youthful offenders is the Reformatory Schools Act, 1887, which gives power to magistrates to send to a reformatory school a boy under the age of 15 after conviction instead of to the jail. I would have the Honourable Members note that it does not give the criminal court power to send to a reformatory school a boy who is asked to furnish security, and a large number of young people who go to jail are sent there on that account. Also I would ask you to note that we cannot deal with girls under this provision. There are other minor provisions for children which I may just enumerate. They are section 31 of the Reformatory Schools Act which provides for the discharge after admonition or delivery to the parent or guardian, and this also applies to girls; also section 562 of the Criminal Procedure Code which permits their release on probation of good conduct. But I have looked into the annual reports and I find that these provisions are very seldom used.

"So the defects in the existing law may be thus summarised. In the first place it makes no satisfactory distinction between children and young prisoners; it does not operate until after conviction, and affords no means of rescuing the young who have not actually become criminals; it does not also enforce the responsibility of parents for the good conduct of their children, which is one of the most important principles of the English legislature on this subject.

"The Bill, Your Excellency, which is now before the Council is intended to remedy these defects. In the first place it abolishes, so far as the Madras Presidency is concerned, the Reformatory Schools Act, it distinguishes clearly between a child and a young person, the former being defined to be under fourteen and the latter between fourteen and sixteen. It enunciates distinctly that no child shall be imprisoned under any circumstances and that no young person shall be imprisoned, unless he is certified to be of such an unruly or depraved character that no other arrangement is possible and that he is not even fit to be sent to the reformatory school. It provides for the establishment of reformatory and industrial schools by the Government and also for the recognition of similar schools under private management. Part III of the Bill deals with youthful offenders and enforces also the responsibility of parents and guardians. Part IV deals with neglected children, while part VII gives power to set up juvenile courts which we hope by the way will be courts of a special nature without the unpleasant incidents attaching to the ordinary police courts.

"I do not think, sir, it is necessary to go into further details on the provisions of the Bill, for they have been fully explained in the statement of objects and reasons and will no doubt be very adequately discussed in the Select Committee. I hope Honourable Members, non-official members, will welcome this Bill as a useful and necessary piece of social legislation, and will assist the Government to the best of their endeavour by scrutinising it carefully so as to make sure that its provisions are in consonance with public sentiment in the Presidency."

The Hon'ble Sir Alexander Cardew seconded the motion.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"My Lord, the Hon'ble Mr. Gillman has explained the principal objects of the Bill, and speaking for myself, I welcome this piece of social legislation in this Council. I am glad that Your Excellency's Government have introduced this humanitarian piece of legislation following the English precedent and the analogy of the Children's Act. My Lord, on an occasion like this the principle of the Bill generally is under discussion. While I approve of the general provisions of this Bill as regards the principles of it, I have only to point out some doubts which have occurred to me on a cursory perusal of this measure. In the first place, I am sure Honourable Members will recognize in this Bill a distinct statutory declaration that a young person below the age of fourteen is not liable to conviction or imprisonment. That is quite a welcome departure in Indian legislation, and I am sure that the evils which the Hon'ble Mr. Gillman has pointed out in the working of the existing enactments will be removed by the provisions of this Act.

"The only point on which I feel considerable hesitation is as regards the applicability of the provisions of the Bill to female children, to girls. It is true that under the provisions of the earlier part of this measure as regards youthful offenders it is open now for convicted persons being sent to reformatory schools; but I lay great stress on this aspect of this measure, in regard to the provision in part IV of this Bill relating to the sending of neglected children to industrial schools. My Lord, clause 29 of this Bill empowers any police officer or other person authorized by the Governor in Council to produce before the court any person who is under the age of fourteen years and

(a) who is found begging or receiving alms, or being in any street, premises or place for the purpose of so begging or receiving alms; or
(b) is found wandering and not having any home or settled place of abode, or visible means of subsistence, or is found wandering and having no parent or guardian, or a parent or guardian who does not exercise proper guardianship; or
(c) is found destitute, not being an orphan and having both parents or his surviving parent, or in the case of an illegitimate child, his mother, undergoing transportation or imprisonment; or

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(d) is under the care of a parent or guardian who, by reason of criminal or drunken habits is unfit to have the care of the child; or

(e) frequents the company of any reputed thief.

"In regard to this clause 29 the first point which Honourable Members have to consider is as to whether police officers should be empowered to arrest girls under fourteen for the purpose of being produced before the court under the conditions mentioned in this section. It seems to me that there are grave doubts as to whether this would be quite in consonance with the sentiments of the community that such a power should be given in regard to female children. It is quite likely that difficulties will arise, and as the Hon'ble Mr. Gillman is quite aware of the state of female education in this country, it is not possible even in well-to-do families to secure the attendance of girls after the age of 12 or 13 in educational institutions. The sentiments of the people as regards giving this power to police officers to arrest girls who may be found homeless or who may be wandering or may be making a living without any visible means of subsistence, I venture to doubt, will be somewhat divided. Speaking for myself I feel some doubt whether this provision will work satisfactorily in practice and whether it may not lead to abuses.

"Then, my Lord, similarly there are provisions in this Bill as regards contribution by parents. There are two or three matters which I like to mention. Clause 29 empowers the police officer to produce the children under the circumstances mentioned in that clause before the court, and it is stated at the end of this clause, that the court before which a person is brought as coming within one of those descriptions, if satisfied on inquiry of that fact, and that it is expedient so to deal with him, may order him to be sent to a certified industrial school. The difficulties of sending female children who may be brought up under this section to a certified industrial school are too obvious."

The Hon'ble Mr. H. F. W. GILLMAN (*interrupting*):—"The idea is to have industrial schools for boys and for girls separately."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU (*continuing*):—"I am glad to know that, but there is nothing about that in the Bill. It would be open to any court or judge sitting or exercising jurisdiction under this Act, before whom the police officer produces a female child to send it to an industrial school. If that is so, it is certainly a comfort to know it. But even then I doubt whether such a course would be considered desirable. Then another point about this clause is that the inquiry which is contemplated under this clause is not stated to be a judicial inquiry. The word used in clause 29 is 'inquiry' and I do not know whether it is the intention of the Honourable Member that this should be a summary inquiry or whether there should be a trial or whether it should be a judicial proceeding, because I find at the end of the Bill that the orders passed are appealable. Section 43 says 'an appeal from an order made by a court under sections 29, 30 or 31 shall lie etc.'"

The Hon'ble Mr. H. F. W. GILLMAN:—"It is all provided for in clause 42 (p)."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"I do not think that it would do at all. According to the definition of the Criminal Procedure Code, an inquiry is anything but a trial."

His Excellency the PRESIDENT:—"Which clause is the Honourable Member discussing?"

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"Clause 29. The word used is 'inquiry.'"

His Excellency the PRESIDENT:—"The court has to be satisfied."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"My submission is I should like to know from the Hon'ble Mr. Gillman whether this is a judicial inquiry where evidence would be taken."

The Hon'ble Mr. H. F. W. GILLMAN:—"It is an inquiry by the court."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"But it is not a trial. Another point that I should like to mention is in regard to clause 31. It provides for contribution by parents. The clause as it is drafted does not provide for the parent being heard and to be followed. In this connexion, I would invite the attention of Honourable Members to section 488 of the Criminal Procedure Code which lays down the procedure in the analogous case of maintenance. It provides that 'all evidence under this chapter shall be taken in the presence of the husband or the father, as the case may be, or when his personal attendance is dispensed with, in the presence of his pleader, and shall be recorded in the manner prescribed in the case of summons cases.' The cardinal defect with regard to clause 29 and clause 31 is that no form of trial is prescribed. It is clear from clause 31 that orders for contribution might be made against parents, and it is only right that the parent concerned should have an opportunity of being heard in defence when the order is also appealable under clause 43 of the Bill. So, my Lord I do not know whether under the clause as drafted it was the intention of the draftsman that the trial should be summary or that the trial should be in conformity with the provisions of the Criminal Procedure Code or whether it should be as in summons cases or as in warrant cases. It seems to me it is absolutely necessary that some provision should be made for these trials.

"I have only one other observation to make and that is with reference to clause 43 at the end of the Bill as regards appeals. My Lord, even here there is no provision anywhere in this Bill that any order passed against a parent or in regard to a child under clause 29 is to be

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communicated to the parties affected. I am mentioning all these matters because these are matters of absolute importance in a legislative enactment both as regards appeals and the limitation of time for appeals. Clause 43 as drafted does not provide for any limitation of time or for compulsory communication of the orders of the court that might pass these orders.

"My Lord, in concluding these brief remarks I would again ask the Hon'ble Mr. Gillman to consider at the proper time whether, whatever may be the provision with reference to juvenile offenders, it must include female children, whether it is necessary to extend the provisions of clauses 29 and 30 to female children who will be liable to be arrested by a police officer while begging in the street."

"One other matter which I should like to mention is with reference to the question of juvenile smoking, which under the terms of this Bill is omitted. In the corresponding enactment in England considerable provision has been made in regard to this matter. I refer to section 39 of the English Children Act, which says that any person who disposes of tobacco to children is liable to punishment. It says: 'if any person sells to a person apparently under the age of sixteen years any cigarettes or cigarette papers whether for his own use or not, he shall be liable, on summary conviction, in the case of a first offence to a fine not exceeding two pounds, and in the case of a second offence to a fine not exceeding five pounds, and in the case of a third or subsequent offence to a fine not exceeding ten pounds.' Then there is a provision as to the forfeiture of the tobacco. There are some other provisions relating to juvenile smoking. I am sorry that my Hon'ble Friend Mr. Narasimha Ayyar who is interested in the question of juvenile smoking is not present here to-day. I should think there is absolutely no harm in the introduction of such provisions as are appropriate here in this country in a Bill which deals with the question of legislation regarding children."

"Then there is another matter and that is the sale of intoxicants to minor children. There are provisions in sections 119 and 120 of the English enactment which make it an offence for any person to dispose or to sell to minors or children under the age of five 'any intoxicating liquor, except upon the order of a duly qualified medical practitioner, or in case of sickness or apprehended sickness, or other urgent cause.' Section 120 says: 'The holder of the licence of any licensed premises shall not allow a child to be at any time in the bar of the licensed premises, except during the hours of closing.'"

(2) 'If the holder of a licence acts in contravention of this section, or if any person causes or procures, or attempts to cause or procure, any child to go to or to be in the bar of any licensed premises except during the hours of closing, he shall be liable, on summary conviction, to a fine not exceeding, in respect of the first offence, forty shillings, and in respect of any subsequent offence, five pounds.' "I ask the Hon'ble Mr. Todhunter, who is an authority on all matters relating to abkari, whether there are any provisions in any Indian enactment and he assures me that there are none. It seems to me, my Lord, that in these two respects, as regards juvenile smoking and placing a prohibition against the disposal of intoxicants to children, this Bill might be supplemented by appropriate clauses on the lines of the English Act."

"These are some few observations that have occurred to me. I may assure the Hon'ble Mr. Gillman that this measure, which I suppose is the first measure of social legislation introduced in this province, and I suppose also in this country, would be welcomed as quite a desirable departure. In concluding my observations, my Lord, I should say that the essence of the English enactment is the opening of industrial schools; the financing of the industrial schools and the reformatory schools under the English Act is by Parliamentary grants and also by subsidizing local bodies. I am glad to see the provision in this Bill that the industrial schools and reformatory schools are to be established by the Government. But I should also like to associate in this work local bodies who might be encouraged by appropriate grants as in England to undertake this humanitarian work and not merely rely on voluntary associations which do not exist in this country. If this measure is to succeed, the financial aspect of the proposals which is involved in this work of social reclamation of the criminal classes or neglected children is one which cannot be forgotten. I know that your Excellency's Government have difficulties in inserting financial provisions in provincial enactments."

"I have only one small observation to make. In clause 42 power is reserved to the Governor in Council to pass some by-laws, quite a novel provision. Sub-sections 2 (o) and (p) are novel. Sub-clause (o) is 'the detention of children and young persons under arrest or remanded or committed for trial'; sub-clause (p) is 'the procedure to be adopted in juvenile courts.' I am rather surprised that the Governor-General in Council should be anxious to regulate the procedure in these two particulars; because sub-clause (3) says all rules made under sub-sections 2 (o) and (p) shall be subject to the previous approval of the Governor-General in Council. I should like to know from the Hon'ble Mr. Gillman why this particular provision finds a place in this Bill."

"As regards the question of courts, I take it that clause 4 confers concurrent jurisdiction on first-class magistrates as well as second-class magistrates. This is a matter of detail which, when it comes to be examined, has to be looked into. I do not see why bench courts have been omitted from the category of courts which might try these offences under this enactment."

"My Lord, I once more beg to assure the Hon'ble Mr. Gillman that we shall, so far as we can, look into this Bill and try to improve it as far as possible."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU:—"My Lord, I also welcome the introduction of this Bill. I have no doubt that it is a piece of social legislation, the main principles of which will be generally accepted throughout the country. I am very glad that a bold step forward has

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been taken on this occasion in the case of children and youthful offenders throughout this province. But it would have been more satisfactory if the Bill had been made more comprehensive than it is at present. In the English Children Act of 1908 which has been practically adopted as the model for this measure, there are proper provisions made for infant protection under sections 1 to 11 of the Act. Special provisions have been made in the case of infants under the age of 8 or 7 years, and in this country also their case requires special protection. We find a provision in section 12 of that Act regarding cruelty to children and it is a matter for consideration if a similar provision cannot be made in this Act as well. Provision has also to be made, as pointed out by the Hon'ble Mr. Ramachandra Rao, regarding juvenile smoking which has been omitted in this Bill. These are three main subjects which find a place in the English Children Act, but which, for reasons which are not quite clear, judging from the statement of objects and reasons, have been omitted from the present Bill. I for one would think that steps should be taken in this direction also.

"Now coming to the main provisions of the present Bill, without going into elaborate details, it will be clear that so far as part II is concerned it refers to reformatory and industrial schools either established by the Governor in Council or certified by the Governor in Council. Though the word industrial school has been used as in the English Act, I hope and trust that it includes in its scope agricultural schools, because there might otherwise be a doubt in the minds of some whether, in this essentially agricultural country, industrial schools strictly so called will be sufficient. There may be several agriculturists who may be anxious to have their children sent to agricultural schools. If it is meant to include agricultural schools, I have no quarrel; otherwise I think it is better to make it clear. In the same part referring to the schools we find that the provisions of clause 17 of the Bill confer certain powers of inspection in the case of uncertified schools and institutions. In giving effect to the provisions of this clause, it is, I believe, necessary and desirable that a certain distinction has to be kept in view, whether the persons concerned are boys or girls and whether they belong to one religious denomination or another. In the corresponding provision, section 25 of the English Act, we find special provisions as to the girls' homes being visited and inspected by women and also as to the religious principles of the institution being maintained.

"The next part III deals with youthful offenders. I would draw attention to clause 26 of the present Bill which imposes certain specific obligations on parents or guardians of the youthful offenders concerned. As stated in the English Act, it states that the guardian is liable to pay a fine unless he cannot be found, or unless the court is satisfied that he has not conduced to the commission of the offence by neglecting the child. The provisions are very elastic and wide, and it is desirable that there should be certain safeguards so far as the enforcement of this provision is concerned. There is an appeal under section 99 of the English Act which does not find a place in the present Bill. Clause 43 of the Bill refers to appeals against orders made under sections 29, 30 and 31, but does not refer to section 26. That is why I find it necessary to bring to the notice of the Council that as regards a new provision of this description which is to be worked here under peculiar circumstances with full knowledge that parents or guardians may not for a long time to come, especially where they are uneducated, realize their full responsibility, there should be ample safeguards in the Act itself.

"The next part IV deals with the mode of sending neglected children to industrial schools. The most important clause to be considered in this connexion is clause 29. The Hon'ble Mr. Ramachandra Rao has already made some observations regarding this clause. I would add that the clause is not sufficiently comprehensive or wide. It will be found that in the corresponding section 58 of the English Children Act provision has been made not only for the persons of the description mentioned therein, as youthful offenders who frequent the company of any reputed thief, but the corresponding portion of section 58, clause (f), also says 'who frequent the company of any reputed thief or of any common or reputed prostitute.' When we are trying to include in the scope of this Bill the case of girls, I do not find any justification for such a provision having been omitted. I would suggest that it is necessary to take into consideration that provision also and to provide for cases where these young persons are found to frequent the company of a common or reputed prostitute. We find in the corresponding English Act also a provision in these terms 'who is lodging or residing in a house or the part of a house used by any prostitute for the purposes of prostitution, or is otherwise living in circumstances calculated to cause, encourage or favour the seduction or prostitution of the child.' I do not find any justification for this Bill which deals with the case of girls not containing a provision in that respect.

"The next part deals with the maintenance and treatment of persons sent to certified schools or committed to suitable custody. Clause 31 of the Bill has already been dealt with by the Hon'ble Mr. Ramachandra Rao. It refers to the liability of the parents to contribute if they are able to do so. Suppose parents are not able to contribute, there must be a specific provision made for such cases. The Government will be in a position to find funds even in the case of schools which are certified. In Government schools no such provision is necessary, but these persons are also liable to be sent to certified schools; and these youthful offenders cannot be left to their care unless proper provision is made for their maintenance. When the liability for maintenance has to be discharged, there must be necessary provision made to safeguard their interests."

His Excellency the PRESIDENT:—"These are rather committee points. I do not know whether we will get any satisfaction by this debate. According to the rules at this meeting we can discuss the general policy of the Bill."

14TH MARCH 1918.] (Mr. A. S. Krishna Rao ; the President ;
Mr. Suryanarayana Rao ; Mr. Gillman ; Mr. Ranga Achariyar.)

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—“ I do not want to enter into details. I am only pointing out that this Bill must contain due provision for their maintenance.”

His Excellency the PRESIDENT :—"This discussion must be on the general purposes of the Bill. We cannot go into the details at this debate; we shall have to see whether it is on right principles. Let us see whether the Bill is founded on good principles. The committee will go into the details. Every detail will be gone into and discussed in the committee. We are losing the general purview of the Bill."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—"I have only one other remark to make and with that I shall close. I also wish that the Bill contained clearer provisions about the constitution of juvenile courts. It is also desirable that the Bill itself contains the provision for juvenile courts. With these remarks, I support the motion for the introduction of the Bill."

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU :—"My Lord, I shall not detain the Council very long. I have only very few remarks to offer. I congratulate the Hon'ble Mr. Gillman on the introduction of this measure. As regards section 4 it would appear that concurrent jurisdiction is given to all the magistrates and I am confirmed in that view by section 43, which says 'an appeal from an order made by a court under sections 29, 30 or 31 shall lie, (a) if passed by any magistrate other than a District or a Presidency Magistrate, to a

(a) if passed by any magistrate other than a District or a Presidency Magistrate, to a District Magistrate;

‘(b) if passed by a District Magistrate, to the Court of Session, etc.’

"One would think that under this Act the Sessions Judge, the District Magistrate, the first-class magistrate and even the second-class magistrate can take up cases, all of them having concurrent jurisdiction. They might have concurrent jurisdiction, because it is a matter which relates to the person of the offender or neglected child, but at the same time I think some limit must be imposed."

The Hon'ble Mr. H. F. W. GILLMAN:—"These are also, I suggest, matters for the select committee."

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU:—"Then with regard to section 29, I have only one word to submit. Reading section 29 one would think that it refers to a male person, because we see in the last clause 'the court before which a person is brought as coming within one of these descriptions if satisfied on inquiry of that fact, and that it is expedient so to deal with him, may order *him* to be sent to a certified industrial school.' No doubt male includes female, and 'him' may mean 'her.' Section 29 reads as if it were intended for males. But sub-clause 2 refers distinctly to a child. My only submission is that probably for the present we might confine the Bill to males only and not extend it to females. There are considerable dangers which we should anticipate in the enforcement of section 29 in regard to girls; for instance with regard to police officers having power, the girl may be taken from one place to a distant place till the police officer chooses to place the girl before a first-class magistrate. I do not think it is quite safe to entrust a young police officer with the custody of a girl of the age of 13 or 14. We know that in India girls are generally married at the age of ten or eleven and surely they would not remain unmarried till the age of 14. There may be caste difficulties. I would, therefore, submit that for the present section 29 may be extended only to males and not to females also in course of time if it is absolutely necessary."

"Then with regard to industrial schools, the Hon'ble Mr. Gillman was pleased to observe that industrial schools would be opened separately for boys and girls. I do not know whether industrial schools include agricultural schools. I do not think we can send girls to agricultural schools; therefore that is another additional reason why section 29 should be confined only to males. No doubt provision has to be made with regard to the maintenance of these neglected children or youthful offenders, but provision would have to be made as to where the funds are to come from."

The Hon'ble Mr. T. RANGA ACHARIYAR :—“ As one closely connected with the management of the Society for the Protection of Children in the City of Madras, I beg to offer the thanks of the members of that society for introducing this most necessary and useful measure into this Council. There are certain provisions in the Bill which are open to some doubt and which require further consideration. As has been pointed out, the Bill deals with both classes of people, boys and girls. Whether in this country we should not make distinct provisions as regards the courts and also the persons who have to deal with boys and girls is a matter for very careful consideration at the hands of the Government. In the case of courts for girls it may be necessary that the courts would have to be aided by assessors of ladies or women who will have more knowledge as to how to deal with girls, and in the case of boys the court may have to be assisted by men-assessors. The constitution of the courts will have to be considered very carefully. What the court is to be must be defined by the law and not by rules. Again as to the persons who have to deal with these youngsters, it is a question whether we should leave them in the discretion of the police, or whether we should have a special staff of people for children. This is another matter for consideration, whether you would deal with them as ordinary criminals or they should have a special class of people as we have in our society, inspectors or assistant inspectors.”

The Hon'ble Mr. H. F. W. GILLMAN:—"Both."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"That will have to be provided for. Again, I find a departure from the English Act in regard to bail. It is obligatory under the English

(Mr. Ranga Achariyar; Mr. K. R. V. Krishna Rao.) [14TH MARCH 1918.]

Act to grant bail but according to the Bill it seems to be discretionary. I should like to know whether it is in the discretion of the police to grant bail or not, in view of the fact that the word 'may' has been substituted for the word 'shall' in section 18 of the Bill. There are other provisions which are open to some doubt. As regards whipping whether we should retain it at all in this Act is a question to be considered. Whipping, in the case of youngsters, is not to exceed 15 stripes. Under the Criminal Procedure Code whipping is very severe, I have witnessed it myself. Whether there should be whipping of that sort or whether we should have another mode of caning as in the schools will have to be considered.

"I also have my doubts as to whether the provisions of section 39 are wide enough and comprehensive enough to protect the religious usages and beliefs of the people concerned. That is also a matter which will have to be considered in the later stages of the Bill—whether in the schools which the Government have undertaken to start, namely, industrial schools, it should not be obligatory on the Government, as they now pursue a policy of religious neutrality, that religious instruction should be imparted, according to the religion of the pupils in the schools. That is also a matter which will have to be considered. Again in handing over children to the custody of people for which provision is made, so far as possible they will have to be handed over to people who follow the same religion.

"These are the features of the Bill to which I would draw the attention of the Council. As regards the omissions, it is a serious omission that no provision is made so far as juvenile smoking is concerned. It is a serious evil which is spreading; in towns and in villages you find every little boy with a cigarette in the mouth. That is a most unwholesome thing and the public will gladly welcome a measure to prevent or minimize juvenile smoking which we find is very prevalent nowadays. There is another omission; I do not know whether it is intentional. Whereas under the English Act people who expose children are made punishable, there is no such provision made here. In the case of cruelty to children even parents and persons who are in charge of children adopt the ancient method of tying very heavy chains round the legs of boys. Whether we should not put a stop to that cruelty is another matter which should be considered.

"Again, I do not find any provision for cases where people undertake entertainments for children to secure the safety of the children who are taken to attend such entertainments; there are provisions in the English Act to regulate such places of resort.

"I do not think the apprehension of my friend the Hon'ble Mr. Ramachandra Rao on account of the omission of the word 'trial' is a matter of much significance, because the court is to make an inquiry, and an inquiry by the court is all that is needed and not a trial as if they were offenders. We should rather avoid as much as possible association with criminal courts. Whether in the case of parents or guardians or of the children, I would rather dissociate them from criminal proceedings and adopt some satisfactory procedure peculiar to these courts. I would strongly advocate that the courts should always be assisted by assessors who will be aiding the court and offering advice as to the manner in which children should be disposed of.

"Again, I do not find any provision in the case of private schools, for which provision has been made, similar to section 73 of the English Act which makes it obligatory on the State to make a contribution to private institutions. It is so in the English Act and the schools there are institutions which are run by private agency, and it is obligatory upon the State to contribute towards their expenses. I think that such a provision is necessary and it is an omission which will have to be rectified.

"One other important matter which I think may be considered by the Government in dealing with this matter is whether it should not have children committees, taluk committees or district committees in order to deal with these matters, so that they may be of assistance to the administration of the measures contemplated in this Bill, and it would be desirable indeed in the co-operation and assistance of such committees. I do think that in towns it will be possible to enlist the co-operation of such a committee and it will facilitate the work of the Government and of the police. I therefore gladly welcome the measure and support it. I hope that the Bill, when it emerges from the select committee, will take a more satisfactory form. I cordially support the principles of the Bill."

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU :—"My Lord, I heartily welcome this measure and thank the Government for introducing such a useful and wholesome piece of social legislation. As has been observed by my Hon'ble Friend Mr. Ramachandra Rao, I find considerable difficulty if girls are also to be brought in under the operation of this Bill. Under section 29, the police officer is empowered to seize and take any boy or girl under the age of fourteen found in the streets, either begging or wandering; and there are so many conditions of fourteen found in the streets, either begging or wandering; and there are so many conditions of Reformatory Schools Act, it is only offenders who are punished for offences punishable with imprisonment or transportation that are taken before the magistrates and are sent to industrial or reformatory schools. I think with regard to girls the section may be restricted only to actual offenders among girls and that potential offenders may be left out. If a girl happens to be an actual offender, that girl may be taken before a magistrate and the magistrate may under this Bill send her to the industrial or reformatory school; but as regards other girls covered by clause 29 of this Bill, I think it is better to leave all girls. Otherwise, if a girl is sent to an industrial or reformatory school and comes out of the school after she attains her sixteenth year, here will be a great deal of difficulty, according to the custom of the country, in getting her

14TH MARCH 1918.] (Mr. K. R. V. Krishna Rao; Mr. Rama Ayyangar.)

married. Considering the prevalence of child marriage in the country, a girl may be taken even after her marriage, because most of the girls are married before their fifteenth year and considerable difficulty may arise if girls are also to be included in this Bill. I, therefore, propose that the Bill may be restricted to girls who are actual offenders and that potential offenders may be left out. With this one reservation I again thank the Government for introducing this most wholesome piece of legislation in this Council."

The Hon'ble Mr. K. RAMA AYYANGAR :—"My Lord, amidst the combined voice of all the non-official members who have so far spoken, I feel bound, in spite of that voice, to sound a note of warning. My Lord, I believe the total application of the provisions of the Act to a country quite dissimilar to England may not be quite welcome, unless it is restricted to the absolute needs and conditions of the country to which the law is sought to be made applicable. My Lord, there is a great deal of difference between beggars in England and beggars in this country. I do not think that the ordinary rules that might be quite suitable and acceptable in Great Britain will be quite suitable here. One of the very well-known habits in this country is to have free choultries and rest-houses and boarding houses throughout the length and breadth of the land, and every home feels it its duty to help a beggar as much as it can. We cannot by the introduction of a legislation of this kind in a moment change the nature of the people. As I said, where the absolute needs of the country require that there should be legislation, to that extent, I submit, my Lord, I raise no objection. So far as offenders are concerned, there should be no objection; it is only very proper that the present enactment is extended to them and every provision is made to safeguard all. As regards the rest of it, where it is a question of bringing to these schools or classes non-offenders, the question is whether the enactment of clause 29 is necessary at all.

"I should submit, my Lord, that, except for one clause there, it is quite unnecessary to have an enactment of that kind, where there is a provision in section 30 for the purpose which necessarily requires intervention. Section 30 refers to cases where the parent or guardian of a child proves to the court that he is unable to control the child and that he desires the child to be sent to an industrial school; in such cases the children might be brought under the control of courts and can be taken up under the control of Government institutions or institutions recognized by the Government for the purpose of improving the conduct and character of these juveniles. In the case of section 29, I think that clauses (a) (b) and (d) might not at all be enacted, because they would not be suitable to the conditions of this country. As regards clause (d) of section 29 I should think section 30 will cover that case, and it is not necessary to have clause (d) because where there is a parent who is of drunken habits and unable to take care of the child there will be persons who will actually take care of the child or apply under section 30. As regards clauses (a) and (b) it is against the grain of this country to have any legislation which will enable police officers or others to catch hold of beggars and take them before a magistrate so that they may commit them to a reformatory school or some other school. Similarly with regard to clause (b) the same question arises, destitute people being taken care of. I should have no objection to such children being taken care of when produced before magistrates, but even in such cases the question is whether the police should interfere or whether it would be proper to have committees such as the associations referred to by the Hon'ble Mr. Ranga Achariyar who may be asked to take charge of an area and do the needful. That is a matter to be considered.

"More than that, to make a general provision that any child, boy or girl under fourteen, may be produced before a magistrate by a police officer simply because it 'is found begging or receiving alms . . . or being in any street, premises or place for the purpose of so begging or receiving alms; or is found wandering and not having any home or settled place of abode, or a visible means of subsistence, or is found wandering and having no parent or guardian, or a parent or guardian who does not exercise proper guardianship' is not necessary. This clause will mean this. In this country in villages when parents have a number of children they just allow their children to come into towns and beg in the nights, and they do beg and are able to live upon that. In the morning they may do sundry little work and earn a pittance which may not be sufficient for the family; but actually this begging is freely encouraged, and these boys and girls do get on to a considerable extent. We will be taking a large responsibility, unnecessary responsibility, in a country where the total spirit of the people is quite different. Except where the conditions and environment of the child require that the Government should protect the child either from destitution or becoming hopeless criminals, this power to bring children who are not criminals under the power of the Act must be absolutely avoided.

"My Lord, I have carefully followed the discussion, and I quite well realize the spirit with which my Honourable Friends have thanked the Government for introducing this measure. I have myself no objection to the measure so far as I have indicated, but I do not think it can be utilized and extended to cases where ordinary beggars and other people who make a living by begging are concerned. I do not think any enactment can be made in their case. I think the general line has been, because the English Act has been followed here, my non-official friends have tried to go through the Act carefully and tried to make suggestions. But I should think, my Lord, that, so far as I have mentioned, the spirit of the Act must change and it would not be acceptable to the conditions of this country. Probably for some time it may be that it is either a dead letter or it may be that it becomes an oppressive weapon. I do not think, my Lord, except in the cases where the parents themselves want protection and in the cases of the children of destitute parents or criminals, we should interfere by this legislation and take charge of the children and commit them to wherever we like them to be committed."

THE MADRAS CHILDREN BILL

(Mr. Ramanuja Achariyar ; Mr. Chidambaranatha [14TH MARCH 1918.
Mudaliyar ; Mr. Sadasiva Bhat ; Mr. Gillman ; the President.)

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—" I beg to associate myself with the remarks that fell from the Hon'ble Mr. Rama Ayyangar. Many students live by begging and take free food. Are they to be taken under the Act? The provisions about begging should be omitted from the Act."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR :—" Your Excellency, I am also in favour of restricting the scope of this Bill to the class of people whom the Hon'ble Mr. Rama Ayyangar has described."

The Hon'ble Mr. K. SADASIYA BHAT :—" I also wish to associate myself with the views expressed by the Hon'ble Mr. Rama Ayyangar."

The motion that the Bill be read in Council was put to the Council and agreed to.

The Secretary read the title of the Bill.

The Hon'ble Mr. H. F. W. GILLMAN :—" I beg to move that the Bill be referred to a Select Committee."

The Hon'ble Mr. A. R. Knapp seconded the motion.

The motion was put to the Council and agreed to.

The Hon'ble Mr. H. F. W. GILLMAN :—" I beg to move that the Select Committee do consist of the Hon'ble the Advocate-General, the Hon'ble Mr. J. H. Stone, the Hon'ble Khan Bahadur Aziz-ud-din Sahib, the Hon'ble the Most Rev. Archbishop Aclen, the Hon'ble Mr. T. Richmond, the Hon'ble Mr. A. Subbarayalu Reddiyar, the Hon'ble Mr. A. S. Krishna Rao, the Hon'ble Mr. Gordon Fraser and myself."

The motion was put to the Council and agreed to.

His Excellency the PRESIDENT :—" That concludes that portion of our business. As the Council is aware, that concludes our business. We meet on the 3rd of April."

The Council was then dissolved.

N. E. MARJORIBANKS,
Acting Secretary to Govt. L. & M. (Legislative) Dept.

APPENDIX.

REVISED FINANCIAL STATEMENT FOR 1918-1919

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PART

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and the Accounts

Heads of Revenue.	Accounts, 1916-1917.	Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
1	2	3	4	5
	LAKHS.	LAKHS.	LAKHS.	LAKHS.
I. LAND REVENUE	299.04	301.46	302.34	305.69
IV. STAMPS	77.95	80.25	77.50	79.75
V. EXCISE	186.01	189.00	202.10	208.14
VIII. INCOME-TAX	30.05	30.00	37.98	37.50
IX. FOREST	45.96	42.00	53.45	48.45
X. REGISTRATION	24.70	26.00	24.90	25.50
XII. INTEREST	4.83	4.86	4.75	5.00
XVI. LAW AND JUSTICE—				
A. Courts of Law	11.39	11.48	11.28	10.79
B. Jails	5.69	5.65	7.74	6.10
XVII. POLICE	5.20	5.12	5.38	5.32
XVIII. PORTS AND PILOTAGE	.01	..	..	..
XIX. EDUCATION	3.54	4.26	3.64	4.28
XX-A. MEDICAL	1.42	1.54	1.63	2.35
XX-B. SANITATION	.18	.10	.14	.14
XXI-A. AGRICULTURE	1.98	2.20	1.79	1.99
XXI-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.	13.85	17.61	15.60	17.21
XXII. RECEIPTS IN AID OF SUPERANNUATION.	1.27	1.23	1.23	1.20
XXIII. STATIONERY AND PRINTING	1.23	1.23	1.47	1.25
XXV. MISCELLANEOUS	3.43	3.12	3.04	3.12
XXIX. IRRIGATION—MAJOR WORKS—				
Direct Receipts	1.56	1.50	1.60	1.60
Portion of Land Revenue due to Irrigation.	51.04	53.49	51.75	51.33
XXX. MINOR WORKS AND NAVIGATION—				
In charge of Civil Officers	.26	.24	.25	.23
" of Public Works Officers.	2.53	2.30	2.72	2.50
XXXI. CIVIL WORKS—				
In charge of Civil Officers	1.11	.10	.37	.10
" of Public Works Officers	4.03	3.62	4.29	4.29
Total Receipts	778.26	788.36	816.94	824.33
Transfers between Imperial and Provincial Revenues.	+ 16.53	+ 19.23	+ 12.01	+ 21.11
Total	794.79	807.59	828.95	845.44
Opening Balance	110.02	140.85	152.38	193.57
Grand Total	904.81	948.44	981.33	1,039.01

I.

embodying also the Revised and Budget Estimates for 1917-1918
for 1916-1917.

Heads of Expenditure.	Accounts, 1916-1917.	Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
1	2	3	4	5
	LAKHS.	LAKHS.	LAKHS.	LAKHS.
1. REFUNDS AND DRAWBACKS	2.69	3.34	2.75	2.80
2. ASSIGNMENTS AND COMPENSATIONS	2.98	3.00	2.95	3.05
3. LAND REVENUE	122.76	125.50	125.17	127.21
6. STAMPS	2.23	2.22	2.48	2.26
7. EXCISE	9.08	9.28	9.07	9.21
10. INCOME-TAX	.33	.33	.34	.34
11. FOREST	28.43	29.63	29.48	30.17
12. REGISTRATION	13.12	13.39	13.41	13.48
13. INTEREST ON ORDINARY DEBT	3.28	3.49	3.52	3.86
18. GENERAL ADMINISTRATION	15.15	15.96	16.28	15.86
19. LAW AND JUSTICE—				
A. Courts of Law	85.47	86.15	86.26	88.55
B. Jails	15.63	15.48	16.04	16.03
20. POLICE	114.75	117.47	117.41	120.73
21. PORTS AND PILOTAGE	.37	.47	.48	.43
22. EDUCATION	83.17	94.79	92.26	112.92
24-A. MEDICAL	17.99	22.89	22.54	26.34
24-B. SANITATION	17.05	13.76	16.12	14.29
25. POLITICAL	.92	.89	.91	.89
26-A. AGRICULTURE	12.01	14.50	13.07	15.58
26-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.	12.28	15.55	14.01	17.77
29. SUPERANNUATION ALLOWANCES AND PENSIONS.	33.23	34.65	33.75	35.65
30. STATIONERY AND PRINTING	12.92	15.75	14.22	14.63
32. MISCELLANEOUS	4.29	4.38	4.41	15.36
36. REDUCTION OR AVOIDANCE OF DEBT	2.50	..	..	..
42. IRRIGATION—MAJOR WORKS—				
Working Expenses	9.85	11.25	10.95	11.50
Interest on Debt	14.48	15.47	14.63	14.79
43. MINOR WORKS AND NAVIGATION—				
In charge of Civil Officers	6.18	8.00	7.85	8.75
" of Public Works Officers	29.33	33.00	34.50	33.50
45. CIVIL WORKS—				
In charge of Civil Officers	20.07	20.87	27.90	27.05
" of Public Works Officers	59.69	63.15	55.00	59.10
Total Expenditure	752.43	794.61	787.76	842.10
Closing Balance	152.38	153.83	193.57	196.91
Grand Total	904.81	948.44	981.33	1,039.01
Surplus	42.36	12.98	41.19	3.34

L. DAVIDSON,
Acting Chief Secretary.

11th March 1918.

PART II

Memorandum by the Finance Member.

General Financial Situation.

This memorandum has been prepared in compliance with Rule 10 (2) of the Financial rules in order to explain the general financial situation of the province and the estimates of revenue and expenditure under the various major heads. Before proceeding to deal with these matters, I may remind Honourable Members of the papers with which they have already been supplied. On the 11th February last, they were furnished with copies of the Draft Financial Statement as presented to the Finance Committee and of the report of that Committee together with notes of its discussions. At the same time, copies of the first edition (revised) of the Civil Budget Estimates were furnished to all members. It may be pointed out in passing that the Financial rules do not provide for any of these documents being furnished to the Council; but it has always been the desire of the Government to give Honourable Members most full and ample opportunity for examining the finances of the Presidency, and they have therefore made a practice of supplying members with the preliminary issues of the Financial Statement and of the Civil Budget Estimates, about a month in advance of the dates on which under the rules the final issues are required to be furnished to the Council, and also with copies of the report of the Finance Committee and with the recorded notes of its proceedings. On the 2nd March, Honourable Members were supplied with copies of the Amended Draft Financial Statement as required by Rule 10 (3) of the Financial rules, and, in pursuance of the policy of furnishing members with full and complete information, they were also furnished with copies of the second edition of the Civil Budget Estimates, though this again is not provided for by the rules. Thus Honourable Members have been made fully acquainted with the details of the revenue and expenditure of the current and coming years, and their appreciation of these advantages is evident from the resolutions proposing changes in the Revised Financial Statement of which notice has been given. The Revised Financial Statement which is now presented differs slightly from the Amended Draft Financial Statement already furnished, the changes being consequent on the facts and figures which have become available since the latter statement was issued and on orders of the Government of India thereon. The alterations thus made are detailed in the Memorandum (prescribed by Rule 10 (4) of the Financial Rules) which forms Part IV of this paper, while Part III comprises the Chief Secretary's Memorandum of detailed explanation of the estimates of revenue and expenditure. It is not necessary therefore for me to do more than refer to the more important figures.

2. Turning now to the general financial situation of the Presidency in the current and coming financial years, the following table gives a general view of the position :—

	Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	LAKHS.	LAKHS.	LAKHS.
Opening balance	140.85	152.38	193.57
Receipts	807.59	828.95	845.44
Expenditure	794.61	787.76	842.10
Surplus	12.98	41.19	3.34
Closing balance	153.83	193.57	196.91

Honourable Members will observe from these figures that in consequence of a succession of good seasons and of the general prosperity of the Presidency our receipts and balances have exceeded all expectation. The receipts of the year 1917-1918 appear likely to be in excess of the forecast by no less than 21.36 lakhs. The causes

of this excess are noticed below, but it may be said in passing that they are mainly due to larger revenues under Excise, Forest and Income-tax. The opening balance of the year was also considerably higher than was expected, a result which was due partly to the actual yield of Land Revenue, Excise, Income-tax and Forest in 1916-1917 being higher than was anticipated by the Accountant-General who is responsible for the revised estimates of the year, and partly to a lapse in expenditure. The opening balance of 1917-1918 was thus 11½ lakhs higher than was expected, which, added to the larger revenues already referred to, and a slight short-fall in expenditure has resulted in our closing balance being raised by 39.74 lakhs. It was explained to the Council in the memorandum accompanying the Revised Financial Statements of previous years that the balances thus accruing are not available for expenditure at present. The Government of India have ruled that during the continuance of the war these balances must not be drawn upon but must remain at their disposal, and they play an important part in the Government of India's financial arrangements. Without the aid of these balances from the various Provincial Governments, it is not hazardous to conclude that the Supreme Government would have found itself compelled to impose additional taxation. The increase in our balances is thus a temporary assistance which this Presidency makes towards the financing of the war and we are of course glad that we are enabled to give this aid, though we may at the same time regret that these large sums are not immediately available for expenditure for the benefit of the tax-payer in Madras. There is, however, another consideration which, I trust, Honourable Members of this Council will bear in mind. That is, that, under the explicit orders of the Government of India, this Government is precluded from providing money for schemes of expenditure unless they can reasonably be held to be imperatively urgent. It is true that, with the lengthening course of the war, we have found ourselves obliged to give a somewhat more elastic and liberal interpretation to this injunction than at first seemed suitable. Still the injunction remains and its existence accounts to a large extent for the rapid growth of Provincial balances. If, moreover, Honourable Members have studied Sir William Meyer's speech in introducing the Financial Statement for 1918-1919 in the Imperial Legislative Council, they will doubtless have noticed that the retrenchments in expenditure, which totalled to about a million sterling for the whole of India, are said to have been largest in Punjab, Bombay and Bengal, so that the financial position of Madras may be considered to be relatively favourable.

3. The facts regarding increases and decreases of revenue all appear elsewhere, but for convenience of reference they have been brought together in the following table which compares the budget and revised estimates for the current year under the chief major heads :—

Heads of Revenue.	Actuals, 1916-1917.	Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Variation of revised from budget (col. 4—col. 3).
(1)	(2)	(3)	(4)	(5)
	LAKHS.	LAKHS.	LAKHS.	LAKHS.
I. LAND REVENUE (PROPER) and XXIX. PORTION OF LAND REVENUE DUE TO IRRIGATION	350.08	354.95	354.09	— .86
IV. STAMPS	77.95	80.25	77.50	— 2.75
V. EXCISE	186.01	189.00	202.10	+ 13.10
VIII. INCOME-TAX	30.05	30.00	37.98	+ 7.98
IX. FOREST	45.96	42.00	53.45	+ 11.45
X. REGISTRATION	24.70	26.00	24.90	— 1.10
XVI-B. LAW AND JUSTICE—JAILS	5.69	5.65	7.74	+ 2.09
XXI-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS	13.85	17.61	15.60	— 2.01
OTHER HEADS	43.97	42.90	43.58	+ .68
TOTAL	778.23	788.36	816.94	+ 28.58
TRANSFERS BETWEEN IMPERIAL AND PROVINCIAL	16.53	19.23	12.01	— 7.22
TOTAL RECEIPTS	794.79	807.59	828.95	+ 21.36

4. The main feature of the figures here presented is the heavy increases under Excise, Forest and Income-tax which have already been mentioned, a set-back in stamp revenue and reduced transfers between Imperial and Provincial. The smaller stamp revenue of the year is due to causes any explanation of which could at best be merely conjectural. The receipts under this major head fell off in 1914-1915 and this reduction was plausibly connected with the war. There was, however, a recovery in the two following years, and accordingly in the budget for the current year provision was made for a normal degree of growth as was announced in the Financial Statement a year ago. This growth has not occurred, but on the contrary there has been some falling off in receipts, the falling off appearing both under General Stamps, and under Court Fees, and I hesitate to embark upon any attempt at explaining this phenomenon. Possibly the High Court's report on Civil Justice will throw some light on the matter when it is received.

The advance in Excise was to some extent anticipated, the budget estimate for 1917-1918 having been placed some four and a half lakhs above the revised estimate of the previous year. The actual growth of revenue, however, has much exceeded this forecast and is expected to yield the Provincial Government 13.10 lakhs over the budget. It must not be supposed that this increase in revenue is proof of a corresponding advance in consumption. On the contrary, the evidence regarding consumption proves that the increased taxation has been obtained without an increase in drinking. In fact there has been a decrease. The consumption of country spirits was actually lower in 1916-1917 than in 1913-1914, the year immediately preceding the war, and also lower than in 1912-1913. Much the same is true of the consumption of toddy. The figures of consumption under these heads and under foreign liquor are as follows:—

	I Foreign liquor.			II Country spirits. (Gallons.)	III Toddy. (Gallons.)	IV. Total excise revenue. RS.
	Wines. (Gallons).	Spirits. (Gallons).	Beer. (Gallons).			
1912-1913	85,817	87,492	581,465	1,773,673	111,787,131	3,31,86,831
1913-1914	29,520	162,164	662,784	1,782,032	112,845,489	3,65,11,075
1914-1915	49,354	228,095	1,140,630	1,646,649	107,280,884	3,66,18,734
1915-1916	24,924	173,781	845,051	1,491,470	103,932,557	3,51,18,758
1916-1917	28,340	145,083	792,413	1,644,466	105,936,414	3,72,02,608
1917-1918 (estimated)		Not known.		1,662,800	106,712,000	4,04,21,000

I think that it may fairly be claimed that the general bearing of these figures is favourable to the policy which the Government have consistently followed, namely, to aim at a maximum revenue from a minimum consumption.

5. The larger receipts under Income-tax are mainly due to the additional rates of taxation which were imposed by the Government of India with effect from the 1st of April 1916; but, as this taxation was put on to meet Imperial necessities, an assignment equal to the full Provincial share of the return from the enhanced rates of taxation is made from Provincial to Imperial as explained in paragraph 144 of the Chief Secretary's Memorandum, and no portion of the receipts due to that taxation remains with the Local Government. The whole receipts from the super-during the year 1917-1918 is explained by the fact that there were large uncollected balances outstanding at the close of 1916-1917 which were collected in the early months of the current year. In the budget for 1918-1919, we have allowed for a moderate growth of revenue exclusive of the special receipts referred to above.

With regard to Forest, the year which is now closing has yielded an unexpectedly large amount of revenue due to special causes, the repetition of which cannot safely be counted on next year, and accordingly it has been thought prudent to place the budget estimate under Forest 5 lakhs below the revised estimate for 1917-1918.

6. Transfers between Imperial and Provincial funds show a minus entry of 7.22 lakhs as compared with the budget estimate. This decrease is caused mainly by (1) a reduction (1.57 lakhs) in the assignment from Imperial revenues on account of the remission of the proprietary estates village service cess, in consequence of

savings in expenditure on village establishments in proprietary estates, and (2) by an increase (6 lakhs) in the contribution from Provincial funds as compensatory payment to Imperial revenues on account of the Provincial share of the extra income-tax revenues accruing from additional taxation. The total yield from additional taxation under VIII. Income-tax which was originally estimated at 12.50 lakhs will, it is now anticipated, amount to 24.50 lakhs in 1917-1918, thus showing an increase of 12 lakhs, of which the Provincial share is 6 lakhs. The compensatory payment made from Provincial funds in order to enable Imperial revenues to receive the full increment due to the additional taxation, which stood at 6.25 lakhs in the budget for the current year, has consequently been raised in the revised estimate by 6 lakhs to 12.25 lakhs.

7. I come now to our revised estimate of expenditure in the current year which is placed at 787.76 lakhs, i.e., 6.85 lakhs less than the budget estimate of 794.61 lakhs.

The statement below gives details for the more important heads:—

Heads of Expenditure.	Actuals, 1916-1917.	Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Variations between budget and revised (col. 4 — col. 3).
(1)	(2)	(3)	(4)	(5)
	LAKHS.	LAKHS.	LAKHS.	LAKHS.
3. LAND REVENUE	122.76	125.50	125.17	— .33
11. FOREST	28.43	29.63	29.48	— .15
12. REGISTRATION	13.12	13.39	13.41	+ .02
18. GENERAL ADMINISTRATION	15.15	15.96	16.28	+ .32
19-A. LAW AND JUSTICE—COURTS OF LAW	85.47	86.15	86.26	+ .11
19-B. LAW AND JUSTICE—JAILS	15.63	15.48	16.04	+ .56
20. POLICE	114.75	117.47	117.41	— .06
22. EDUCATION	83.17	94.79	92.26	— 2.53
24-A. MEDICAL	17.99	22.89	22.54	— .35
24-B. SANITATION	17.05	13.76	16.12	+ 2.36
26-A. AGRICULTURE	12.01	14.50	13.07	— 1.43
26-B. SCIENTIFIC AND MISCELLANEOUS DEPART- MENTS	12.28	15.55	14.01	— 1.54
29. SUPERANNUATION ALLOWANCES, ETC.	33.23	34.65	33.75	— .90
30. STATIONERY AND PRINTING	12.92	15.75	14.22	— 1.53
36. REDUCTION OR AVOIDANCE OF DEBT	2.50	..	..	..
42. IRRIGATION—MAJOR WORKS—WORKING EX- PENSES	9.85	11.25	10.95	— .30
42. IRRIGATION—MAJOR WORKS—INTEREST ON DEBT	14.48	15.47	14.63	— .84
43. MINOR WORKS AND NAVIGATION—CIVIL	6.18	8.00	7.85	— .15
43. MINOR WORKS AND NAVIGATION—PUBLIC WORKS DEPARTMENT	29.53	33.00	34.50	+ 1.50
45. CIVIL WORKS—CIVIL OFFICERS	20.07	20.87	27.90	+ 7.03
45. CIVIL WORKS—PUBLIC WORKS DEPARTMENT	59.69	63.15	55.00	— 8.15
OTHER HEADS	26.17	27.40	26.91	— .49
TOTAL EXPENDITURE	752.43	794.61	787.76	— 6.85

8. There are but few items in this table which call for any remarks beyond the explanation given in the Chief Secretary's Memorandum. The largest differences between the budget and revised estimates appear under the head 45. CIVIL WORKS, but these are to a great extent apparent only. It has been the practice to include under this head a small reserve to meet expenditure under any head of account for which money may be immediately necessary. As the Local Government is precluded from drawing on its balances, it is essential that there should be some money in reserve, for, though lapses do generally occur under many heads of expenditure, these lapses seldom become available until late in the year, and in the meantime some ready money must be at hand to meet urgent and unforeseen demands. Hence it has been the practice to keep a reserve under 45. CIVIL WORKS, but the Government of India have now altered this practice and the reserve will in future be kept under 32. MISCELLANEOUS. In the current year the reserve of 5 lakhs has eventually been

utilized by being made over as a special grant for the improvement of village and other roads to the more impoverished and impecunious district boards, and has thus increased the outlay under 45. CIVIL WORKS—CIVIL OFFICERS while proportionately reducing that under 45. CIVIL WORKS—PUBLIC WORKS DEPARTMENT. The further saving under the latter head occurs under Establishment and Tools and Plant.

9. Another considerable item of difference between the budget and the revised estimate is the increase of 2.36 lakhs under 24-B. SANITATION. Part of this is due to a change in accounts, namely, the inclusion for the first time under this head of the cost of the Serum and Bacteriological Sections of the King Institute of Preventive Medicine at Guindy. These charges have hitherto been treated as belonging to the Veterinary Department and in the current year's budget they were shown under 26-A. AGRICULTURE. It has now been decided that it will be both more convenient and more correct to include them together with other charges relating to the King Institute under 24-B. SANITATION, and this has of course led to a rise under that head with corresponding reduction under veterinary charges. The rest of the increase under Sanitation represents last year's grant-in-aid of 1.50 lakhs to the Madras Corporation which could not be disbursed before the 31st March 1917 as the sanction of the Secretary of State was not received in time.

10. The Council will observe that there is expected to be a short-fall of 2.53 lakhs in the expenditure under 22. EDUCATION during the current year. This short-fall is mainly due to the non-utilization of the sum of 1.11 lakhs entered in the budget for 1917-1918 to meet the cost of taking certain secondary schools under the management of the Government, and to savings of .72 lakh chiefly under salaries and travelling allowances under the minor head 'Inspection.' The introduction of the scheme for taking over secondary schools awaits the sanction of the Secretary of State which, it is anticipated, will be received shortly. Provision for the scheme has accordingly been included in next year's budget.

11. Turning to the Budget Estimate for 1918-1919, the general outline of the position will appear from the following table. Honourable Members will observe that the estimated expenditure this year will more nearly approach the estimated receipts:—

	LAKHS.
Opening balance	193.57
Receipts	845.44
Expenditure	842.10
Surplus	3.34
Closing balance	196.91

12. The following table summarizes the receipts under the chief heads of revenue:—

Heads of Revenue.	Revised estimate, 1917-18.	Budget estimate, 1918-19.	Difference.
I. LAND REVENUE and XXIX. PORTION OF LAND REVENUE DUE TO IRRIGATION	LAKHS.	LAKHS.	LAKHS.
IV. STAMPS	354.09	357.52	+ 3.43
V. EXCISE	77.50	79.75	+ 2.25
VIII. INCOME-TAX	202.10	208.14	+ 6.04
IX. FOREST	37.98	37.50	— .48
X. REGISTRATION	53.45	48.45	— 5.00
XXI-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.	24.90	25.50	+ .60
OTHER HEADS	15.60	17.21	+ 1.61
	51.32	50.26	— 1.06
TOTAL	816.94	824.33	+ 7.39
TRANSFERS BETWEEN IMPERIAL AND PROVINCIAL	12.01	21.11	+ 9.10
TOTAL RECEIPTS	828.95	845.44	+ 16.49

13. Few of these figures call for remarks beyond those which have already been made and the detailed explanations in the Chief Secretary's Memorandum. It may, however, be convenient to set out the chief items in the increase of 9.10 lakhs in the net assignment from Imperial to Provincial revenues in the budget for the coming year:—

	LAKHS.
(i) Recurring Imperial grant for the development of primary education	5.50
(ii) Assignment to meet the expenditure thrown on Provincial funds by the abolition of the Proprietary Estates Village Service Cess (corresponding to enhanced provision on the expenditure side for village establishments in proprietary estates)	1.26
(iii) Reduction in the compensation payment from Provincial to Imperial on account of the Provincial share of the extra income-tax revenues accruing from additional taxation imposed by the Government of India from the 1st April 1916	2.00

With reference to item (i), I may point out that an equivalent lump sum is provided for on the expenditure side under the head 22. EDUCATION. No details of the manner in which the Government of India contemplate that this money should be spent have yet been received.

14. We have budgeted next year for a total expenditure of 842.10 lakhs which is more than the current year's budget (794.61 lakhs) and the revised estimate (787.76 lakhs) by 47.49 lakhs and 54.34 lakhs, respectively. Details by chief major heads are given in the following table:—

Heads of Expenditure.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.	Difference.
	LAKHS.	LAKHS.	LAKHS.
3. LAND REVENUE	125.17	127.21	+ 2.04
11. FOREST	29.48	30.17	+ .69
12. REGISTRATION	13.41	13.48	+ .07
18. GENERAL ADMINISTRATION	16.28	15.86	— .42
19-A. LAW AND JUSTICE—COURTS OF LAW	86.26	88.55	+ 2.29
19-B. LAW AND JUSTICE—JAILS	16.04	16.03	— .01
20. POLICE	117.41	120.73	+ 3.32
22. EDUCATION	92.26	112.92	+ 20.66
24-A. MEDICAL	22.54	26.34	+ 3.80
24-B. SANITATION	16.12	14.29	— 1.83
26-A. AGRICULTURE	13.07	15.58	+ 2.51
26-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS	14.01	17.77	+ 3.76
29. SUPERANNUATION ALLOWANCES AND PENSIONS	33.75	35.65	+ 1.90
30. STATIONERY AND PRINTING	14.22	14.63	+ .41
32. MISCELLANEOUS	4.41	15.36	+ 10.95
42. IRRIGATION—MAJOR WORKS—WORKING EXPENSES	10.95	11.50	+ .55
42. IRRIGATION—MAJOR WORKS—INTEREST ON DEBT	14.63	14.79	+ .16
43. MINOR WORKS AND NAVIGATION—CIVIL OFFICERS	7.85	8.75	+ .90
43. MINOR WORKS AND NAVIGATION—PUBLIC WORKS DEPARTMENT	34.50	33.50	— 1.00
45. CIVIL WORKS—CIVIL OFFICERS	27.90	27.05	— .85
45. CIVIL WORKS—PUBLIC WORKS DEPARTMENT	55.00	59.10	+ 4.10
OTHER HEADS	22.50	22.84	+ .34
TOTAL EXPENDITURE	787.76	842.10	+ 54.34

15. The most important item here is Education which shows an increase of 20.66 lakhs in the budget figure for 1918-1919 as compared with the revised estimate of 1917-1918, while as compared with the budget estimate for 1917-1918 the increase

is 18.13 lakhs. The several items contributing to this increase are summarized in paragraph 74 of the Chief Secretary's Memorandum. It will be observed that the recurring portion is 15.32 lakhs. Excluding the grant of 5.50 lakhs given by the Government of India for the development of primary education, the additional provision for recurring expenditure which has been made from Provincial revenues comes to 9.82 lakhs as shown below :—

	LAKHS.
(a) Expansion and improvement of elementary education (against the promised annual increment of 2 lakhs from Provincial revenues)	5.20
(b) Secondary schools—Opening new board high schools (by developing existing board middle schools) and new middle schools (by developing wherever possible existing board elementary schools)	2.09
(c) Muhammadan education (.30 lakh), female education (.53 lakh), grants-in-aid to schools other than elementary (.73 lakh), and other items	2.53
	<u>9.82</u>

16. The following statement shows the expenditure on Education, including industries, incurred in recent years from all public sources, i.e., Imperial, Provincial, Local and Municipal funds. It includes both recurring and non-recurring charges and municipalities from their own funds. It will be observed that the provision for Education from Provincial and Imperial revenues has grown since 1911-1912 from 48.86 lakhs to 123.44 lakhs or by 152 per cent in seven years. The provision from Local and Municipal funds has advanced from 15.10 lakhs to 23.52 lakhs or by 55 per cent.

Year.	Imperial funds.	Provincial funds.	Local funds.	Municipal funds.	Total.
	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
1911-1912	3.05	45.81	10.83	4.27	63.96
1912-1913	19.77	54.08	11.64	4.53	90.02
1913-1914	34.88	61.74	11.04	4.17	111.83
1914-1915	32.35	58.59	12.84	5.74	109.52
1915-1916	20.85	62.08	13.31	5.83	102.07
1916-1917	21.40	70.48	13.41	6.16	111.45
1917-1918 (Budget estimate) ..	23.74	81.79	14.75	6.36	126.64
1917-1918 (Revised estimate) ..	24.93	76.04	16.73	6.94	124.67
1918-1919 (Budget estimate) ..	31.84	91.60	16.07	7.45	146.96

17. The next statement shows how much of the above expenditure was incurred on elementary education alone. It will be observed that the expenditure devoted to elementary education has increased by 31 per cent or nearly one-third in the last two years and by 125 in the last seven years. This also includes both recurring and non-recurring charges, but excludes expenditure on educational buildings incurred by local boards and municipalities from their own funds.

Year.	Imperial funds.	Provincial funds.	Local funds.	Municipal funds.	Total.
	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
1911-1912	1.25	27.69	8.11	2.60	39.65
1912-1913	10.05	33.72	8.72	2.66	55.15
1913-1914	23.58	36.37	8.64	2.67	71.26
1914-1915	20.20	36.01	9.51	2.98	68.70
1915-1916	13.31	38.30	9.61	3.26	64.48
1916-1917	12.68	42.35	9.68	3.39	68.10
1917-1918 (Budget estimate) ..	16.16	46.72	10.59	3.4	76.91
1917-1918 (Revised estimate) ..	16.16	45.29	12.26	3.80	77.51
1918-1919 (Budget estimate) ..	21.68	52.18	11.47	4.01	89.34

18. Other heads which show large increases are Miscellaneous (10.95), 45. CIVIL WORKS—PUBLIC WORKS DEPARTMENT (4.10), Medical (3.80) and Scientific and Miscellaneous Departments (3.76). The increase under Miscellaneous is due to the Provincial reserve being now shown under that head as already explained, the amount so entered being 10.56 lakhs, the reserve having been raised from 5.56 to 10.56 lakhs in consequence of increases in the Revised Estimate for 1917-1918. The increase under 45. CIVIL WORKS—PUBLIC WORKS DEPARTMENT occurs mainly under Tools and Plant under which there has been a short-fall in expenditure in 1917-18 and which is a fluctuating item. The larger outlay budgeted for under Miscellaneous Departments occurs chiefly under Fisheries (1.38) and Scientific and Miscellaneous (1.99) and is fully explained in the Chief Secretary's Memorandum. The major head 24-A. Medical shows an increase of 3.80 lakhs, occurring chiefly under the two minor heads "Hospitals and Dispensaries" and "Medical schools and College". The coming year's budget under the first minor head contains a lump provision of 2.50 lakhs representing the gross cost of the scheme for the transfer of district headquarter hospitals to Government. It has been decided to take over under Government management the hospitals at Bellary and Coimbatore from the 1st December 1917 and the 1st April 1918, respectively; the Government also propose to undertake the management from the latter date of the headquarter hospitals in the districts of Anantapur, Ganjam, Chingleput, Chittoor, Gōdāvari, Cuddapah, Guntūr, Madura, Kistna, Ramnad, Tanjore, and North Arcot. The contribution recoverable from the local bodies is estimated at .75 lakh and this sum appears on the receipts side under the head XX-A. MEDICAL.

Under the minor head "Medical schools and College", the budget, besides providing for an increase (from Rs. 9 to Rs. 15) in the rate of stipends to Civil medical pupils in the medical schools, includes allotments of .35 lakh for the equipment of medical schools, .15 lakh for increasing the teaching staff and allowances in mufassal medical schools, and .20 lakh for the opening of a medical school at Bellary.

The budget includes also a lump provision of .24 lakh on account of the revision of pay of sub-assistant surgeons.

19. The subject of grants to local bodies is one in which many Members of this Council feel keen interest as the list of resolutions shows. I cannot say that the system of doles from Provincial to local funds which at present prevails is one which can be regarded with unmixed satisfaction. It fails in the essential requisites of certainty and regularity, and there can be little doubt that before long some radical revision of the fiscal system obtaining in this respect must be made. For the present, however, we must do the best we can with the existing method. To this end the Government have decided this year to stereotype on the basis of the actuals of 1915-1916

the contribution from Provincial funds to District Boards for roads which was originally represented by a 14-lakh grant from Imperial to Provincial but which has now grown to 17.13 lakhs. District Boards will now be able to count on the exact contribution from this source with entire certainty. Other grants remain much the same as in the previous year, with some increase in the provision under Education. It may be of interest to show the grants to local bodies for different purposes for a series of years. The figures do not include the grants to the Madras Corporation and the Madras Port Trust.

Year.	Education including grants for buildings.	Water-supply and drainage schemes.	Minor sanitation.	Hospitals and other medical buildings.	In aid of the resources of district boards and for roads and bridges.	Miscellaneous purposes.	Total.
	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
1908-1909	2.45	5.07	3.26	.55	13.80	2.40	27.53
1909-1910	2.45	3.82	4.95	.34	14.23	3.22	29.01
1910-1911	2.18	1.25	7.21	.80	14.70	3.38	29.52
1911-1912	4.41	3.94	11.64	3.29	19.33	4.42	47.03
1912-1913	14.90	6.60	30.64	2.12	21.61	4.05	79.92
1913-1914	30.38	3.81	21.84	9.83	29.70	5.13	100.72
1914-1915	20.84	8.50	25.19	7.77	29.75	8.04	100.09
1915-1916	17.55	13.95	8.10	.35	19.93	5.09	64.97
1916-1917	18.55	7.27	5.15	.39	16.33	5.33	53.02
1917-1918 (Budget).	22.20	3.72	4.91	2.39	18.13	4.94	56.29
1917-1918 (Revised).	23.89	3.87	4.96	2.98	25.21	4.74	65.65
1918-1919 (Budget).	27.19	3.15	5.00	1.85	23.63	5.57	66.39

Taking the budget figure for 1918-1919, viz., 66.39 lakhs, which may possibly be increased from the recurring grant of 5.50 lakhs given by the Government of India for the development of primary education, the recurring portion amounts to 53.06 lakhs including 15.36 lakhs given by the Government of India.

20. As was pointed out last year the grants since 1915-1916 have been considerably less than those given in the previous three years, but the unspent balances at the disposal of local bodies are still large though slightly reduced from what they were a year ago :—

	Unspent balance on 31st December 1917.	LAKHS.
Grants for roads Local boards		3.21
Grants for bridges Do.		2.47
Grants for medical buildings .. { Municipalities		2.72
Grants for minor sanitary works. { Local boards		2.46
Grants for educational objects .. { Municipalities		11.89
Grants for water-supply and drainage schemes		13.76
		11.55
		2.73
		.19
Total		50.98

Balances.

21. The non-recurring grants given by the Government of India for specific objects of expenditure from the year 1910-1911 amount to about 175 lakhs. At the end of the current year 1917-1918, the unexpended balance of these special grants

will be 12.87 lakhs. The amount which will be spent in 1918-1919 and the balance remaining at the end of that year are given below :—

Object of grant.	Balance on 31st March 1918.	Expenditure in 1918-1919.	Balance on 31st March 1919.
	LAKHS.	LAKHS.	LAKHS.
Education	10.81	3.59	7.22
Buildings required under the district reorganization	2.06	.26	1.80
Total ..	12.87	3.85	9.02

Our total balance at the end of 1918-1919 will be 196.91 lakhs, but 9.02 lakhs of this consists of the balances of special Imperial grants as shown above, so that our Provincial balance proper on the 31st March 1919 will be 187.89 lakhs as against the minimum obligatory balance of 20 lakhs.

Recommendations of the Finance Committee.

22. Following the usual practice, I append a list of the recommendations made by the Finance Committee and accepted. The discussions of the Committee covered a very wide field and were, it may be hoped, of advantage to the non-official members of the Committee in furnishing them with information as to the progress of schemes in which they were interested and in enabling them to bring forward points to which they attached importance. Even where the suggestions of individual members of the Committee could not from one cause or another be at once adopted they were often of use in drawing attention to the subjects dealt with.

Service head.	Nature of item.	Amount.
		LAKHS.
(1) 12. REGISTRATION	Opening a Registrar's office in the Kurnool district.	.04
(2) 22. EDUCATION	Medical inspection of schools	.08
(3) Do.	Opening of night schools	.05
(4) 22-B. EDUCATION—GOVERNMENT SCHOOLS—GENERAL—	Grants to local bodies for buildings for secondary schools.	1.87
Payments in support of local board and municipal schools.		
(5) Do.	Grants to local bodies for buildings for elementary schools.	1.00
(6) 24-A. MEDICAL	Grants to local bodies for medical buildings ..	1.50
(7) 24-B. SANITATION	Grants to local bodies for minor sanitary works.	6.00
(8) 32-D. MISCELLANEOUS	Contributions in aid of municipal balances ..	.50
(9) 43. MINOR WORKS AND NAVIGATION—IN CHARGE OF CIVIL OFFICERS.	Additional provision	.50
(10) 45. CIVIL WORKS—IN CHARGE OF CIVIL OFFICERS.	Grants to local bodies for roads and bridges ..	1.50
(11) Do.	Works in the Ganjam Agency	.06
(12) Do.	Grant to the Vizagapatam District Board ..	.40
(13) Do.	Grant to the Koraput District Board ..	.35
(14) Do.	Grant to the Godavari District Board ..	.99
(15) 45. CIVIL WORKS—PUBLIC WORKS DEPARTMENT—WORKS IN CHARGE OF CIVIL OFFICERS ACTING AS PUBLIC WORKS DISBURSERS.	Expenditure on tracts in the Golugonda and Viravalli Agencies.	.20
	Total ..	15.04

11th March 1918.

A. G. CARDEW.

PART III.

Memorandum explanatory of the figures under each Major Revenue head and under each Major Expenditure head of account.

Introductory.

The conditions of Provincial finance are determined by the terms of an administrative arrangement subsisting between the Government of India and the Local Government and known as the Provincial Settlement. The revenue and expenditure of the province as classified in the public accounts are divided between the two Governments in accordance with the terms of this settlement.

With effect from the 1st April 1911 this Provincial Settlement, which had hitherto been subject to change, was made permanent subject to the following conditions:—

(1) it shall not be subject to revision in the future, except by way of commuting fixed assignments into growing revenue;

(2) in case of serious famine the question of assistance from Imperial revenues will be duly considered by the Government of India;

(3) in special cases where the Local Government are unable to meet their requirements from their current revenues or by drawing on their balances, they should take the necessary amount as a short interest-bearing loan from the Government of India repayable in suitable instalments; and

(4) the Government of India reserve the right to call for assistance from Provincial revenues in case of serious embarrassment in their own finances.

At the same time Forest revenue and expenditure, which had hitherto been divided, were made wholly Provincial.

2. The present statement does not deal with the major and the minor heads which are wholly Imperial. The following table shows the several heads of revenue and expenditure which are divided between Imperial and Provincial:—

Revenue.			Expenditure.		
Major heads.	Imperial share.	Provincial share.	Major heads.	Imperial share.	Provincial share.
1	2	3	4	5	6
1. LAND REVENUE ..	One-half	One-half	1. REFUNDS AND DRAWBACKS.	The share in the minor heads under this major head follows that of the corresponding major heads of receipts.	
IV. STAMPS ..	One-half	One-half	2. ASSIGNMENTS AND COMPENSATIONS.		
V. EXCISE ..	One-half	One-half	6. STAMPS ..		One-half
VIII. INCOME-TAX ..	One-half	One-half	7. EXCISE ..	One-half	One-half.
XXIX. MAJOR IRRIGATION WORKS.	One-half	One-half	10. INCOME-TAX ..	One-half	One-half.
			33. FAMINE RELIEF ..	Three-fourths.	One-fourth.
			42. MAJOR IRRIGATION WORKS.	One-half	One-half.

The remaining heads dealt with in this statement are wholly Provincial.

I. & 3. Land Revenue.

Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Ordinary revenue ..	671.94	692.47	693.18	703.99	699.67	708.86
Sale-proceeds of waste lands and redemption of land-tax ..	2.40	2.00	2.56	2.00	3.97	2.00
Miscellaneous ..	3.02	3.47	4.43	3.90	4.53	4.18
Total shared ..	677.36	697.94	700.17	709.89	708.17	715.04
Deduct—Portion of Land Revenue due to Irrigation ..	102.48	106.97	102.08	106.97	103.49	103.66
Net total shared ..	574.88	590.97	598.09	602.92	604.68	611.38
Provincial share ..	287.44	295.48	299.04	301.46	302.84	305.69

Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Charges of District Administration.	48.19	47.12	47.86	47.67	48.54	48.16
Survey and Settlement ..	13.27	12.20	10.83	12.12	12.75	13.98
Land Records ..	29.25	29.48	29.33	30.33	29.19	29.81
Inam Commissioner ..	19	20	12	17	07	17
Allowances to District and Village officers.	34.57	34.55	34.62	35.21	34.62	35.09
Total ..	125.47	123.55	122.76	125.50	125.17	127.21

Revenue.

3. *Ordinary revenue.*—The budget estimate for the current year was framed on the basis of normal conditions after allowing for special remissions likely to be necessitated by the floods and cyclone of last year and the collection of the suspended revenue of 1916-1917. The decrease in the revised estimate is due mainly to the delay in the introduction of resettlement rates in the Cuddalore taluk of the South Arcot district, to a fall in water-rate and to an increase in remissions anticipated on account of the insufficiency of rainfall in parts of North Arcot, Rāmnād, Tinnevely and a few other districts. The budget for next year allows for the growth expected in 1918-1919 under this head including the increase due to the introduction of resettlement rates in Madura and South Arcot.

4. Under the minor heads 'Sale-proceeds of waste lands and redemption of land-tax' and 'Miscellaneous' special items of receipts realized in the current year have swelled the revised estimate figures, viz., sale of waste lands in the Divi taluk of the Kistna district and in the Madura district, and arrears of water charge paid by the Mysore Darbar on account of power taken from the Cauvery falls at Sivasamudram.

Expenditure.

5. *Charges of District Administration.*—The increase in the revised estimate is caused by additional expenditure under establishments and salaries of tahsildars and deputy tahsildars, larger expenditure on grain compensation allowance, and heavy charges incurred on account of land and on certain civil suits in the Kistna district. This increase has been partly counterbalanced by savings expected in the lump provision of 30 for the retransfer of the Nāmakkal taluk to the Salem district owing to delay in the carrying out of the transfer and under GENERAL ESTABLISHMENTS—Salaries. The budget estimate for 1918-1919 mainly follows the revised estimate and repeats the lump provision of 30 for the retransfer of the Nāmakkal taluk to Salem, and the consequent redistribution of divisional and taluk charges.

REVISED FINANCIAL STATEMENT OF THE

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6. *Survey and Settlement.*—The budget for the current year provided for one party for estate surveys as against two parties so employed in the previous two years, the cost of which is recoverable from the estates concerned; and it included under the sub-head *Revenue Settlement* a smaller provision for settlement parties due mainly to the contraction of settlement work. The question whether in the year 1918-1919 a second party can be detailed for survey of estates is still under consideration.

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The increase in the revised estimate is caused chiefly by the change in classification under which the charges on account of the statistical and irrigation sections of the office of the Board of Revenue (Revenue Settlement) which were formerly debited to the minor head *Land Records* are, with effect from the revised estimate for the current year, shown under the present head, and partly by other minor variations. The enhanced provision in the budget for 1918-1919 is due to an increase in the number of Special Settlement and Assistant Settlement officers and in the strength of the temporary establishment of settlement parties.

39-43

7. *Land Records.*—The decrease in the revised estimate is partly due to the change in classification mentioned in the previous paragraph, and partly to a lapse in the provision made for village establishments. The budget for next year includes the usual extra provision for the revision of village establishments in ryotwari and proprietary areas.

44-45

8. *Allowances to District and Village officers.*—To this minor head is debited the expenditure on account of village establishments other than karnams and assistant karnams. The decrease in the revised estimate for 1917-1918, as compared with the budget for that year, occurs under payments on account of Ryotwari and Proprietary Estates Village Service Establishments owing to an over-estimate of the cost of revision of village establishments. The budget estimate for 1918-1919 contains enhanced provision for charges on account of these village establishments.

IV. & 6. Stamps.

* Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Sale of general stamps	46.76	49.31	52.79	54.50	52.60	54.50
Sale of court-fee stamps	90.64	99.85	101.14	104.00	100.65	102.98
Duty on impressing documents ..	.75	.98	1.08	1.11	.90	1.12
Fines and penalties	.78	.79	.81	.82	.80	.82
Miscellaneous	.05	.09	.07	.07	.05	.08
Total	138.98	151.02	155.89	160.50	155.00	159.50
Provincial share (one-half) ..	69.49	75.51	77.95	80.25	77.50	79.75

* This head is not open to discussion.

Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Superintendence	.31	.31	.29	.29	.64	.29
Charges for the sale of general stamps	2.02	2.10	2.21	2.22	2.23	2.23
Charges on sale of court-fee stamps ..	.86	.94	.93	.95	.93	.94
Stamp paper supplied from Central Stores	1.15	.79	1.03	.98	1.16	1.06
Total	4.34	4.14	4.46	4.44	4.96	4.52
Provincial share (one-half) ..	2.17	2.07	2.23	2.22	2.48	2.26

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GOVERNMENT OF MADRAS FOR 1918-1919

7

Revenue.

9. The receipts represent the share, credited to this major head, of the sale-proceeds of the unified postal and revenue stamps, the sale-proceeds of bills of exchange and other general stamps, of court-fee stamps, and of stamped papers for copies of documents, the duty for embossing one-anna receipt and cheque stamps, the duty levied under the Indian Stamp Act, 1899, on documents brought for adjudication and on documents unstamped or insufficiently stamped, and fines and penalties levied by Judicial and Revenue officers under the Stamp Act on insufficiently stamped instruments.

10. The revenue from the unified postal and revenue stamps is credited to the Imperial head Post Office. Out of this revenue, the Government of India have sanctioned the credit to the head STAMPS of a sum of 3.50 per annum, the amount being included under the minor head *Sale of general stamps*.

11. There was a decline in the receipts under this head in the year 1914-1915 owing to the disturbance of economic conditions as a result of the war. In the two succeeding years there was a strong recovery especially under Court-fee stamps,—the result of steady growth in litigation. The budget estimate for 1917-1918 allowed for a growth in receipts but the latest actuals on which the revised estimate is framed do not indicate such growth. The budget estimate for 1918-1919 has been fixed so as to allow for a small expansion in revenue.

Expenditure.

6-47

12. The expenditure under this major head relates to the Central Stamp Office, and to charges connected with the sale of general and court-fee stamps, and to the cost of stamp paper.

13. *Superintendence.*—The clerical establishments of the Stationery and Stamp offices at Madras are placed on a single list, and the total cost of the combined establishment was distributed between the heads 6. STAMPS and 30. STATIONERY AND PRINTING in the proportion of 4 to 5 up to October 1914. Since then, owing to revisions of the combined establishment, the proportion has been altered into 10 to 17 up to the 1st March 1915, and from that date into 13 to 25.

The increase under this minor head in the revised estimate for 1917-1918 is due, chiefly, to the railway freight charges on a consignment of stamp cases from Bombay to Madras, and similar charges to be paid on a large supply of post cards to be manufactured by the Controller of Stamps, Calcutta, during 1917-1918.

V. & 7. Excise.

Revenue.

8-9

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Licence and distillery fees and duties for the sale of liquors and drugs.	344.97	329.67	351.00	357.25	382.18	393.72
Gain on sale-proceeds of excise opium	14.02	14.03	13.32	12.98	14.25	14.48
Duty on ganja	5.14	5.36	5.44	5.51	5.36	5.70
Fines, confiscations and miscellaneous	2.06	2.13	2.27	2.26	2.42	2.38
Total	366.19	351.19	372.03	378.00	404.21	416.28
Provincial share (one-half) ..	183.09	175.59	186.01	189.00	202.10	208.14

REVISED FINANCIAL STATEMENT OF THE

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
District Executive establishment ..	·07	·03	·06	·04	·05	·05
Portion of the combined Salt and Excise establishments ..	18·27	18·49	18·10	18·52	18·10	18·37
Total ..	18·34	18·52	18·16	18·56	18·15	18·42
Provincial share (one-half) ..	9·17	9·26	9·08	9·28	9·07	9·21

Revenue.

14. *License and distillery fees, etc.*—Previous to the year 1914-1915 there was a steady increase in the revenue under this minor head consequent upon successive enhancements of the rates of excise duty on country spirits, larger collections under tree-tax, an increase in consumption of country spirits—notwithstanding successive reductions in the number of shops sold—and increased rentals from toddy, arrack and opium shops. This increase received a check in the year 1914-1915 from the disturbance of economic conditions caused by the war, and the actuals for that year showed a small decline of ·74. The year 1915-1916 witnessed a further decline of 15·30. In 1916-1917, however, there was a marked recovery and the actuals for that year show an advance of 21·33 lakhs over those of the previous year. The budget estimate for the current year was a conservative one and allowed for a comparatively small growth of revenue. The progress of actuals however indicates that the revenue will exceed budget expectations, owing mainly to higher rentals obtained in auction sales of toddy shops. The rates of excise duty on country spirits were raised in several districts in the current year, and the rates of tree-tax in the districts of Gōdāvari, Kistna, Guntūr and Nellore were enhanced by 25 per cent with effect from 1st October 1916. The rates of excise duty on country spirits will be further increased from the 1st April 1918 by 10 annas per proof gallon in most of the districts, by Rs. 1-4-0 in the Ceded Districts, Kurnool, Ganjam, Vizagapatam, Madras and South Kanara, and by Rs. 2-8-0 in Malabar.

It is a matter of considerable satisfaction to note that in spite of the large increase in Excise revenue in 1917-1918 and its predecessors, the consumption of country spirits has shown no corresponding increase and was actually lower in 1916-1917 than in 1914-1915 and much lower than in 1913-1914 and 1912-1913.

15. *Gain on sale-proceeds of excise opium.*—This Presidency is supplied with Ghazipur opium, free of cost in the first instance. Of the gross sale-proceeds, an amount calculated on the quantity actually sold at a fixed rate representing the estimated cost of production is credited to the Imperial head II. OPIUM, and the balance to the shared head V. EXCISE—*Gain on sale-proceeds of excise opium.* The rentals derived from opium shops are, however, shown under the minor head *License and distillery fees, etc.* With effect from the 1st April 1918 the cost price of opium will be calculated at Rs. 13 per seer instead of at the existing rate of Rs. 11 per seer. The issue price of opium which now stands at Rs. 41½ per seer will with effect from the 1st April 1918 be raised to Rs. 45 per seer.

The revised estimate for the current year is based on the latest actuals available.

16. The duty on ganja which stood at Rs. 5 per seer was raised by 50 per cent from 1st April 1911, by 33½ per cent from the 1st April 1914, and by 25 per cent from the 1st April 1915. It will be raised again by 20 per cent from 1st April 1918. The receipts from this source are credited to the third minor head, viz., *Duty on ganja*, while the rents from retail shops are shown, as in the case of opium shops, under the minor head *License and distillery fees, etc.*

Expenditure.

17. Under the head *District Executive establishment* are recorded the charges for registration of agreements of renters of vend areas, and of holders of independent contingencies, the annual rental of which exceeds Rs. 1,000, and expenditure on rewards and

18. *Portion of the combined Salt and Excise establishments.*—The expenditure on the combined establishments which is arrived at after deducting the charges on account of Salt Excise licensees' works, and Salt purchase and freight, from the total cost of the

GOVERNMENT OF MADRAS FOR 1918-1919

combined departments of Salt and Excise, is apportioned between the heads 5. SALT (Imperial) and 7. EXCISE (shared equally between Imperial and Provincial) in the ratio of 1 to 2, this being approximately the ratio which the salt revenue bore to the excise revenue in 1907-1908.

VIII. & 10. Income-tax.

Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
REVENUE (a)	40·28	40·75	60·09	60·00	75·96	75·00
Provincial share (one-half) ..	20·14	20·37	30·05	30·00	37·98	37·50

(a) The figures exclude collections of income-tax from Public Works officers in Coorg, which are Imperial.
* This head is not open to discussion.

Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
EXPENDITURE	·41	·61	·66	·66	·68	·68
Provincial share (one-half) ..	21	·30	·33	·33	·34	·34

Revenue.

19. With effect from the 1st April 1916, the Government of India have imposed additional taxation to meet Imperial needs. As the head VIII. INCOME-TAX is shared equally between Imperial and Provincial, an assignment equal to one-half of the receipts accruing from the additional taxation is being made from Provincial to Imperial as explained in paragraph 144 infra.

20. The increase in the actuals for 1916-1917 is due partly to receipts from the additional taxation referred to above, and partly to the normal expansion of revenue under this head. The improvement in the revised estimate for 1917-1918 as compared with the budget for the year is due partly to a large balance outstanding at the close of the year 1916-1917 having been collected in the earlier months of the current year and partly to the growth of revenue under the head. The budget of estimate for 1918-1919 has been framed so as to provide for a moderate growth of revenue after excluding the special arrear receipts in the current year.

No part of the super-tax on incomes imposed under Act VIII of 1917 is included under this divided head, as the proceeds of that tax are wholly Imperial.

IX. & 11. Forest.

Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Timber and other produce removed from the forests by Government agency	5·77	8·21	8·31	9·35	11·90	10·62
Timber and other produce removed from the forests by consumers or purchasers	29·17	27·48	31·93	28·15	36·49	32·92
Confiscated drift and waif wood ..	·25	·18	·16	·22	·16	·16
Miscellaneous	4·23	5·20	5·56	4·28	4·90	4·75
Total ..	39·42	41·07	45·96	42·00	53·45	48·45

REVISED FINANCIAL STATEMENT OF THE

Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Conservancy and works	12-30	12-79	11-54	12-15	12-30	12-30
Establishment	16-31	16-48	16-89	17-48	17-18	17-87
Total ..	28-61	29-27	28-43	29-63	29-48	30-17

Revenue.

21. *Timber, etc., removed by Government agency.*—The revised estimate for the current year shows an increase of 2-55 over the budget estimate mainly under 'Sandalwood,' and is due to the sale of last year's stock, the extraction of a larger quantity of sandalwood, and the collection of sandalwood trees blown down by the cyclone in November 1916. The decrease in the budget estimate for 1918-1919 is due to the absence of any provision for these special items of receipt.

22. *Timber, etc., removed by consumers or purchasers.*—Here too there is an increase in the revised estimate as compared with the budget estimate for the current year due to special receipts under 'Firewood and charcoal' from sale of reserves and under 'Other minor produce' owing to enhanced prices and more extensive sales of tanning barks. The budget estimate for 1918-1919 has been placed at a lower figure, as it is not safe to count on these special items as continuing factors.

23. *Miscellaneous.*—The increase in the revised estimate as compared with the budget estimate for the current year is due mainly to the sale of reserves in Nellore and Bellary.

Expenditure.

24. To the minor head *Conservancy and Works* are debited (a) the outlay on the improvement, extension and protection of forests generally, (b) the outlay on communications and buildings under the charge of the Forest department, (c) the cost of the extraction and transport to sale depots of timber and other forest produce exploited departmentally, (d) the cost of the supervision of the removal of such produce by private agency, (e) charges for the survey and demarcation of forests, and (f) the cost of cattle, stores, tools and plant. The actuals for 1915-1916 include a special expenditure of 1-72 for the acquisition of certain leased forests. The absence of this special item of expenditure accounts for the fall in the actuals for 1916-1917. As compared with the budget estimate for 1917-1918, the revised estimate for the current year shows an excess expenditure of 1-10 under the sub-head 'Timber and other produce removed from the forests by Government agency' chiefly on account of charges for the preparation of hay for supply to the Munitions Board. This excess will however be counterbalanced to a large extent by smaller expenditure on 'communications and buildings' and fire protection and other works in connexion with the organization, improvement and extension of forests. The budget estimate for 1918-1919 contains enhanced provision for these two items.

25. *Establishment.*—The decrease in the revised estimate for the current year as compared with the budget is chiefly under salaries and is due to the deputation of officers for military duty. The increase in the budget estimate for 1918-1919 as compared with the revised estimate for the current year is chiefly due to increments payable to officers under the time scale of pay, and to members of the office establishments under the progressive scale of pay. Other contributing factors are a full year's provision for certain additional establishments sanctioned in the current year and a lump provision of -06 on account of the schema for the reorganization of the controlling staff of the Forest department.

X. & 12. Registration.

Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Fees for registering documents	18-80	19-46	20-51	21-73	20-60	21-00
Fees for copies of registered documents	58	58	63	64	64	68
Miscellaneous	3-05	3-34	3-56	3-63	3-66	3-82
Total ..	22-43	23-38	24-70	26-00	24-90	25-50

Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Superintendence	52	51	54	52	52	51
District charges	12-22	12-05	12-58	12-87	12-89	12-97
Total ..	12-74	12-56	13-12	13-39	13-41	13-48

Revenue.

26. The budget estimate for 1917-1918 took credit for the average annual growth of revenue under this head. The progressive actuals of the current year, however, indicate that there will be no appreciable increase over the actuals of the year 1916-1917.

27. The budget estimate for 1918-1919 allows for a small increase over the revised estimate for the current year.

Expenditure.

28. The minor head *Superintendence* comprises charges on account of the Inspector-General of Registration, his office establishment and contingencies, while *District charges* represent the salary of district registrars and sub-registrars and their establishments, and contingent charges.

29. *District charges.*—The increase in the actuals of 1916-1917 is due chiefly to the raising of the minimum pay of clerks in registration offices to Rs. 20 per mensem. This scheme which was introduced with effect from the 1st June 1916 involves a gross extra cost of about -60 per annum without deducting savings under grain compensation allowance. The revised estimate for 1917-1918 includes expenditure on account of (1) the re-opening of the District Registrars' offices at Nellore and Vizagapatnam, (2) the raising of the remuneration of section-writers from Rs. 12 to Rs. 15 per mensem, and (3) the formation of a separate registration district for Ramnad. The first two schemes were introduced on the 1st June 1917, while the last scheme was given effect to from the 1st October 1917. The budget estimate for 1918-1919 contains a full year's provision for these three schemes, and also includes -04 for opening a District Registrar's office at Kurnool which has been entered in accordance with the recommendation made by the Finance Committee of January 1918.

REVISED FINANCIAL STATEMENT OF THE

* 1. Refunds and Drawbacks. †

Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Land Revenue	·80	·80	·80	·81	·84	·75
Stamps	·85	·81	·86	·82	·94	·88
Excise	·25	·30	·26	·29	·27	·28
Income-tax	·15	·13	·16	1·00	·28	·50
Forest	·39	·31	·57	·37	·37	·34
Registration	·05	·05	·04	·05	·05	·05
Total	2·49	2·40	2·69	3·84	2·75	2·80

* Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

† Drawbacks occur under Customs only and are wholly Imperial.

30. The amounts shown above represent the debits to Provincial funds of the expenditure under *Refunds* in proportion to the Provincial shares of the revenues under the respective heads in connexion with which refunds are made. The charges under the head are of a fluctuating character and are not subject to any departmental control. The budget for 1917-1918 provided for increased refunds anticipated under Income-tax owing to the new procedure prescribed in the Indian Income-tax (Amendment) Act, 1916, in accordance with which income-tax is levied in the first instance at one anna in the rupee on the total profits of companies and owners of securities, refunds being subsequently allowed to individual share-holders or stock-holders; this estimate proved to be high.

* 2. Assignments and Compensations. †

Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Inamdars and other grantees ..	·06	·05	·05	·06	·06	·06
Pensions in lieu of resumed lands ..	1·97	2·06	2·00	2·03	2·03	2·00
Malikhana	2·90	3·14	2·97	2·97	3·01	2·97
Miscellaneous Land Revenue com- pensations	·01	..	..	..	..	..
Excise compensations	·61	·94	·93	·94	·80	1·07
Total	5·55	6·19	5·95	6·00	5·90	6·10
Provincial share (one-half) ..	2·77	3·10	2·98	3·00	2·95	3·05

* Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

† This head is not open to discussion.

31. The minor heads here are treated as wholly Imperial, wholly Provincial, or divided between Imperial and Provincial, according to the classification of the corresponding heads of revenue. The charges consist chiefly of pensions paid to land-holders as compensation for lands resumed by Government, malikhana allowances and other special compensations. *Excise compensations* represent mainly the compensation

GOVERNMENT OF MADRAS FOR 1918-1919

paid by Government in lieu of abkari and opium privileges which have been either leased or resumed in Native States. The main items under this head are an annual payment to the Nawab of Banganapalle for the lease to Government of the abkari and opium revenue of that State, a compensation to the Travancore State for the suppression of ganja cultivation, and an annual refund to the French Government of the duty on opium and ganja supplied to French renters.

XII. & 13. Interest.

* Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
REVENUE	4·55	4·43	4·83	4·86	4·7	5·00

* Purely Imperial minor heads which are not under the financial control of this Government have been left out.

† Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
EXPENDITURE	3·22	3·28	3·28	3·49	3·52	3·86

† This head is not open to discussion.

Revenue.

32. The revenue represents mainly the interest received by the Local Government on advances and loans made from the Provincial advance and loan account. This account, the capital transactions of which are outside the current budget figures, provides for the grant of loans to agriculturists, local bodies, etc. The monies required for the loans are furnished by the Government of India. The Local Government pay interest thereon and bear losses on account of bad debts. In order to cover risks and cost of management, the Local Government charge a higher rate of interest than that which they have to pay to India.

The revenue under this head also includes interest on Government securities belonging to institutions taken over by Government, along with the endowments for belonging to such institutions. In spite of the enhancements which are noticed the upkeep of such institutions. In spite of the enhancements which are noticed below of the rate of interest charged by the Government of India to this Government no change has at present been made in the rate charged by this Government for loans to agriculturists. The rate of interest charged on loans to local bodies made after the enhanced rates charged by the Government of India came into force has, however, been raised to 6 per cent.

Expenditure.

33. The interest which is paid to the Government of India by the Local Government on sums placed at the disposal of the latter for advances and loans to local bodies, agriculturists, etc., is shown as expenditure under this head, this interest being calculated on the mean between the outstanding balance of the Provincial advance and loan account at the beginning and at the end of each year. The rate of interest charged to the Local Government was, until recently, $3\frac{1}{2}$ per cent per annum, but with effect from the 1st October 1916 this rate was raised to $4\frac{1}{2}$ per cent in respect of loans sanctioned by them on or after that date, and again to $5\frac{1}{2}$ per cent in respect of loans sanctioned on or after 1st April 1917, while loans sanctioned prior to those dates are charged at the old rate of $3\frac{1}{2}$ per cent.

REVISED FINANCIAL STATEMENT OF THE

* 18. General Administration. + Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Salary of the Governor	1.20	1.20	1.20	1.20	1.20	1.20
Staff and household of the Governor	1.08	1.12	1.08	1.62	1.43	1.34
Expenditure from contract allowance	.68	.69	.59	.59	.59	.59
Sumptuary allowance	.07	.07	.07	.07	.07	.07
Tour expenses	.53	.37	.39	.55	.40	.55
Executive Council	2.22	2.26	2.26	2.26	2.28	2.27
Legislative Council	.18	.18	.20	.20	.21	.20
Civil Secretariats	6.27	6.45	6.27	6.41	6.95	6.55
Board of Revenue, Financial Commissioner and Establishments ..	1.85	2.00	1.91	1.88	1.96	1.88
Civil Offices of Account and Audit ..	1.15	1.17	1.18	1.18	1.19	1.21
Total ..	15.23	15.51	15.15	15.96	16.28	15.86

* Purely Imperial minor heads which are not under the financial control of this Government are not shown here.
† Statutory charges under this head are not open to discussion.

34. *Staff and household of the Governor.*—The expenditure on the purchase and maintenance of furniture, carpets, and other equipment for Government houses, is shown under this minor head.

XVI-A. & 19-A. Law and Justice—Courts of Law. ± Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Sale-proceeds of unclaimed and escheated property	.27	.23	.34	.28	.75	.24
Court-fees realized in cash	.36	.32	.36	.37	.37	.37
General fees, fines and forfeitures ..	10.32	10.89	9.88	10.15	9.53	9.70
Pledership examination fees	.11	.12	.14	.13	.19	.18
Miscellaneous fees and fines	.16	.16	.16	.16	.16	.17
Miscellaneous	.22	.28	.51	.39	.28	.13
Total ..	11.44	12.00	11.39	11.48	11.28	10.79

‡ This head is not open to discussion.

§ Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
High Court	11.08	12.45	11.89	12.21	11.80	12.16
Law Officers	2.36	2.57	2.79	2.69	2.72	2.81
Administrator-General	.24	.26	.23	.26	.24	.26
Presidency Magistrates' Courts ..	.68	.69	.72	.74	.74	.70
Civil and Sessions Courts	38.43	38.72	39.55	39.83	40.14	41.69
Court of Small Causes	1.07	1.05	1.31	1.29	1.32	1.31
Criminal Courts	27.44	27.43	27.63	27.81	27.88	28.20
Pledership Examination charges ..	.04	.05	.06	.06	.10	.10
Refunds	1.30	1.26	1.29	1.26	1.32	1.32
Total ..	82.64	84.48	85.47	86.15	86.26	88.55

§ Statutory charges under this head are not open to discussion.

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Revenue.

35. The principal source of revenue is *General fees, fines and forfeitures*. The revenue under this head is, however, liable to fluctuations as it depends largely on the amount of judicial fines inflicted. The decrease from 1916-1917 occurs mainly under translation and printing fees in the High Court, and is ascribed to the introduction in that year of lower rates for the printing of cases. The budget for 1918-1919 mainly follows the current year's revised.

Expenditure.

36. *High Court.*—Under this minor head are shown the salaries of the Judges and officers and establishments of the High Court, and the connected contingent expenditure. The high actuals in 1915-1916 were due chiefly to expenditure on printing and translation work executed on behalf of suitors. The charge is covered by receipts credited to the same account. The budget estimate for 1917-1918 provided for the continuance throughout the year of all the four temporary puisne Judges, two of whom have since been made permanent. The decrease in the revised estimate is due to smaller expenditure on printing and translation charges. The budget for next year has been framed on the basis of the continuance of all the existing Judges of the High Court (permanent and temporary).

37. *Law Officers.*—This minor head comprises the charges on account of the Advocate-General, the Government Solicitor, the Government Pleaders at Madras and in the mufassal, and the appointment of a separate Public Prosecutor in Madras to discharge duties formerly devolving on the Government Pleader. It also includes the fees paid by Government to pleaders in civil and criminal cases.

38. *Civil and Sessions Courts.*—To this minor head are debited the charges in connexion with the City Civil Court, the Courts of District and Sessions Judges, Subordinate Judges and Munsifs, the establishments of the Government Agents in Ganjam, Vizagapatam and Gōdāvari, and process-serving and copyist establishments. The gradual increase in expenditure is due mainly to the additional temporary courts which it has been found necessary to open in various districts.

The budget estimate for 1918-1919 provides for the continuance throughout the year of 20 temporary sub-courts and 27 district munsifs' courts; it also contains enhanced allotments under *Supplies and services* and *Contingencies* aggregating .80 and the following lump provisions under process-serving and copyists' establishments:—

- .30, anticipated increase for additional process-serving establishment.
- .75, revision of pay of process-serving establishment.
- .20, anticipated increase for additional copyists' establishment.

39. *Criminal Courts.*—Under this minor head, the variations in the figures follow the corresponding alterations under the minor head 3-A. LAND REVENUE—*Charges of District Administration*, a portion of which is transferred to this head. Larger provision under *Supplies and Services* and *Contingencies* and a lump provision of .06 for the revision of the emoluments of the Agency staff, Vizagapatam, are the chief causes that have contributed to the increase in the budget estimate for next year under this head.

XVI-B. & 19-B. Law and Justice—Jails.

Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Jails	.07	.08	.07	.07	.08	.07
Jail manufactures	6.18	5.03	5.62	5.58	7.66	6.03
Total ..	6.25	5.11	5.69	5.65	7.74	6.10

REVISED FINANCIAL STATEMENT OF THE

89-94

Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Jails	10.97	11.36	11.41	11.73	11.04	11.58
Jail manufactures	4.46	3.92	4.22	3.75	5.00	4.45
Total	15.43	15.28	15.63	15.48	16.04	16.03

13

Revenue.

40. The main source of receipts under the head LAW AND JUSTICE—JAILS is the sale-proceeds of articles manufactured in jails and supplied to public departments.

41. *Jail manufactures.*—Large supplies to the Military Department contribute to the increase in the revised estimate for 1917-1918. The budget estimate for 1918-1919 does not anticipate that these demands will continue on the same scale as in the current year.

89-94

Expenditure.

42. Under this head are shown (a) the expenditure connected with the staff employed in the supervision of jails, (b) the charges for the maintenance of convicts, and (c) the cost of the purchase of raw materials for jail manufactures. Items (b) and (c) are fluctuating, being dependent on the strength of the jail population and on demands for jail industries. Variations in the prices of food-grains, and outbreaks of epidemic diseases in jails, also affect the charges for maintenance of prisoners.

43. *Jails.*—The variation in the figures for the years 1917-1918 and 1918-1919 occurs mainly under "Dietary charges." Against the budget estimate of 5.08 for 1917-1918 under this item, it is anticipated that the expenditure in the current year will amount to 4.45 only. The budget for 1918-1919 has been placed at 4.95 on the basis of the actuals of the previous three years.

44. *Jail manufactures.*—The estimates have, as usual, been framed with reference to the actuals of previous years, the actuals in the current year as far as known, and the probable demands for jail manufactures next year. The increase in the revised estimate for 1917-1918 as compared with the budget for that year is due to heavy demands for jail-made goods, chiefly from the Military Department.

XVII. & 20. Police.

13-14

Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Police supplied to Municipal, Cantonment and Town funds	.02	.01	..	..	..	..
Police supplied to public departments, private companies and persons	.43	.49	.56	.53	.57	.58
Presidency Police	.58	.61	.67	.64	.68	.69
Fees, fines and forfeitures	3.69	3.70	3.70	3.67	3.84	3.76
Superannuation receipts	.02	.04	.03	.03	.04	.04
Miscellaneous	.20	.22	.24	.25	.25	.25
Total	4.94	5.07	5.20	5.12	5.38	5.32

GOVERNMENT OF MADRAS FOR 1918-1919

94-121

Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Presidency Police	5.42	5.65	5.88	6.00	5.88	6.11
Superintendence	2.06	2.20	2.28	2.22	2.25	2.23
District Executive Force	70.25	79.96	84.50	86.53	86.47	89.00
Village Police	15.25	15.40	15.40	15.85	15.55	15.77
Criminal Investigation Department	1.56	1.68	1.63	1.70	1.58	1.69
Railway Police	1.47	1.46	1.28	1.51	1.46	1.50
Cattle Pounds	2.53	2.33	2.37	2.33	2.43	2.36
Miscellaneous	1.65	1.41	1.30	1.32	1.78	2.06
Refunds	.02	.01	.01	.01	.01	.01
Total	109.31	110.10	114.75	117.47	117.41	120.73

Revenue.

13-14

45. The receipts under this head consist mainly of (a) fees and fines levied under the Cattle Trespass Act, 1871, (b) the recovery of the cost of the police supplied to public departments, private companies and persons, and (c) fees levied under the Madras Hackney Carriage Act, 1911, and the Indian Motor-vehicles Act, 1914.

Expenditure.

94-121

46. The cost of the establishments maintained in connexion with cattle pounds is debited to this head, but the bulk of the expenditure relates to the Police Department. The charges relating to the establishment and maintenance of settlements for the reclamation of criminal tribes and for the reception of prisoners are also recorded under the minor head *Miscellaneous*.

47. *Presidency Police.*—The scheme for the reorganization of the constabulary in Madras city, which was given effect to from September 1915, has contributed to increased expenditure under this minor head. The budget for 1918-1919 anticipates improved recruitment in the town and suburban police force.

48. *Superintendence.*—The salaries of the Inspector-General and of the Deputy Inspectors-General and of their establishments are accounted for under this minor head. The figures from 1915-1916 include a full year's charges on account of an additional Deputy Inspector-General who was entertained temporarily in September 1914, and has recently been made permanent.

49. *District Executive Force.*—The salaries of District Superintendents, Assistant and Deputy Superintendents and of their establishments, and the cost of the District Police force, the Provincial Training School at Vellore, and the recruit schools for constables are included under this minor head. The expenditure under this head represents over 70 per cent of the expenditure under the whole major head.

50. The scheme for the revision of the pay of the mufassal constabulary was brought into effect during 1916-1917 and it has contributed to increased expenditure from and after that year. The budget for 1917-1918 provided for the full sanctioned strength of the District Police force less probable savings representing the cost of so much of the force as was not likely to be recruited in 1917-1918; and it included provision for a new Central Recruits' School at Anantapur. It is anticipated that there will be larger expenditure in the current year on police entertained in consequence of plague, and cost of railway warrants due to revision of the scale of passenger fares. But this excess will be more than counterbalanced by savings pates better recruitment, and consequently provides a larger allotment under pay of police force; it also contains enhanced provision under rewards and under clothing and uniform. The increased provision under rewards has been made with a view to enlisting the co-operation of private persons and also of the village menials, in the work of the Police, especially in so far as that work is of a preventive character.

REVISED FINANCIAL STATEMENT OF THE

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51. The expenditure in connexion with police talaiyaris appears under the minor head *Village Police*. Savings anticipated in the provision for talaiyaris in proprietary tracts account for the decrease in the revised estimate under this minor head.

108-109

52. The charges of the *Criminal Investigation Department* including the finger-print establishment, which forms part of this branch, are shown under the fifth minor head. The department is controlled by a Deputy Inspector-General who also supervises the Railway Police.

109-116

53. The minor head *Railway Police* includes the cost of the police staff employed on railways, and one-fourth of the salary of the Deputy Inspector-General for Criminal Investigation and Railways, and of his office establishment. The cost of supervision and of the police executive staff is distributed among the railways concerned in proportion to mileage. Seven-tenths of the aggregate cost is recoverable from the railways, the recoveries being shown as deductions from the charges.

116

54. Under the next minor head is shown the expenditure on account of *cattle pounds* in the mufassal, the charges on account of the pounds in Madras being debited to the minor head *Presidency Police*.

117-121

55. *Miscellaneous*.—The increase in the revised as compared with the budget estimate under this minor head is due to additional expenditure mainly of a non-recurring character sanctioned in the course of the year in some of the settlements established for the reclamation of the criminal classes. The budget estimate for next year under the minor head mainly follows the revised estimate and includes a lump provision of 50 for the construction of school buildings at the industrial home for the children of criminals at Perambur.

121

XVIII. & 21. Ports and Pilotage.

14

Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Revenue	..	..	01	..	..	..

122

Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Marine establishments .. .	37	47	37	47	48	43

14

Revenue.

56. The actuals for 1916-1917 (01) represent income from fines and forfeitures collected from the masters of British registered vessels from 1912 on account of Indian crews engaged and discharged at an Indian port.

122

Expenditure.

57. The charges under this head relate to the office of the Agent for Government Consignments.

GOVERNMENT OF MADRAS FOR 1918-1919

XIX. & 22. Education.

14

Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Fees—Government Colleges—General .. .	1.29	1.20	1.27	1.35	1.32	1.30
Fees—Government Colleges—Professional .. .	1.14	1.09	1.23	1.19	1.43	1.19
Fees—Schools—General .. .	34	40	42	32	43	32
Fees—Schools—Special .. .	16	13	14	14	14	15
Income from Endowments .. .	80	01	01	26	32	32
Miscellaneous .. .	27	47	26	32	32	32
Total ..	3.23	3.10	3.54	4.26	3.64	4.28

Expenditure.

122

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
University .. .	98	85	1.03	91	91	99
Direction .. .	96	91	92	92	94	91
Inspection .. .	8.36	8.47	8.47	9.28	8.56	9.26
Government Colleges—General .. .	3.63	4.06	4.61	4.51	4.41	4.92
Government Colleges—Professional .. .	2.83	2.54	2.80	3.15	3.15	3.57
Government Schools—General .. .	19.58	21.15	22.34	26.37	28.02	31.83
Government Schools—Special .. .	8.25	7.61	8.19	8.70	8.54	10.19
Grants-in-aid .. .	32.12	29.50	32.91	33.85	35.72	38.74
Scholarships .. .	1.33	1.44	1.58	1.62	1.68	1.71
Miscellaneous .. .	25	43	30	36	31	36
Refunds .. .	02	01	02	01	02	02
Lump grant entered by the Government of India for improvement of the pay and training of teachers .. .	..	..	..	4.00	..	..
Lump provision for taking over the management of four secondary schools, etc. .. .	..	..	..	1.11	..	1.11
Lump allotments .. .	..	..	..	..	..	3.81
Lump grant entered by the Government of India for the development of primary education .. .	..	..	..	..	..	5.50
Total ..	78.31	76.97	83.17	94.79	92.26	112.92

Revenue.

14

58. *Fees—Government Colleges—General and Professional*.—The figures under these two minor heads depend upon the strength of the Government Arts Colleges and of the Law College.

REVISED FINANCIAL STATEMENT OF THE

59. *Fees—Schools—General.*—The budget estimate for 1917–1918 took credit for .89 being the estimated fee income from secondary schools which it was proposed to take under Government management. The scheme will, however, not be introduced in the current year.

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Expenditure.

60. With effect from 1917–1918, the Government of India have sanctioned a recurring assignment of 4.00 from Imperial revenues for the improvement of the training and pay of teachers in elementary and secondary schools. This grant which was entered in the budget for 1917–1918 as a lump allotment is distributed in the revised estimate for 1917–1918 and in the budget for 1918–1919 as follows :—

Minor head.	Revised estimate, 1917-1918	Budget estimate, 1918-1919.	Remarks.
LAKHS.	LAKHS.		
(i) <i>Government Schools—General—</i>			
133 (a) Secondary schools for girls.	Nil.	.09	For improvement of the pay of teachers in Government secondary schools for girls.
134 (b) Elementary schools for boys	.01	.01	For raising the minimum pay of teachers in elementary schools.
134 (c) Elementary schools for girls	.08	.08	
131 (d) Payments in support of local board and municipal schools—elementary ..	1.23	1.23	
(e) Do.—secondary ..	.11	.11	
	1.43	1.52	
135 and 136 (ii) <i>Government Schools—Special—</i>			
(1) For opening secondary training classes at Dindigul, Tinnevely, Anantapur and Nellore ..	.20	.19	
(2) For raising the grade of certain lower elementary training schools, etc. ..		.72	
	.20	.91	
139 (iii) <i>Grants-in-aid—</i>			
(1) Teaching grants, elementary schools	.80	Nil.	
(2) Do. (for raising the scale of teaching grants).	.80	.80	
(3) Subsidy to secondary schools for training ..	.17	.17	
(4) Grants to secondary schools.	.30	.30	
(5) Grants to colleges for training	.10	.10	
(6) Grants to training schools.	.20	.20	
	2.37	1.51	
	4.00	4.00	

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61. *University.*—The budget estimate of .99 for 1918–1919 is made up of (a) .65 being the recurring Imperial grant, (b) .20 for expenses in connexion with travelling allowance to Fellows, (c) .005 for the maintenance of the Johnston of Carnsalloch scholarship, and (d) .13 (against .05 in 1917–1918) as a grant towards the cost of publishing a Tamil lexicon. The Government have promised a total contribution of 1.00 towards the Tamil lexicon, and the grants to the end of 1918–1919 will aggregate to .72.

62. *Inspection.*—Besides the usual provision for the 49 temporary additional sub-assistant inspectors of schools whose employment has been sanctioned pending the settlement of the question of permanently increasing the inspecting agency, the budget estimate for 1917–1918 included lump allotments of .50 for additions to the inspecting agency in order to meet the immediate needs of the department, and of .06 for the appointment of additional sub-assistant inspectors of Muhammadan schools. Sanction has been accorded to the temporary employment of 26 sub-assistant inspectors (including five for Muhammadan schools) and three sub-assistant inspectresses of schools, with their establishment. The variations between the figures relating to the budget and the revised estimates for 1917–1918 and the budget for 1918–1919 occur mainly under Salaries and Travelling Allowance.

63. *Government Colleges—General.*—The decrease in the revised estimate for 1917–1918 occurs under Supplies and Services—European stores. In addition to the provision for the Queen Mary's College for Women, Madras, and for the College newly opened at Anantapur, the budget for 1918–1919 contains lump allotments of (1) .24 (including .13 for non-recurring expenditure) for raising the Anantapur College to the first grade, and (2) .05 for additional assistant lecturers in the Kumbakonam, Rajahmundry and Mangalore Colleges.

64. *Government Colleges—Professional.*—The increase in the budget for 1918–1919 over the revised estimate for 1917–1918 occurs under “Teachers’ Colleges,” and is due mainly to the fact that the budget for 1918–1919 contains provision for a full year, instead of for eight months as in the current year, for the Training College recently opened at Rajahmundry.

65. *Government Schools—General.*—The details of the figures under this minor head are :—

	Accounts, 1916-1917.	Budget, 1917-1918.	Revised, 1917-1918.	Budget, 1918-1919.
(a) Government Schools, proper (secondary and elementary schools for boys and for girls).	4.11	4.35	4.31	4.82
(b) Payments in support of local board and municipal schools (secondary, elementary and sessional schools)	18.23	22.02	23.71	27.01
Total ..	22.34	26.37	28.02	31.83

66. *Government Schools—Proper.*—The increase in the budget estimate for 1918–1919 as compared with the revised estimate for 1917–1918 is due to the inclusion of (1) .05 for the purchase of apparatus for the Madras Students’ Club, (2) .01 for opening manual training centres in the Madrasa-i-azam and the Muhammadan secondary school, Georgetown, (3) .05 for opening a secondary school for Muhammadans at Trichinopoly, (4) .09, which comes out of the four lakhs recurring Imperial grant, for the improvement of the pay of teachers in Government secondary schools for girls, (5) .02 for improving the pay of elementary school teachers in the Godavari Agency, and (6) larger allotments under Supplies and Services and Contingencies.

67. *Payments in support of local board and municipal schools.*—It is under this sub-head and under the minor head “Grants-in-aid” that the bulk of the expenditure

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in connexion with the expansion and improvement of elementary education occurs. The following statement shows the details of the charges under this sub-head :—

	Accounts, 1916-1917.	Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
<i>Recurring.</i>				
(i) Elementary schools	16.23	{ 15.05 + 1.24 }	16.28	16.28
(ii) Secondary and sessional schools	1.86	1.92	1.92	1.92
(iii) For opening new elementary schools and strengthening existing elementary schools..	..	1.21	.70	4.50
(iv) For raising the minimum pay of teachers in elementary schools (from the 4 lakhs recur- ring Imperial grant)	..	..	1.23	1.23
(v) For Secondary schools (from the 4 lakhs recurring Imperial grant	..	..	.11	.11
Total ..	18.09	19.42	20.24	24.04
<i>Non-recurring.</i>				
(vi) Elementary schools	..	1.00	1.67	1.00
(vii) Secondary schools	.14	+ 1.60	+ 1.80	+ 1.97
Total ..	.14	2.60	3.47	2.97
Grand Total ..	18.23	22.02	23.71	27.01

* For additional capitation allowance, opening new elementary schools, etc.—distributed in 1916-1917.
† Includes .10 for equipment.

68. *Recurring charges.*—The recurring subsidies to local bodies which amounted to 2.18 in 1910-1911 have grown to 24.04 in the budget estimate for 1918-1919.

Item (iii).—In the budget estimate for the current year a lump provision of 1.21 was entered as subsidies to local bodies for opening new elementary schools and for strengthening existing elementary schools. As a result, however, of the demands from local bodies, and in view of the importance the Government attach to the expansion and improvement of elementary education, it has been considered desirable to sanction proposals costing 4.50 per annum made up of—

(a) 2.48 for opening 677 new elementary schools (580 under local boards and 97 in municipalities),

(b) 1.24 for strengthening the staff of 835 schools (753 under local boards and 82 in municipalities), and

(c) .78 for opening higher standards in 288 of the existing elementary schools (257 under local boards and 31 in municipalities).

So far as the year 1917-1918 is concerned, the recurring expenditure on account of the above scheme which is being given effect to from the 1st January 1918 amounts only to .70. An additional subsidy of .67, which is included in the revised estimate for 1917-1918 under item (vi), has also been sanctioned for non-recurring expenditure on account of furniture and equipment for the schools to be newly opened. Since from 1918-1919 onwards, the recurring cost will be 4.50 against 1.21 made in the current year's budget, the excess recurring liability of 3.29 thus thrown on Provincial funds is substantially higher than the annual increment of 2.00 which this Government have undertaken to provide for elementary education.

69. *Items (vi) and (vii).*—The budget estimate for 1918-1919 includes allotments of 1.00 for grants to local bodies for the construction of elementary school buildings and 1.37 for grants to local bodies for Secondary school buildings, which have been entered in accordance with the recommendations of the Finance Committee of January 1918.

70. *Government Schools—Special.*—The budget estimate for 1918-1919 includes (1) a sum of .62 for opening manual training centres, (2) a lump provision of .72 (which comes out of the 4 lakhs recurring Imperial grant) for raising the standard of certain elementary training schools, for the opening of a training school for the

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Ramnad district, etc., and (3) larger allotments for stipends and for charges under Supplies and Services and Contingencies in training schools for masters and mistresses.

71. *Grants-in-aid.*—The total figures appearing under this minor head may be broadly classified as follows :—

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
<i>A—Recurring.</i>						
(1) Teaching grants—elementary schools	} 16.51	16.07	17.50	18.09	{ 18.09 + 1.60*	19.09 + .80*
(2) Teaching grants—training schools, including stipendiary grants						
(3) Teaching and other grants to colleges, secondary schools, and schools other than elementary						
	} 1.33	1.44	1.36	1.48	{ 1.40 + .20*	2.07 + .20*
	} 7.69	7.85	7.92	8.02	{ 8.18 + .57*	8.75 + .57*
Total (recurring) ..	} 25.53	25.36	26.78	27.59	{ 27.67 + 2.37*	29.91 + 1.57*
<i>B—Special.</i>						
(4) Grants for buildings, furniture, apparatus, etc., hostels, etc.	6.59	4.14	6.13	6.26	5.68	7.26
Grand Total ..	32.12	29.50	32.91	33.85	35.72	38.74

* From the 4 lakhs Imperial grant.

Item (4).—The budget for 1918-1919 includes 1.00 for play-grounds.

72. *Lump allotments.*—The recurring Imperial grant of 4.00 given by the Government of India from 1917-1918 which was entered in the budget for 1917-1918 as a lump grant has, as already stated, been distributed in the revised estimate for 1917-1918 and in the budget for 1918-1919 under the several minor heads. Besides repeating the current year's budget provision of 1.11 for taking under Government management certain secondary schools, the budget estimate for 1918-1919 includes lump allotments aggregating 3.81 for the following purposes :—

	LAKHS.
(a) Opening new Board high schools (by developing existing Board middle schools), and new middle schools (by developing where- ever possible existing Board elementary schools)	2.09
(b) Improvement of Muhammadan education (grants to a Muhammadan College, opening two new middle schools, additional scholarships in secondary schools, etc.)	.75
(c) For opening a Civil Engineering school at Vizagapatam	.31
(d) Female education—strengthening the staff of secondary and train- ing schools for mistresses, opening secondary schools for girls, strengthening the staff of Government elementary schools for girls, etc.	.53
(e) Medical inspection of schools (.08); opening of night schools (.05) — [entered in accordance with the recommendations of the Finance Committee]	.13
	3.81

73. *Lump grant entered by the Government of India.*—In passing orders on the second edition of the estimates for 1918-1919, the Government of India have sanctioned a recurring assignment of 5.50 from Imperial revenues for the development of primary education. The assignment is shown on the receipts side in the budget for 1918-1919 under the head TRANSFERS BETWEEN IMPERIAL AND PROVINCIAL and an equivalent amount has been entered on the expenditure side under the present head 22. No details are at present available, but the Government of India have promised to communicate with this Government regarding the utilization of this grant.

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74. The budget figure for 1917-1918 under this major head is 94.79 and contained, as stated in paragraph 76 of the Revised Financial Statement for 1917-1918, an increased provision from Provincial revenues of 3.50 for the improvement and expansion of elementary education as against the promised annual increment of 2.00. The budget estimate for 1918-1919 is placed at 112.92 which exceeds the current year's budget (94.79) by 18.13, the excess provision occurring as follows:—

	Recurring. LAKHS.	Non- recurring. LAKHS.
(1) Recurring Imperial grant for the development of primary education	5.50	..
(2) Expansion and improvement of elementary education (against the promised annual increment from Provincial revenues of 2.00)	(a) 5.20	..
(3) Secondary schools	2.09	.37
(4) Muhammadan education	.30	.45
(5) Civil Engineering school at Vizagapatam	.15	.16
(6) Female education	.53	..
(7) University	..	.08
(8) Anantapur College and additional assistant lecturers in colleges	.16	.13
(9) Manual training	..	.62
(10) Grants-in-aid (other than elementary)	.73	1.00
(11) Medical inspection of schools (.08); and opening of night schools (.05)	.13	..
(12) Minor additions	.53	..
	15.32	2.81
	18.13	

(a) (1) Subsidies to local bodies (4.50 — 1.21) [item (iii) in paragraph 67, ante]	LAKHS.
(2) Grants-in-aid [items (1) and (2) in paragraph 71 ante]	3.29
(3) Government elementary schools for boys and girls (3.47 — .09 — 3.20) [page 131, Civil Budget Estimate].	1.59
(4) Training schools for mistresses [2.23 — (1.99 + .10)] [page 135, Civil Budget Estimate]	.18
	..
	14
	5.20

XX-A. & 24-A. Medical.

Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Medical School and College fees	.45	.41	.43	.54	.48	.50
Hospital receipts	.40	.37	.40	.39	.45	.45
Lunatic Asylum receipts	.21	.23	.23	.25	.25	.25
Contributions	.20	.20	.29	.29	.30	1.04
Miscellaneous	.16	.07	.07	.07	.15	.11
Total	1.42	1.28	1.42	1.54	1.63	2.35

Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Medical establishment	4.47	4.21	4.55	4.68	4.56	4.63
Hospitals and dispensaries	8.47	7.63	8.29	11.87	12.33	14.35
Grants for medical purposes	..	.17	.01	.03	.03	.02
Medical Schools and College	3.05	2.78	3.21	4.07	3.63	4.86
Lunatic Asylums	1.73	1.68	1.60	1.82	1.64	1.89
Chemical Examiner	.29	.27	.32	.33	.33	.33
Refunds	.01	.03	.01	.02	.02	.02
Revision of pay of Sub-Assistant Surgeons.	..	..	..	.07	..	.24
Total	18.02	16.77	17.99	22.89	22.54	26.34

75. The receipts and charges on account of sanitation were prior to the year 1916-1917 exhibited under the major head 'Medical.' In view of the increased interest now taken in sanitation, it was decided in 1916-1917 to create a separate major head for this purpose in order to bring out more prominently the provision made and the expenditure incurred on this important object. The former heads XX. & 24. MEDICAL were accordingly subdivided into XX-A & 24-A. MEDICAL and XX-B. & 24-B. SANITATION.

Revenue.

76. *Medical school and college fees.*—The increase from 1917-1918 is due to the increased rate of fees levied from private pupils and students coming from other provinces and Native States, to the opening of an additional medical school at Calicut and to increase in the number of pupils admitted at Rayapuram.

77. The minor head *Lunatic Asylum receipts* comprises payments by private persons for the maintenance of lunatics, and the sale-proceeds of work executed by patients in lunatic asylums.

78. *Contributions.*—The current year's budget figure of .29 represents the payment by the Madras Corporation towards (1) the maintenance of Government hospitals and dispensaries in the city (.20), and (2) the maintenance of the Georgetown dispensary (.09). The budget estimate for 1918-1919 takes credit for a sum of .75 representing the contribution recoverable from local bodies towards the cost of maintenance of certain headquarter hospitals which will be taken over by Government.

Expenditure.

79. *Medical establishment.*—Since 1914-1915, there has been a decrease under this head, owing mainly to savings in the salaries of Indian Medical Service officers transferred to military duty in connexion with the war. The figures from 1916-1917 include additional expenditure on account of the revision of the pay of civil assistant surgeons, under which they were placed on a time-scale of pay rising from Rs. 100 to Rs. 300 with two senior grades on Rs. 325 and Rs. 350.

80. *Hospitals and dispensaries.*—With effect from the year 1915-1916, grants to local and private bodies in aid of medical buildings have been shown under this minor head instead of under CIVIL WORKS.

The figures from 1916-1917 include expenditure on account of the maintenance of the new Rayapuram Hospital.

The increase of .46 in the revised estimate for 1917-1918, as compared with the budget estimate for the year, is due mainly to larger non-recurring grants to local and private bodies for hospitals and dispensaries, partly counterbalanced by savings chiefly under *Salaries and Supplies and Services* under 'Presidency hospitals and dispensaries.'

The budget estimate for 1918-1919 contains larger provision under *Supplies and services* and *Contingencies* for the Presidency hospitals and dispensaries. It has been decided to abolish the Government Voluntary Venereal Hospital and to provide the required facilities for the treatment of its patients in the General Hospital, the Rayapuram Hospital and, if possible, also the Royapetta Hospital. No provision has therefore been made in the budget estimates for next year for the Government Voluntary Venereal Hospital, but allowance has been made for an additional civil assistant surgeon in the Government General Hospital. The budget also provides for a lump sum of .05 for an additional civil assistant surgeon, etc., under 'Government Rayapuram Hospital.'

The budget estimate for 1918-1919 contains a lump provision of 2.50 representing the gross cost in that year on account of the scheme for the transfer of head-quarter hospitals to Government. Of this amount, a sum of .75 representing the contribution recoverable from local bodies appears on the receipt side as explained in paragraph 78. The hospital at Bellary has already been taken under Government management with effect from the 1st December 1917, and the hospitals at the headquarters of the districts of Coimbatore, Anantapur, Ganjam, Chingleput, Chittoor, Godavari, Cuddapah, Guntur, Madras, Kistna, Ramnad, Tanjore and North Arcot will be transferred to Government from the 1st April 1918.

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With reference to the undertaking given by Government in March 1915 to meet half the initial and recurring charges of new hospitals and dispensaries opened by local bodies, a sum of .45 has been entered in the budget estimate for 1918-1919 (.15 for municipalities and .30 for district boards). This amount is intended to meet recurring grants in respect of institutions opened up to the end of 1917-1918, and initial charges for institutions to be opened in 1918-1919, the recurring grants for which are payable only in 1919-1920.

The budget estimate for 1918-1919 contains provision for a contribution of .35 to the Kurnool municipality for the construction of hospital buildings. A lump provision of .50 has also been included on account of grants to private hospitals, including a sum of .25 for the Madura American Mission hospital for women and children.

81. On the recommendation of the Finance Committee a total provision of 1.50 has been entered in the budget estimate for 1918-1919 for grants to local bodies for medical buildings.

82. *Grants for medical purposes.*—With reference to the revised classification referred to in paragraph 75 ante, charges incurred on preventive measures in connexion with bubonic plague and the contribution of Government to the Pasteur Institute at Coonoor which were formerly exhibited under this head are now shown under the major head 24-B. SANITATION.

The grant hitherto paid to the Provincial Committee of the Countess of Dufferin's Fund to enable them to give stipends to women desirous of studying medicine has, with effect from the 1st September 1916, been disbursed direct from Provincial funds without the intervention of the committee. The expenditure is accordingly now debited to the more appropriate minor heads, viz., Medical Schools and College, and 22-H. EDUCATION—*Scholarships*.

The only item which now appears under this minor head relates to grants to local bodies for the employment of female medical subordinates.

83. *Medical College and Schools.*—The provision for medical education evidences an advance from the actuals of 2.78 in 1915-1916 to an aggregate of 4.86 in the budget estimate for 1918-1919. This is due in a large measure to the opening of the new medical school at Calicut and to the admission of more pupils at Rayapuram. The budget estimate for 1918-1919 provides for the increase (Rs. 9 to Rs. 15) recently sanctioned in the rate of stipends to civil medical pupils in the medical schools; it includes lump provisions for the following purposes:—

- (a) equipment in medical schools (.35);
- (b) increasing the teaching staff and allowances in mufassal medical schools (.15); and
- (c) opening of a medical school at Bellary (.20).

84. A lump provision of .24 has been entered in the budget estimate for 1918-1919 on account of the revision of pay of sub-assistant surgeons.

XX-B. & 24-B. Sanitation.

Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Sanitation and Vaccination receipts.	.10	.11	.18	.10	.14	.14

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Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Sanitation and Vaccination establishment.	1.93	2.09	1.94	1.92	1.96	2.35
Grants for sanitary purposes ..	.43	29.88	13.56	10.02	11.72	9.44
Expenses in connexion with Bubonic Plague, Malaria and Epidemics.	4.58	1.31	1.28	1.51	1.50	1.62
Bacteriological Laboratories and Pasteur Vaccine Institutes.	.23	.23	.26	.31	.93	.87
Refunds	..	..	.01	..	.01	.01
Total ..	7.17	33.51	17.05	13.76	16.12	14.29

Revenue.

85. Fees for chemical analyses at the King Institute, and the sale-proceeds of calves, are credited to this major head.

Expenditure.

86. *Sanitation and Vaccination establishment.*—The expenditure shown under this minor head relates mainly to the staff of deputy inspectors of vaccination and the Sanitary and Deputy Sanitary Commissioners and their establishments.

The increase in the budget estimate for 1918-1919 as compared with the revised estimate for the current year is due chiefly to the reorganization of the staff of deputy inspectors of vaccination.

87. *Grants for sanitary purposes.*—From and after 1915-1916 grants to local bodies for minor sanitary works and for water-supply and drainage schemes appear under this minor head instead of under 'Civil Works.'

The main item of expenditure under this minor head is 'Contributions for sanitary purposes.' The details are—

	Actuals, 1916-1917.	Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
(1) Grants to local bodies for minor sanitary works.	6.13	5.91	5.96	6.00
(2) Grants to district boards and municipalities for water-supply and drainage schemes	7.27	3.72	3.87	3.15
(3) Grant to the Madras Corporation for water-supply and drainage works ..	..	..	1.50	..
(4) Grants to municipalities on account of health officers.	..	.18	.16	.14
(5) Miscellaneous	.05	.02	.02	.02
Total ..	13.45	9.83	11.51	9.31

Item (1).—In accordance with the recommendation of the Finance Committee, a special grant of 6.00 has been entered for grants to local bodies for minor sanitary works in 1918-1919.

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Item (2).—The statement below shows approximately the distribution of the allotments of 3·87 in the revised estimate for 1917-1918 and of 3·15 in the budget estimate for 1918-1919:—

				Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
(i)	Madura water-supply improvements	..	..	·89	..
(ii)	Masulipatam water-supply	..	..	·80	..
(iii)	Chingleput water-supply	..	..	·15	·15
(iv)	Madura drainage	..	..	·65	·50
(v)	Cuddapah water-works improvements	..	..	·20	·02
(vi)	Tuticorin full power test water-supply	..	..	·39	·12
(vii)	Negapatam (erection of fountains)	..	..	·11	..
(viii)	Vizianagram water-supply works	..	..	·20	..
(ix)	Vizagapatam water-supply improvements	..	..	..	·15
(x)	Tanjore water-works improvements	..	..	..	·16
(xi)	Palni water-supply	..	..	..	·50
(xii)	Rāmēsvaram water-supply	..	..	..	·72
(xiii)	Tuticorin water-supply	..	..	..	·65
(xiv)	Budhwarpet water-supply	..	..	·31	..
(xv)	Siruvani water-supply investigation	..	..	..	·15
(xvi)	Other minor schemes	..	..	·17	·03
Total ..				3·87	3·15

Item (3).—*Grant to Madras Corporation.*—The increase in the revised estimate for 1917-1918 is due to the grant of 1·50 to the Madras Corporation which could not be disbursed in 1916-1917 as the sanction of the Secretary of State was not received until after the close of that official year.

88. *Expenses in connexion with bubonic plague, etc.*—The revised estimate for the current year includes ·10 for grants to local bodies towards the conduct of anti-malarial operations. The increase in the budget estimate for 1918-1919 as compared with the revised estimate for the current year is due partly to a full year's provision for an additional cholera reserve party and partly to the revision of the pay and allowances of sanitary inspectors attached to cholera parties.

89. *Bacteriological Laboratories and Pasteur Vaccine Institutes.*—The expenditure on the Vaccine and the Serum and Bacteriological sections of the King Institute of Preventive Medicine, and the contribution of Government to the Pasteur Institute at Coonoor, are shown under this minor head.

The increase in the revised estimate for the current year as compared with the budget is due to the inclusion in the former of the charges relating to the Serum and Bacteriological sections of the King Institute of Preventive Medicine which were originally budgeted for under '26-Ab AGRICULTURE—*Veterinary charges.*'

25. Political.

* Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Political Agents	·85	·86	·92	·89	·91	·89

* Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

90. To this head is debited the expenditure on account of Political officers serving under the Madras Government and their establishments, and also a moiety of the cost of the Consul at Pondicherry. The charges in connexion with the Resident in Travancore and Cochin, the Paymaster of Carnatic Stipends, the Government

Agent, Tanjore, the Stipend Pay offices, Kurnool and Vellore, and the Special Agent, South Arcot, are shown in full, but the expenditure connected with the Political establishments in Pudukkōttai and Sāndūr is recovered together with pensionary contribution from the Native States concerned, the recoveries being taken in abatement of charges.

XXI-A & 26-A. Agriculture.

Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.*	1915-1916.	1916-1917.			
Agricultural receipts	1·03	1·53	1·79	2·01	1·59	1·79
Veterinary receipts	·17	·18	·19	·19	·20	·20
Total ..	1·20	1·71	1·98	2·20	1·79	1·99

Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.*	1915-1916.	1916-1917.			
Agriculture	5·45	7·12	7·73	9·64	8·91	10·59
Veterinary charges	2·01	2·62	2·66	3·14	2·30	3·05
Co-operative Credit	1·37	1·46	1·59	1·68	1·82	1·91
Refunds	..	·01	·03	·04	·04	·03
Total ..	8·83	11·21	12·01	14·50	13·07	15·58

* Formerly shown under XXI. & 26. SCIENTIFIC AND OTHER MINOR DEPARTMENTS.

Revenue.

91. *Agricultural receipts* include mainly sale-proceeds of farm produce at the Central Farm at Coimbatore and at district farms and of cotton seed distributed by the Agricultural Department. Large receipts accrued in 1916-1917 from the sale of cotton lint and seed in consequence of the high price of cotton; the budget estimate for 1917-1918 was framed in anticipation of similar enhanced receipts from this source, but a decrease has occurred owing partly to failure of crop in the first circle, and partly to the extension of the system of confining Government purchases from private seed farms to the seed alone; the former practice was to buy both seed and lint together in the shape of *kappas* with the result that the Government receipts from subsequent sales included the value of both seed and lint.

92. The head *Veterinary receipts* consists mainly of the fees levied for the treatment of horses and cattle at veterinary hospitals.

Expenditure.

93. The Agricultural Department at present comprises the following principal officers:—(a) a Director of Agriculture, (b) a Superintendent of the Central Farm and Principal of the Agricultural College, (c) an Assistant Principal, (d) an Agricultural Chemist, (e) an Economic Botanist and a Lecturing Botanist, (f) a Sugar-cane Expert, (g) five Deputy Directors of Agriculture (including the officer appointed to take charge of the cattle-breeding and dairy operations in the Presidency) and three assistant Directors, (h) a Deputy Director of Agriculture, Planting districts, (i) a Mycologist, (j) an Entomologist, and (k) an Agricultural Engineer. The appointment

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of the Deputy Director, Planting districts, was originally sanctioned for five years, and the period having expired in April 1914, its continuance for a second term of five years has been sanctioned by the Secretary of State; fixed annual contributions towards the cost are given by the Mysore and Cochin Darbars, the Administration of Coorg and the United Planters' Association of Southern India. The appointments of Entomologist and Sugar-cane Expert were sanctioned for a period of five years, which expired in the current year. The first post has since been made permanent; the continuance of the second post for a further period of five years has been approved and in order to meet the cost of the sugarcane-breeding station, the Secretary of State has sanctioned the payment of a recurring assignment of 44 lakh per annum with effect from the 26th October 1917, instead of a non-recurring grant for the total expenditure as formerly allowed.

The budget estimate for 1917-1918 provided for seven Deputy Directors of Agriculture, including the Deputy Director for Live Stock, and besides a provision of 08 for the coconut experimental stations on the West Coast contained lump allotments of 10 for the opening of a new farm in the Chittoor or the North Arcot district, 27 for the development of the planting industries of Southern India, and 50 for a cattle-breeding farm. It was not found possible to recruit suitable men for two of the Deputy Directors' posts and unavoidable delays caused the lapse of the major portion of the three lump allotments mentioned. These circumstances account for part of the decrease in the revised estimate, and a further contributory cause is to be found in the economy consequent on the new practice in regard to the purchase of cotton seed referred to in paragraph 91 supra. The decrease was, however, partly counterbalanced by increases under other heads, the chief of which is the opening of a potato seed farm on the Nilgiris.

The budget estimate for next year provides for the appointment of two additional Assistant Directors, 15 managers and 10 assistant managers, representing a further instalment of the scheme of reorganization sanctioned by the Secretary of State in 1915; it also includes allotments of 05 for a new farm in North Arcot, 70 for the opening of a cattle-breeding farm, 15 for a cambodia cotton farm at Coimbatore, 04 for schools for the boy and adult labourers employed on the agricultural farms, and increased provision for the improvement of cotton cultivation and for expenditure on tools and plant in the Pumping and Boring Department.

94. *Veterinary charges.*—The decrease in the revised estimate is due mainly to the transfer to the head 24-B. SANITATION of the charges relating to the Serum and Bacteriological section of the King Institute of Preventive Medicine. The estimates for 1918-1919 provide for increased expenditure for the development of the Veterinary Department. The number of veterinary assistants has risen from 67 to 78. A lump provision of 09 has been made for opening six fresh veterinary institutions during 1918-1919.

95. *Co-operative credit.*—The gradual increase of expenditure under this head is due to the growth of the operations of the department which has necessitated the addition of one Assistant Registrar to the staff.

XXI-B. & 26-B. Scientific and Miscellaneous Departments.

Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Cinchona plantations	5.13	6.85	8.92	11.00	9.26	9.25
Emigration fees	.02	.08	.05	.11		
Fishery receipts	.93	1.37	1.91	3.69	2.86	4.66
Inland labour transport fees	.01	.01	.01	.01	.01	.01
Examination fees	1.96	2.11	2.12	2.10	2.09	2.17
Fees for inspection of boilers	.33	.36	.39	.38	.40	.40
Miscellaneous	.30	.36	.45	.32	.98	.72
Total	8.68	11.14	13.85	17.61	15.60	17.21

* Formerly shown under the heads XXI. & 26. SCIENTIFIC AND OTHER MINOR DEPARTMENTS.

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Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Archæological department	.38	.39	.40	.45	.42	.43
Provincial Museums	.49	.46	.45	.48	.46	.49
Imperial Institute	.01	.01		.01	.01	.01
Steam-boiler inspection establish- ment	.27	.29	.31	.32	.36	.42
Donations to scientific societies	.03	.03	.03	.03	.03	.03
Cinchona plantations	2.65	2.61	3.80	4.50	4.50	4.66
Emigration	.10	.09	.10	.10	.15	.16
Inspector of Factories	.19	.27	.31	.32	.31	.33
Provincial statistics	.33	.30	.30	.32	.31	.35
Examinations	1.47	1.66	1.73	1.77	1.87	1.93
Registrar of Joint Stock Companies.	.09	.13	.12	.11	.12	.12
Fisheries	1.51	1.89	2.41	3.30	3.06	4.44
Miscellaneous	2.16	2.13	2.30	3.83	2.40	4.39
Refunds		.01	.02	.01	.01	.01
Total	9.68	10.27	12.28	15.55	14.01	17.77

* Formerly shown under the heads XXI. & 26. SCIENTIFIC AND OTHER MINOR DEPARTMENTS.

Revenue.

96. Under *Cinchona plantations* appear the sale-proceeds of febrifuge, quinine bark, seeds, plants and jalap whether obtained from the Government plantations on the Nilgiris or (in the case of quinine) manufactured from purchased cinchona bark.

The increase in the actuals for 1916-1917 was due partly to the large demand for quinine from the Medical Stores, but mainly to the greatly enhanced rates adopted for the valuation of stock issued. The budget for the current year was fixed with reference to the demand expected; the fall in the revised estimate is, however, due to a reduction in the actual issues of quinine. The budget for next year follows the revised estimate.

97. The prohibition of indentured emigration accounts for the *nil* entry in the revised estimate for the current year and the budget estimate for next year under the second minor head *Emigration Fees*.

98. *Fishery receipts.*—The budget for the current year was framed in the expectation of large receipts from the manufacture of soap and from the sale of chanks. The former will be more than realized; but the budget anticipations under the latter have proved to be an over-estimate. The budget for next year anticipates a large increase in the sale of soap and additional revenue under pearl and chank fisheries.

99. *Miscellaneous.*—The increase in the revised estimate for the current year is due to larger realizations of revenue by the Department of Industries, and to a special contribution of 16 paid by the Indian Research Fund towards expenditure to be incurred in this Presidency for a period of five years on the experimental registration of vital statistics in selected typical areas; the charges so incurred are provided under the head 26-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS—*Provincial Statistics*.

Expenditure.

100. The charges of the Government Cinchona plantations on the Nilgiris are recorded under the minor head *Cinchona Plantations*. The bulk of the charges under this head relates to purchase of cinchona bark. A sum of 2.20 was provided in the current year's budget for this purpose, of which 1.90 is expected to be utilized. A part of the lump allotment in the budget for rejuvenating old estates, and for converting new areas into cinchona plantations is also likely to lapse. The decreases under these items and the short expenditure anticipated under European Stores are, however, counterbalanced by an increase under charges on account of chemicals owing to the rise in prices. The budget for next year provides a sum of 2.00 for purchase of

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bark ; it also includes enhanced provision for purchase of European stores, and lump grants aggregating 30 for the extension of plantations, rejuvenating old estates and afforesting grass land.

193-195

101. *Fisheries*.—Under this minor head are recorded the charges relating to the Department of Fisheries and to pearl and chank fisheries and the experiments in soap-making which have been entrusted to the Fisheries Department. The budget estimate for the current year provided for the appointment of a whole-time Director and the continuance of the soap-making experiments ; it also included a lump provision for the growth of work in the department, and an enhanced allotment under Pearl and Chank Fisheries. Savings have accrued under *Salaries* owing to the post of Director remaining unfilled permanently and to a successor not having been appointed to fill the appointment of Piscicultural Expert held by the late Mr. Wilson ; a lapse is also expected in the provision for *Allowances, Piscicultural works* and *Pearl Fishery charges*. This is partly counterbalanced by increased expenditure in the current year in the soap section. The budget estimate for next year provides for the sanctioned appointments ; and besides a lump provision of 12 for the development of work in the department it includes another provision of 1.00 for the establishment of a larger *experimental* soap factory.

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195-198

102. *Miscellaneous*.—The decrease in the revised estimate for the current year under this minor head is due to the lapse of the lump provision made in the budget for experiments in brick-making (58) and for the opening of a Mechanical Engineering school at Cocanada (25) and to smaller expenditure under grants-in-aid of industrial schools and miscellaneous experiments. The budget estimate for next year contains a provision of 06 for the appointment of an oil and soap expert, of 09 for a weaving expert to be recruited from England, allotments aggregating 82 for wood work and equipment required for the Technical Institute at Madura, a sum of 25 for opening a Mechanical Engineering school at Cocanada, and enhanced provision for expenditure on grants-in-aid of industrial schools and miscellaneous experiments.

XXII. & 29. Superannuations.

18

* Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
REVENUE	1.05	1.21	1.27	1.2	1.23	1.20

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* Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
EXPENDITURE . . .	33.83	33.08	33.23	34.65	33.75	35.65

* Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

Revenue.

18

103. The receipts under this head consist chiefly of contributions for pensions and gratuities on account of officers of Government lent to foreign service for employment under the Court of Wards, municipalities and other local bodies, Native States, and landholders.

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Expenditure.

104. This head comprises charges for pensions, gratuities and compassionate allowances, and for the commuted value of pensions to Government servants.

105. The decrease in the revised estimate for 1917-1918 as compared with the budget is due mainly to smaller expenditure anticipated under 'Commuted value of pensions.' The budget estimate for 1918-1919 provides for the normal expansion of the pension list.

XXIII. & 30. Stationery and Printing.

* Revenue.

19-20

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Stationery receipts	10	10	11	10	19	12
Sales of gazettes and other publications	57	59	59	59	60	59
Other press receipts	60	55	53	54	68	54
Total ..	1.27	1.24	1.23	1.23	1.47	1.25

* Expenditure.

200-205

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Stationery office at the Presidency ..	80	85	61	65	67	69
Stationery purchased in the country ..	14	07	04	07	04	05
Government Presses	5.30	5.76	5.39	5.60	4.97	5.33
Printing at Private Presses	37	44	34	43	36	38
Stationery supplied from Central Stores	8.19	7.93	6.54	9.00	8.18	8.18
Refunds	..	..	..	..	..	..
Total ..	14.80	14.85	12.92	15.75	14.22	14.63

* Purely Imperial minor heads which are not under the financial control of this Government are not shown here.

Expenditure.

200-205

106. *Government Presses*.—With effect from the year 1915-1916, the charges on account of the carriage of forms sent from the Government Press to mufassal offices are being debited to this minor head, instead of to the department to which the forms are supplied. The actuals for 1915-1916 included heavy expenditure on stores and plant. The decrease in the revised estimate for 1917-1918, as compared with the budget estimate for the year, occurs mainly under piecework-day-extra establishment, and carriage of gazettes and forms.

A lump provision of 19 lakh has been included in the budget estimate for 1918-1919 under 'Secretariat Press' and a corresponding reduction made under District Presses on account of the abolition of the latter, and the transfer of their work to the Government Press, Madras.

107. *Stationery supplied from Central Stores*.—The decrease in the actuals for 1916-1917 was due to the orders issued by the Government restricting the supply of stationery to public offices. The budget estimate for 1917-1918 provided for an

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increase on account of the rise in the prices of articles owing to the war, but restricted demands and economy have resulted in a saving, and it is anticipated that the budget figure will not be worked up to. The budget estimate for 1918-1919 follows the revised estimate for the current year.

XXV. & 32. Miscellaneous.

* Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Percentage on capital cost of furniture supplied to high officers ..	·01	·01	·01	·01	·01	·01
Unclaimed deposits ..	1·27	2·40	1·65	2·20	1·85	2·00
Treasure trove ..	..	·09	·01	·01	·01	·01
Sale of old stores and materials ..	·02	·03	·02	·02	·04	·02
Fees for Government audits ..	·28	·35	·31	·29	·33	·32
Contributions ..	·30	·32	1·06	·20	·30	·27
Miscellaneous fees, fines and forfeitures ..	·22	·22	·24	·24	·37	·37
Miscellaneous ..	·11	·13	·13	·15	·13	·12
Sale of lands, houses, etc. ..	·01	·03	..	..	..	..
Extraordinary items ..	·03	·01	..	..	..	..
Total ..	2·25	3·59	3·43	3·12	3·04	3·12

* Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

† Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Rewards for proficiency in oriental languages, etc. ..	·05	·03	·07	·05	·05	·05
Annual stipends to holders of literary titles ..	·02	·02	·01	·02	·02	·02
Subscriptions to periodicals ..	·41	·37	·42	·38	·36	·42
Cost of books and publications ..	·02	·12	·05	·08	·05	·05
Donations for charitable purposes ..	·79	·79	1·01	·77	1·20	1·12
Charges on account of European vagrants ..	·01	·01	·01	·01	·01	·01
Rewards for destruction of wild animals ..	·21	·22	·18	·22	·18	·20
Petty establishments ..	·22	·21	·21	·22	·22	·22
Special commissions of inquiry ..	·29	·18	·17	..	·06	..
Irrecoverable temporary loans written off ..	·01	·03	·02	·03	·03	·03
Rents, rates and taxes ..	·07	·06	·07	·08	·08	·08
Contributions ..	1·99	2·61	1·98	2·26	2·07	2·33
Miscellaneous and unforeseen charges ..	·08	·05	·05	·23	·05	10·80
Miscellaneous refunds ..	·01	·01	·03	·01	·01	·01
Miscellaneous charges for the treatment of patients at the Pasteur Institute at Coonoor ..	·01	·02	·01	·02	·02	·02
Total ..	4·19	4·73	4·29	4·38	4·41	15·36

† Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

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Revenue.

108. The receipts recorded under the first minor head *Percentage on capital cost of furniture supplied to high officers* represent a 5 per cent charge recovered as rent from the Resident and the Assistant Resident in Travancore and Cochin on the capital value of furniture supplied at the cost of Government. The other minor heads are for the most part self-explanatory.

109. The low receipts under the second minor head in 1914-1915 and 1916-1917 were due to the unusually large refunds of unclaimed deposits which are adjusted by deduction from receipts.

Expenditure.

110. The minor heads under this major head are for the most part self-explanatory.

111. *Donations for charitable purposes.*—The actuals for 1916-1917 include a special grant of ·22 paid to the Lawrence Memorial School, Ootacamund, with reference to a non-recurring assignment from Imperial revenues sanctioned by the Government of India for the purpose. Similar non-recurring assignments of ·25 for each of the two years 1917-1918 and 1918-1919 have been sanctioned since the budget for 1917-1918 was framed; and the charge has been provided for under the present head. This and a building grant of ·15 paid to the Madras Society for the Protection of Children towards the erection of a permanent home have contributed to the increase in the revised estimate for the current year and the budget estimate for 1918-1919.

112. *Special Commissions of Inquiry.*—The figure entered in the accounts for 1916-1917, and the revised estimate for the current year, under this minor head relates to the commission appointed to inquire into the conditions under which Indian labour is employed in Ceylon and the Federated Malay States.

113. *Contributions.*—The chief items of expenditure under this minor head are (i) contributions to municipalities which are given for general purposes such as to cover deficits and (ii) contributions to local funds. The grants made in aid of municipalities for general purposes amounted to ·30 in 1914-1915, ·13 in 1915-1916 and ·19 in 1916-1917. In the budget estimate for 1917-1918 a provision of ·50 was entered for this purpose on the recommendations of the Finance Committee. Of this amount ·30 will, it is anticipated, be utilized. A similar provision of ·50 has been entered in the budget estimate for 1918-1919.

Under contributions to local funds the chief items are the usual annual grants to the District Boards of the Nilgiris and of Koraput. The grant to the Nilgiri District Board which now stands at 1·08 is made in consequence of the small income which it derives from general sources. This grant was till recently 1·01 per annum and it has been increased by ·07 for the maintenance of the Ootacamund-Gudalur road. The grant to Koraput which now stands at ·24 is given as the revenue of that district board falls short of the expenditure on the services to be maintained by it. A contribution of ·44 is also paid to other district boards as compensation for the resumption by Government of the fishery rentals formerly credited to those local bodies, the chief item being 31 per annum given to the district boards of South Arcot, Trichinopoly and Tanjore. The high actuals under contributions to local funds in 1915-1916 are due to the temporary grant of ·84 made to the Guntur District Board in that year.

114. *Miscellaneous and unforeseen charges.*—Collectors of districts have been empowered, with reference to the recommendations of the Decentralization Commission, to make discretionary grants for general purposes of a public nature calculated to be of benefit to their districts up to an annual aggregate maximum of Rs. 1,000. The expenditure so incurred is budgeted for under this head in the first instance and the actual charges incurred are subsequently adjusted to the appropriate heads of accounts. This accounts for the decrease in the revised estimate under the minor head. The budget for next year includes the usual discretionary grants; and it provides a sum of 10·56 as a reserve for unforeseen expenditure; it was previously the practice to enter such reserve provision under 45. CIVIL WORKS—PUBLIC WORKS DEPARTMENT.

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36. Reduction or Avoidance of Debt.

Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Reduction or Avoidance of Debt..	2.50	2.50	2.50	..	..	..

115. The entries under this head up to the end of the year 1916-1917 relate to the scheme introduced in 1907 for the apportionment of famine expenditure between Imperial and Provincial funds. Under that scheme, Provincial funds were credited annually with a fixed sum of 2.50 subject to a maximum reserve of 25 lakhs. After that limit had been reached, the annual assignment ceased until the credit balance was reduced by actual famine expenditure. The scheme did not contemplate the creation of any actual fund. The annual assignment was added to the resources of the Presidency as an assignment from Imperial to Provincial funds, and was debited in the Provincial account against the head 36. REDUCTION OR AVOIDANCE OF DEBT. An administrative or *pro forma* account was maintained showing on its credit side the amount charged each year to Provincial under 36. REDUCTION OR AVOIDANCE OF DEBT, and on the debit side the charges incurred for famine relief. When famine occurred, the expenditure on famine relief was wholly Imperial up to the limit of the balance standing to the credit of the Local Government in the *pro forma* account. If the expenditure exceeded the latter amount, the excess was charged to Imperial and Provincial in equal shares. If, during a prolonged famine, the Provincial share of expenditure thus limited proved to be so great as to reduce the total Provincial balance below one-half of the prescribed minimum of 20, the treatment of further famine expenditure was a subject for special arrangement at the time.

116. The Government of India have discontinued the arrangement described above and expenditure under 33. FAMINE RELIEF is now divided between Imperial and Provincial revenues in the proportion of 3 to 1. The *pro forma* account has been abolished, and the debits now entered under the Provincial head "36. REDUCTION OR AVOIDANCE OF DEBT" together with the corresponding assignments from Imperial to Provincial under the head "Transfers between Imperial and Provincial" have been discontinued from 1917-1918. This accounts for the *nil* entries since 1917-1918 under this major head.

117. The budget for 1918-1919 under the divided head 33. FAMINE RELIEF is *nil*.

XXIX. & 42. Irrigation—Major Works.

Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Direct receipts	3.00	2.94	3.12	3.01	3.20	3.20
Provincial share (one-half) ..	1.50	1.47	1.56	1.50	1.60	1.60
Portion of Land Revenue due to Irrigation	102.48	106.97	102.08	106.97	103.49	103.66
Provincial share (one-half) ..	51.24	53.48	51.04	53.49	51.75	51.83

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Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Working expenses	25.16	22.36	19.69	22.50	21.90	23.00
Provincial share (one-half) ..	12.58	11.18	9.85	11.25	10.95	11.50
Interest on debt (Provincial share only, viz., one-half).	14.99	15.07	14.48	15.47	14.63	14.79

Interest on Debt is not open to discussion.

118. For purposes of classification in the accounts, irrigation works are divided into (a) Productive works, (b) Protective works, and (c) Minor works and navigation.

119. *Productive works* are works of a remunerative character undertaken for the improvement of the country, the capital expenditure on which is usually met from borrowed money; the interest and the cost of maintenance and working are provided out of current revenues, the income being credited thereto. Capital outlay on such irrigation works is recorded under the major head 49. IRRIGATION WORKS—a wholly Imperial head. The revenue is credited under XXIX. IRRIGATION—MAJOR WORKS and the interest and working expenses are debited to the head 42. IRRIGATION—MAJOR WORKS.

120. *Protective works* are those which are calculated to diminish future expenditure on famine-relief. The cost of the construction of Protective irrigation projects is paid out of the annual grants under famine-relief and insurance, and is chargeable to the major head 35. CONSTRUCTION OF PROTECTIVE IRRIGATION WORKS—a wholly Imperial head. The receipts and the interest and working expenses are, as in the case of Productive works, classed under the heads XXIX. & 42. IRRIGATION—MAJOR WORKS.

121. The head *Minor Works and Navigation* includes all classes of irrigation works other than the above, and is subdivided into

- (a) works for which capital and revenue accounts are kept;
- (b) works for which neither capital nor revenue accounts are kept; and
- (c) agricultural works, consisting of the conservancy of rivers or training of river-beds, and the maintenance of their embankments.

Revenue.

122. The receipts from Major Irrigation works are classified into *Direct Receipts* and *Indirect Receipts*.

123. The *Direct Receipts* are realized in the Public Works Department and are derived from the following sources: (a) sale-proceeds of water supplied for purposes other than irrigation or town consumption, (b) sale-proceeds of water supplied to other than irrigation or produce from canal plantations, (d) sale-proceeds of wood towns, (c) sale-proceeds of produce from canal plantations, (e) charges for water and grass from canal banks other than regular plantations, (f) receipts from navigation and (g) rent of buildings, etc.

The revised estimate for 1917-1918 is based on the latest actuals available, and the budget estimate for 1918-1919 follows the revised estimate.

124. The *Indirect Receipts* consist of land revenue due to, or dependent on, major Productive and Protective works for which capital and revenue accounts are maintained.

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The decrease in the revised estimate for 1917-1918, as compared with the budget for that year, occurs mainly under the Gōdāvari and the Cauvery delta systems.

Expenditure.

125. *Working expenses.*—The 'Working expenses' of each system are classified under the four sub-heads—(a) Extensions and improvements, (b) Maintenance and repairs, (c) Establishment charges, and (d) Tools and plant.

The expenditure under (a) 'Extensions and improvements' relates mainly to minor works costing less than Rs. 1,000, such as the construction of dams across channels and excavation of small distributaries.

Sub-head (b) 'Maintenance and repairs' relates to head works, main canals and branches, distributaries and drainage, and partakes of the nature of repairing and strengthening canal banks, clearing silt in canals, repairing locks, lock weirs and masonry works.

The charges on account of (c) 'Establishment' consist of fixed percentages on expenditure and on direct and indirect receipts: and those relating to the maintenance and construction of floating plant are exhibited under the sub-head (d) Tools and plant.

126. The actuals for 1914-1915 include expenditure for certain special works in the Kistna delta system and for repair of flood damages.

The fall in the expenditure for 1916-1917 occurs chiefly under the Gōdāvari and Kistna delta systems. The decrease under the Gōdāvari delta system was due to abnormal rains in the early part of the year, and the lapse under the Kistna delta system was caused mainly by savings effected on canal maintenance and repair estimates.

The decrease in the revised estimate for 1917-1918 as compared with the budget for that year occurs chiefly under the Kistna delta system where progress in silt clearance was unavoidably checked by the late closing of the Ellore canal, and the presence of drainage water in it as a result of heavy rain. The budget estimate for 1918-1919 contains larger allotments under (a) the Gōdāvari delta system due chiefly to the transfer to this head of the charges relating to river embankments connected with major irrigation works formerly shown as an agricultural item under 43. MINOR WORKS AND NAVIGATION—PUBLIC WORKS DEPARTMENT, and (b) the Kurnool-Cuddapah canal for expenditure on the restoration of the anicut at Adinimayapalli across the Penner which was breached by the floods of October 1916.

127. *Interest on Debt.*—Interest on the irrigation debt is calculated at the average rate of interest paid during the year on the total public debt of the Government of India, and the capital outlay upon which interest is calculated in 1918-1919 is that incurred up to the end of 1917-1918 plus half the estimated outlay in 1918-1919.

The rate of interest has fallen from 3·47 to 3·29 per cent.

XXX. & 43. Minor Works and Navigation.

Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Civil officers	·20	·24	·26	·24	·25	·23
Public Works officers	2·09	2·35	2·53	2·30	2·72	2·50
Total ..	2·29	2·59	2·79	2·54	2·97	2·73

GOVERNMENT OF MADRAS FOR 1918-1919

Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Civil officers	6·76	5·94	6·18	8·00	7·85	8·75
Public Works officers—						
Minor Works, Revenue Department	·34	·37	·51	·43	·53	·47
Works in the charge of Civil officers acting as Public Works disbursers	·39	·39	·38	·50	·47	·50
Works in the charge of the Public Works Department	36·61	31·47	28·64	32·07	33·50	32·53
	37·34	32·23	29·53	33·00	34·50	33·50
Total ..	44·10	38·17	35·71	41·00	42·35	42·25

Revenue.

128. *Civil officers.*—The receipts, which consist chiefly of fines under section 6 of the Madras Compulsory Labour Act, 1858, are fluctuating in character.

129. *Public Works officers.*—The revenue comprises receipts from sale of water, canal produce, navigation, and rent of buildings, and is derived mainly from the Madras water-supply and irrigation system, the Buckingham canal and other similar systems, and from ordinary and agricultural works.

The revised estimate for 1917-1918 is based on the latest actuals available, and includes a special contribution of ·18 from the Irrigation Cess fund on account of the expenditure incurred from Provincial revenues in previous years for the improvement of the Vangal channel in the Trichinopoly district. The budget for 1918-1919 follows mainly the revised estimate for 1917-1918 after excluding the special receipt in the current year.

Expenditure.

130. *Civil officers.*—The expenditure represents the cost of minor irrigation works, chiefly repairs to tanks, costing not more than Rs. 2,500 each, which are executed under the supervision of the Revenue Department. Voluntary contributions towards repairs received from private persons and bodies are taken in abatement of the charges. The outlay depends to a large extent on the character of the season, since it is impossible to carry out repairs when heavy rains bring a large amount of water into tanks.

The provision of 8·25 for 1918-1919 entered in the first edition of the budget has at the instance of the Finance Committee been raised to 8·75.

131. *Public Works officers.*—Expenditure on minor irrigation works other than those mentioned under *Civil officers* is shown under this head under the following subdivisions:—

(a) "Minor Works, Revenue Department" relating to works of the Revenue Department, the execution of which requires technical skill and which are entrusted to the Public Works Department;

(b) "Works in the charge of Civil officers acting as Public Works disbursers" under which is recorded the expenditure on works costing more than Rs. 2,500 each executed by the officers of the Revenue Department; and

(c) "Works in the charge of the Public Works Department."

132. The actuals for 1914-1915 include certain special items of expenditure such as the closing of breaches, and repairs to flood damages in the Gōdāvari, Kistna and Cauvery deltas.

The decrease in the actuals for 1916-1917 is due to the fact that progress on a number of works was retarded by untimely rains, and the presence of water in tanks and channels. The budget for 1917-1918 included provision for repairing the damage

REVISED FINANCIAL STATEMENT OF THE

caused by floods and the cyclone in the districts of North Arcot, South Arcot and Salem; and the increase in the revised estimate for 1917-1918 is due to larger expenditure on these repairs, and to the transfer to this head of the charges connected with the Chepad project formerly shown under "49. IRRIGATION—Capital Expenditure not charged to Revenue."

The budget estimate for 1918-1919 includes an allotment of 5.50 for Tank Restoration Scheme works against a grant of 4.13 in the current year's budget. The decrease in the budget for 1918-1919 as compared with the revised estimate for 1917-1918 occurs mainly under "Repairs—Agricultural Works" due to the transfer to the head "42. IRRIGATION—Major Works—Working Expenses" of the charges relating to river embankments connected with major irrigation works. The more important works in the course of construction are—

	Total cost.	Actuals to end of 1916-1917.	Probable outlay, 1917-1918.	Budget, 1918-1919.
Siddapur tank project	9.22	7.87	.86	.56
Yellanur do.	2.36	2.21	.04	.04
Panjapatti reservoir project	3.36	2.51	.35	.55
Total	14.94	12.59	1.25	1.15

* Credits will be afforded by the transfer or otherwise of the special plant and machinery after the completion of these projects.

XXXI. & 45. Civil Works.

Revenue.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Civil officers	.12	1.70	1.11	.10	.37	.10
Public Works officers	3.97	4.32	4.03	3.62	4.29	4.29
Total	4.09	6.02	5.14	3.72	4.66	4.39

Expenditure.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Civil officers	79.09	23.42	20.07	20.87	27.90	27.05
Public Works officers—						
(i) Works in charge of Civil officers acting as Public Works disbursers	3.11	1.60	.78	1.48	1.36	1.65
(ii) Grants for works executed by the Public Works Department on behalf of local bodies	10.78	..	..	..	..	..
(iii) Works in charge of the Public Works Department.	70.07	61.98	58.91	61.67	53.64	57.45
	83.96	63.58	59.69	63.15	55.00	59.10
Total	163.05	87.00	79.76	84.02	82.90	86.15

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Revenue.

133. *Civil officers.*—The receipts represent the sale-proceeds of grass and fruit in Government cemeteries, and tolls levied under the Indian Tolls Act, 1851, in the Agency tracts of Ganjam.

The actuals for 1915-1916 and 1916-1917 and the revised estimate for 1917-1918 include special credits mostly on account of refunds by local bodies of unspent balances of Provincial contributions. The budget for 1918-1919 follows the revised estimate for the current year after excluding the special items provided for in the latter.

134. *Public Works officers.*—The receipts are derived mainly from rents of buildings in charge of the Public Works Department, from the sale-proceeds of buildings and materials, from tolls on roads, from the net profits in the Public Works Workshops, and from fines levied from contractors for failure in the execution of works.

The revised estimate for 1917-1918 is based on the latest actuals available, and the budget for 1918-1919 follows the revised estimate.

Expenditure.

135. *Civil officers.*—The expenditure under this minor head relates chiefly to (i) public works in the Agency tracts of Ganjam, Vizagapatam and Gōdāvari costing not more than Rs. 2,500 each, and executed by officers other than those of the Public Works Department, and (ii) grants to local bodies in aid of roads and bridges and other miscellaneous public improvements. Grants to local bodies for educational and medical buildings and for sanitary works which were formerly shown under this head are with effect from 1915-1916 debited to the heads of account most closely connected with the objects for which they are given, viz., 22. EDUCATION, 24-A. MEDICAL, and 24-B. SANITATION.

136. The following are the principal items of expenditure during the three years 1916-1917 to 1918-1919:—

Number.	Particulars.	Accounts, 1916-1917.	Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
(a)	Grants to district boards to supplement their resources of which a sum of 14 lakhs has been specially provided by the Government of India.	16.33	17.13	17.13	17.13
(b)	Grants to local boards for the improvement of village or other roads	..	..	5.00	5.00
(c)	Special grants to local bodies for roads and bridges	2.76	2.64	4.72	3.57
	Total	19.09	19.77	26.85	25.70

Item (a).—For the last three years each district board in this Presidency has been given in aid of its general resources an annual grant equal to one-fourth of its land-cess receipts in the previous year. In order, however, to enable district boards to frame their budgets on a permanent basis, it has been decided to stereotype this aid on the basis of the grants made to them in 1917-1918 and to give additional subsidies, as funds permit, to the poorer district boards. The details are furnished in the annexure at the end.

Item (b).—The special grant of 5 lakhs in 1917-1918 for the improvement of village and other roads has been distributed among the district boards of Anantapur (1.00), Bellary (.80), Kurnool (.80), Chittoor (.40), Salem (.40), Nellore (.40) and Chingleput (.40). It is proposed to give similar grants for the year 1918-1919.

Item (c).—The increase in the revised estimate for 1917-1918 over the budget for that year is due to additional allotments sanctioned in the course of the year to certain district boards for expenditure on roads and bridges.

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The budget estimate for 1918-1919 contains the following allotments which have been entered in accordance with the recommendations of the Finance Committee of January 1918:—

(1) Grants to local bodies for roads and bridges	LAKHS.
(2) Grants to the district boards of Vizagapatam (40), Koraput (35), and Godavari (99)	1.50
	1.74

137. The Finance Committee also recommended an allotment of 26 for outlay on works in the Agency tracts. Of this amount, a sum of 06 for works in the Ganjam Agency costing not more than Rs. 2,500 appears under this minor head, while the balance, viz., 20 for works in the Vizagapatam Agency costing more than Rs. 2,500 appears under the next minor head "Works in charge of Civil officers acting as Public Works disbursers."

138. *Public Works officers.*—This minor head comprises three sub-heads, viz:—

- Works in the charge of Civil officers acting as Public Works disbursers;
- Grants for works executed by the Public Works Department on behalf of local bodies; and
- Works in the charge of the Public Works Department.

139. *Works in the charge of Civil officers acting as Public Works disbursers.*—Under this sub-head is recorded the expenditure on works costing more than Rs. 2,500 each carried out by officers of the Civil department acting in the capacity of Public Works disbursers. Works costing not more than Rs. 2,500 each which are executed by officers of the Civil department are debited as contingent charges of the department concerned. In the case, however, of the Salt, Excise and Forest departments all works executed by civil officers, irrespective of their cost, are adjusted not to the Public Works department head but to the contingencies of the department concerned.

The main items under this sub-head relate to works in the Jail department executed by Superintendents of Jails as Public Works disbursers and to works in the Agency tracts. The expenditure on account of the Pumping and Boring department, which formerly appeared under this head, is shown under the head 26-A. AGRICULTURE with effect from 1915-1916.

140. *Grants for works executed by the Public Works Department on behalf of local bodies.*—Grants to local bodies for water-supply and drainage schemes, educational and medical buildings, roads and bridges, etc., carried out by the Public Works department on behalf of the local bodies, which appeared formerly under this sub-head, are with effect from 1915-1916 shown under the heads of account most closely connected with the objects for which they are given, viz., 24-A. MEDICAL, 24-B. SANITATION, 45. CIVIL WORKS—In the charge of Civil officers.

141. *Works in the charge of the Public Works Department.*—The budget estimate for 1917-1918 under this sub-head includes a reserve of 5.00 for expenditure on urgent and unforeseen items under other heads. It is also anticipated that there will be a decrease in the current year's budget provision under "Establishment" and "Tools and Plant"; but this will be partly counterbalanced by an excess expenditure under "Repairs."

The budget estimate for 1918-1919 has, as in previous years, been restricted to items of absolute necessity.

The budget for 1918-1919 includes allotments of (a) 26 for new buildings required under the scheme for the redistribution of district, subdivisional and other charges, and (b) about 5.79 for Police buildings mainly in connexion with the reallocation scheme. The total cost of the former scheme is estimated at about 42.00. The Government of India have sanctioned assignments aggregating 25.00 from Imperial revenues for the purpose, and the balance is to be met from Provincial funds. Up to the end of 1916-1917 an expenditure of 22.52 has been incurred and the probable outlay in 1917-1918 is about 42.

142. The following is a list of important works (a) which were completed in 1916-1917 and (b) which are in progress in the current year:—

(a) Works completed in 1916-1917.

(1) New Collector's Office, Madura	Actual cost.
(2) New building for the Stationery Stores, Madras	5.29
(3) New court-house for the Chief Presidency Magistrate, Egmore	3.57
	1.01

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(b) Works in progress.

Number.	Name of work.	Total estimated cost.	Actuals to end of 1916-1917.	Probable outlay, 1917-1918.	Provision in the budget for 1918-1919.
1	Constructing quarters for 1 inspector, 3 sergeants and huts for 17 head constables and 125 constables of the Armed Reserve Police, Vellore	1.00	.14	.14	.43
2	Constructing a Police Recruits' School, Anantapur	2.46	1.91	.36	.19
3	Constructing police huts and quarters at Palamecottah and Sindupundur.	1.89	1.72	.17	..
4	Constructing the main-ward block of a new hospital at Royapuram	6.97	3.60	1.33	1.25
5	Constructing the new Engineering College buildings at Guindy	15.06	4.73	3.06	2.50
6	Constructing a new court-house for the District Judge, Trichinopoly	1.82	.06	.80	.87
7	Constructing quarters for 2 European sub-inspectors and 2 Indian sub-inspectors and huts for 16 head constables and 84 constables of the C1 and C2 police stations, Madras	1.48	.43	.20	.37
8	Constructing the Kalinghia Ghat road.	1.86	1.01	.40	.40
9	Constructing Technical Institute buildings at Madura	2.55	1.41	.63	.50
10	Constructing an Agricultural College and Research Institute at Coimbatore	10.36	9.81	.12	..
11	Salem hospital buildings	1.74	1.66	.07	..
12	Constructing a regulator with a roadway across the Vellar	2.19	.56	.39	.16
13	Constructing huts for 18 head constables and 97 constables of the B1, and B2 police stations, Madras	3.00	1.90	.50	.55
14	New Civil Hospital, Vizagapatam	4.98	.13	.50	1.50

Transfers between Imperial and Provincial Revenues.

	Accounts.			Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1914-1915.	1915-1916.	1916-1917.			
Net assignment to Provincial revenues	+ 29.95	+ 22.65	+ 16.53	+ 19.23	+ 12.01	+ 21.11

143. All adjustments between Imperial and Provincial funds are recorded on the revenue side of the accounts under the above head.

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144. The details of the adjustments for the current and coming years are shown in the following statement :—

	Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
IMPERIAL TO PROVINCIAL.			
(1) Assignment on account of the sugarcane breeding station for five years from 26th October 1917	..	19	44
(2) Contribution towards the cost of the appointment of a Scientific Officer to assist the planting industries in Southern India by the Administration of Coorg	02	02	02
(3) Assignment for recurring charges in connexion with the constitution of additional district and other charges given in addition to the sum of 7.10 per annum which has merged in the Provincial Settlement	75	75	75
(4) Assignment to meet the expenditure thrown on Provincial funds by the abolition of the Proprietary Estates Village Service funds ..	12.48	10.91	12.17
(5) Assignment on account of stipends to Mahamahopadhyaya and Shams-ul-ulama title-holders	02	02	02
(6) Assignment for improvement of sanitary services	35	26	35
(7) Assignment for expenditure on urban sanitation given from 1913-1914	6.00	6.00	6.00
(8) Assignment for expenditure on education (made up of 8.25 given out of the coronation grant in 1912-1913 and increases of 6.80 sanctioned in 1913-1914 and 1.25 sanctioned in 1914-1915)	16.30	16.30	16.30
(9) Assignment for development of the Madras University (given from 1912-1913)	65	65	65
(10) Assignment for improvement of education in Aided English Secondary schools (given from 1912-1913)	80	80	80
(11) Assignment for the extension of education among the poorer classes of the Domiciled Community in the City of Madras (given from 1912-1913)	30	30	30
(12) Assignment for the improvement of Muhammadan education (given from 1914-1915) ..	30	30	30
(13) Assignment for grant to the Lawrence Memorial School, Ootacamund	15	15	15
(14) Assignment towards the expenditure in connexion with the audit of the Hyderabad and Secunderabad local funds	03	03	03
(15) Assignment on account of the transfer of Nugur, Albaka and Cherla taluks from the Central Provinces to the Madras Presidency.	24	24	24
(16) Assignment for meeting the transfer from Imperial to Provincial funds of the cost of maintenance of Government cemeteries not attached to Government churches	09	09	09
(17) Assignment for remission of certain recoveries from local bodies	1.71	1.71	1.71
(18) Assignment on account of the provincialization with effect from 1914-1915 of the salaries of officers of the Indian Civil Veterinary Department	29	29	29

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	Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
IMPERIAL TO PROVINCIAL—cont.			
(19) Assignment on account of the compensation for interest charged to Provincial funds for five Minor Irrigation works transferred to the class of Major Irrigation works ..	50	50	50
(20) Assignment for improvement of pay and training of teachers	4.00	4.00	4.00
(21) Assignment for primary education	..	..	5.50
(22) Assignment towards a Training College at Ootacamund for male teachers of the domiciled community	..	25	25
Total ..	44.98	43.76	50.86
PROVINCIAL TO IMPERIAL.			
(23) Fixed assignment under the Provincial Settlement	18.09	18.09	18.09
(24) Assignment on account of the reduction from 18 to 6 of the percentage charged against Provincial revenues on the value of imported stationery stores	29	29	29
(25) Assignment on account of the imperialization of the Public Works Department Account staff	94	94	94
(26) Compensation payment on account of the Provincial share of the extra Excise and Income-tax revenues accruing from additional taxation imposed by the Government of India	6.43	12.43	10.43
Total, Provincial to Imperial ..	25.75	31.75	29.75
Net addition to Provincial ..	19.23	12.01	21.11

Item (21).—As already explained in paragraph 73 ante a corresponding allotment of 5.50 has been entered in the budget on the expenditure side under the head 22. EDUCATION.

Item (26).—The Government of India imposed additional taxation with effect from 1916-1917 solely to meet Imperial needs, and the heads under which the proceeds of the additional taxation accrue are III. SALT, VII. CUSTOMS, V. EXCISE, and VIII. INCOME-TAX. The heads SALT and CUSTOMS are purely Imperial, while the heads EXCISE and INCOME-TAX are shared equally between Imperial and Provincial. To enable Imperial resources to receive the full increment due to the new taxation, it is necessary to pay from Provincial revenues a recurring compensatory assignment equivalent to the estimated amount accruing as the Provincial share of the new taxation. The Provincial share of the additional taxation was accordingly fixed provisionally at 6.43; this sum is made up of 1.8 under V. EXCISE and 6.25 under VIII. INCOME-TAX, and is liable to revision when normal financial conditions are restored and it is possible to frame a reliable estimate of the normal yield from enhanced taxation. The original forecast of 6.25 under Income-tax will be exceeded by 6.00 in 1917-1918 and by 4.00 in 1918-1919.

The remaining items are self-explanatory.

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Provincial Advance and Loan Account.

145. Three statements are annexed showing the transactions under Provincial loans and advances. As explained in paragraphs 32 and 33 ante, the interest on loans advanced by this Government is credited to XII. INTEREST, while the payment by this Government to the Government of India of the interest on the mean between the outstanding balance at the beginning and at the end of each year is debited to 13. INTEREST. The rate of interest charged to the local Government was raised from $3\frac{1}{2}$ to $4\frac{1}{2}$ per cent per annum in respect of loans sanctioned from the 1st October 1916, and to $5\frac{1}{2}$ per cent per annum in respect of loans sanctioned from the 1st April 1917. Statement I annexed accordingly exhibits the transactions relating to loans sanctioned prior to the 1st October 1916, statement II, those relating to loans sanctioned subsequent to that date but before 1st April 1917, and statement III, those relating to loans sanctioned on or after the 1st April 1917.

146. Class I. Loans include advances to cultivators made under the Land Improvement Loans Act and the Agriculturists' Loans Act and advances to co-operative credit societies. The advances to cultivators in the current year are estimated at 8.66 as against the budget estimate of 9.30. The decrease is mainly due to the fact that the provision on account of loans to be granted by the Agricultural Department for the erection of pumping installations is not expected to be fully utilized. The budget estimate for 1918-1919 has been fixed at 8.50.

147. The provision of .05 under 'Class III. Loans to Landholders and Notabilities' entered in the revised estimate for 1917-1918 represents the balance of the loan to the Zamindar of Punganur for the completion of the survey of the zamindari.

148. Class IV. Loans. These represent loans to district boards and municipalities in connexion with drainage and water-supply schemes, the construction of markets and other public works, and plague-preventive measures.

The allotment for 1918-1919 is intended for works which are actually in progress, or which will be taken up for execution at an early date, and represents the minimum necessary to meet actual requirements.

149. Class V. Loans. A small provision of Rs. 500 has been included in the budget estimate for 1918-1919 under 'Miscellaneous advances' for the purpose of granting advances to divers in the chank fisheries for the purchase of canoes.

PROVINCIAL ADVANCES AND LOANS. I.—LOANS SANCTIONED PRIOR TO 1st OCTOBER 1916.

	Accounts.										Budget estimate, 1917-1918.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
	1910-1911.	1911-1912.	1912-1913.	1913-1914.	1914-1915.	1915-1916.	1916-1917.	1917-1918.	1918-1919.	1919-1920.			
Class I (a)—Loans to Cultivators.	Balance .. 48.56	48.30	48.33	49.88	50.03	52.25	52.84	48.20	49.10	40.58			
Advances .. 6.53	6.53	7.38	8.20	7.37	8.58	7.70	8.81	7.02	8.52	7.40			
Recoveries .. 6.79	6.79	7.35	6.65	7.22	6.86	7.11	7.55	41.18	40.58	33.18			
Balance .. 48.30	48.30	48.33	49.88	50.03	52.25	52.84	49.10	41.18	40.58	33.18			
Class I (b)—Loans to Co-operative Credit Societies.	Balance .. 4.46	4.41	4.37	4.31	4.25	4.21	4.16	4.10	4.11	4.06			
Advances .. 4.05	4.05	4.04	4.03	4.06	4.04	4.05	4.05	4.04	4.05	4.05			
Recoveries .. 4.41	4.41	4.37	4.31	4.25	4.21	4.16	4.11	4.06	4.05	4.01			
Balance .. 4.05	4.05	4.04	4.03	4.06	4.04	4.05	4.05	4.04	4.05	4.01			
Class III—Loans to Landholders and Notabilities.	Balance .. 23.09	24.79	25.56	25.63	28.17	27.45	27.45	27.45	27.45	27.45			
Advances .. 3.25	3.25	2.27	1.69	4.09	9.2	1.85	1.85	1.85	1.85	1.85			
Recoveries .. 1.55	1.55	1.50	1.62	1.55	1.64	1.76	1.81	1.83	2.21	2.21			
Balance .. 24.79	24.79	25.56	25.63	28.17	27.45	27.45	27.45	27.45	27.45	27.45			
Class IV (a)—Loans to Municipalities.	Balance .. 32	32	32	32	32	32	32	32	32	32			
Advances .. 23	23	23	23	23	23	23	23	23	23	23			
Recoveries .. 32	32	32	32	32	32	32	32	32	32	32			
Balance .. 23	23	23	23	23	23	23	23	23	23	23			
Class IV (b)—Loans to District Boards.	Balance .. 32	32	32	32	32	32	32	32	32	32			
Advances .. 23	23	23	23	23	23	23	23	23	23	23			
Recoveries .. 32	32	32	32	32	32	32	32	32	32	32			
Balance .. 23	23	23	23	23	23	23	23	23	23	23			
Class V—Miscellaneous Loans.	Balance .. 32	32	32	32	32	32	32	32	32	32			
Advances .. 23	23	23	23	23	23	23	23	23	23	23			
Recoveries .. 32	32	32	32	32	32	32	32	32	32	32			
Balance .. 23	23	23	23	23	23	23	23	23	23	23			
Total, Classes I to V.	Balance .. 72.43	73.56	74.34	75.89	78.51	80.91	81.96	77.15	78.06	67.16			
Advances .. 9.78	9.78	9.65	9.89	11.46	10.45	9.99	5.61	9.00	10.90	9.38			
Recoveries .. 8.62	8.62	8.90	8.34	8.84	8.05	8.94	9.51	9.00	10.90	9.38			
Balance .. 73.59	73.59	74.34	75.89	78.51	80.91	81.96	78.06	68.15	67.16	57.78			
Loans to Local Boards for Railway Construction — Kistna District Board.	Balance .. 17.26	16.59	15.89	15.17	14.42	13.63	12.81	11.96	11.96	11.08			
Advances .. 6.67	6.67	7.0	7.2	7.5	7.9	8.2	8.5	8.9	8.8	9.2			
Recoveries .. 16.59	16.59	15.89	15.17	14.42	13.63	12.81	11.96	11.07	11.08	10.16			
Balance .. 89.69	89.69	90.18	90.23	91.06	92.93	94.54	94.77	89.11	90.02	78.24			
Advances .. 9.78	9.78	9.65	9.89	11.46	10.45	9.99	5.61	9.00	10.90	9.38			
Recoveries .. 9.29	9.29	9.60	9.06	9.59	8.84	9.76	10.36	9.89	11.78	10.30			
Balance .. 90.18	90.18	90.23	91.06	92.93	94.54	94.77	90.02	79.22	78.24	67.94			
Grand Total ..	Balance .. 90.18	90.23	91.06	92.93	94.54	94.77	90.02	79.22	78.24	67.94			

PROVINCIAL ADVANCES AND LOANS—*cont.*

II.—LOANS SANCTIONED ON OR AFTER 1ST OCTOBER 1916 AND BEFORE 1ST APRIL 1917.

		Accounts, 1916-1917.	Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
		LAKHS.	LAKHS.	LAKHS.
Class I (a)—Loans to Cultivators ..	Balance ..	..	3.35	3.18
	Advances ..	3.35	..	..
	Recoveries ..	..	.17	.20
	Balance ..	3.35	3.18	2.98
Class I (b)—Loans to Co-operative Credit Societies.	Balance ..	..	..	..
	Advances ..	..	..	..
	Recoveries ..	..	..	..
	Balance ..	..	..	..
Class III—Loans to Landholders and Notabilities.	Balance ..	..	.13	.18
	Advances ..	.13	.05	..
	Recoveries ..	..	..	..
	Balance ..	.13	.18	.18
Class IV (a)—Loans to Mufassal Municipalities.	Balance ..	..	.99	1.36
	Advances ..	.99	.44	.09
	Recoveries ..	..	.07	..
	Balance ..	.99	1.36	1.27
Class IV (b)—Loans to District Boards ..	Balance ..	..	.05	.42
	Advances ..	.05	.87	..
	Recoveries ..	..	..	.10
	Balance ..	.05	.42	.32
Class V—Miscellaneous Loans ..	Balance ..	..	.012	.009
	Advances ..	.012	..	..
	Recoveries ..	..	.003	.003
	Balance ..	.012	.009	.006
Grand Total ..	Balance ..	..	4.53	5.15
	Advances ..	4.53	.86	..
	Recoveries ..	..	.24	.39
	Balance ..	4.53	5.15	4.76

PROVINCIAL ADVANCES AND LOANS—*cont.*

III.—LOANS SANCTIONED ON OR AFTER 1ST APRIL 1917.

		Revised estimate, 1917-1918.	Budget estimate, 1918-1919.
Class I (a)—Loans to Cultivators ..	Balance ..	..	8.64
	Advances ..	8.66	8.50
	Recoveries ..	.02	.26
	Balance ..	8.64	16.88
Class I (b)—Loans to Co-operative Credit Societies.	Balance ..	..	..
	Advances ..	..	..
	Recoveries ..	..	..
	Balance ..	..	..
Class III—Loans to Landholders and Notabilities.	Balance ..	..	..
	Advances ..	..	..
	Recoveries ..	..	..
	Balance ..	..	..
Class IV (a)—Loans to Mufassal Municipalities.	Balance ..	..	2.78
	Advances ..	2.78	4.27
	Recoveries ..	..	.02
	Balance ..	2.78	7.03
Class IV (b)—Loans to District Boards ..	Balance ..	..	1.42
	Advances ..	1.42	.98
	Recoveries ..	..	.02
	Balance ..	1.42	2.38
Class V—Miscellaneous Loans ..	Balance ..	..	.002
	Advances ..	.002	.005
	Recoveries ..	..	.003
	Balance ..	.002	.004
Grand Total ..	Balance ..	..	12.84
	Advances ..	12.86	13.75
	Recoveries ..	.02	.30
	Balance ..	12.84	26.29

11th March 1918.

L. DAVIDSON,
Acting Chief Secretary.

ANNEXURE (vide paragraph 136 ante).

Distribution of the grant of 17.13 lakhs in 1918-1919 to District Boards in aid of their resources.

[G.O. No. 1856 L., dated 8th December 1917.]

For the last three years each district board in the Presidency has been given, in aid of its general resources, an annual grant equal to one-fourth of its land cess receipts in the previous year. The Government consider it desirable to enable district boards to frame their budgets on a permanent basis, to stereotype this aid which they resolve to do on the basis of the grants made to the boards for 1917-1918 in G.O. No. 1365 L., dated 30th September 1916.

2. District boards should accordingly take credit in their budgets for 1918-1919 and following years for fixed grants of the following amounts in aid of their general resources:—

Name of district board.	Amount of grant. RS.	Name of district board.	Amount of grant. RS.
Anantapur	26,219	Kurnool	41,689
Arcot, North	61,416	Madura	55,239
Arcot, South	72,098	Malabar	1,58,789
Beliary	35,100	Nellore	62,642
Chingleput	50,275	Nilgiris, The	4,004
Chittoor	46,767	Rāmnād	74,487
Coimbatore	55,953	Salem	45,471
Cuddapah	37,780	Tanjore	1,21,437
Ganjām	89,268	Tinnevely	57,110
Godāvari	1,01,419	Trichinopoly	57,480
Guntūr	1,09,357	Vizagapatam	72,046
Kanara, South	1,14,306		
Kistna	1,52,828		
Koraput	10,302		
		Total	17,13,482

11th March 1918

L. DAVIDSON,
Acting Chief Secretary.

PART IV.

Memorandum detailing the alterations made in the Revised Financial Statement.

The following statements show the variations between the figures in the Amended Draft Financial Statement and those in the Revised Financial Statement.

Revised Estimate, 1917-1918.

Receipts.

Heads of Revenue.	According to the Amended Draft Financial Statement.			According to the Revised Financial Statement.			Difference in Provincial figures (column 7—column 4).
	Total. (2)	Imperial. (3)	Provincial. (4)	Total. (5)	Imperial. (6)	Provincial. (7)	
(1)							(8)
IV. STAMPS	153.50	76.75	76.75	155.00	77.50	77.50	+ .75
V. EXCISE	400.21	200.11	200.10	404.21	202.11	202.10	+ 2.00
XVI-B. LAW AND JUSTICE —JAILS.	6.74	..	6.74	7.74	..	7.74	+ 1.00

Expenditure.

No change.

Budget Estimate, 1918-1919.

Receipts.

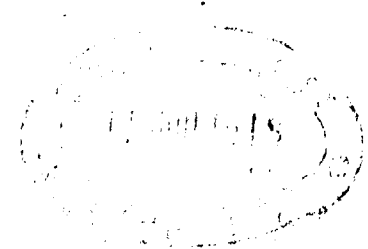
Heads of Revenue.	According to the Amended Draft Financial Statement.			According to the Revised Financial Statement.			Difference in Provincial figures (column 7—column 4).
	Total. (2)	Imperial. (3)	Provincial. (4)	Total. (5)	Imperial. (6)	Provincial. (7)	
(1)							(8)
IV. STAMPS	158.00	79.00	79.00	159.50	79.75	79.75	+ .75
V. EXCISE	412.28	206.14	206.14	416.28	208.14	208.14	+ 2.00

Expenditure.

The reserve under 32-E. MISCELLANEOUS AND UNFORESEEN CHARGES has been raised by 5 lakhs to 10.56.

11th March 1918.

L. DAVIDSON,
Acting Chief Secretary.



**Proceedings of a Meeting of the Council of the Governor of Fort St. George
assembled for the purpose of making Laws and Regulations under the
provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.**

The Council assembled at the Council Chamber, Fort St. George, at 11 a.m. on Wednesday,
the 3rd day of April 1918.

PRESENT:

His Excellency the Right Hon'ble JOHN, *Baron PENTLAND* of Lyth, P.C., G.C.I.E.,
Governor of Madras—*Presiding*.
The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.
The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.
The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.
The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E.
I.S.O.
The Hon'ble Mr. L. E. BUCKLEY.
The Hon'ble Mr. A. BUTTERWORTH, C.S.I.
The Hon'ble Mr. M. E. COUCHMAN.
The Hon'ble Mr. L. DAVIDSON, C.S.I.
The Hon'ble Lieut.-Col. G. G. GIFFARD, C.S.I., I.M.S.
The Hon'ble Mr. R. A. GRAHAM.
The Hon'ble Mr. W. J. J. HOWLEY.
The Hon'ble Mr. A. R. KNAPP.
The Hon'ble Mr. S. B. MURRAY.
The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.
The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).
The Hon'ble Mr. J. H. STONE, C.I.E.
The Hon'ble Diwan Bahadur L. D. SWAMIKANNU PILLAI Avargal, I.S.O.
The Hon'ble Mr. U. G. TODD HUNTER.
The Hon'ble Mr. T. RANGA ACHARIYAR.
The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.
The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU Garu.
The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
The Hon'ble Mr. P. SIVA RAO.

(The Raja of Ramnad.)

[3RD APRIL 1918.]

The Hon'ble Diwan Bhaadur A. SUBBARAYALU REDDIYAR Avargal.
 The Hon'ble Mr. K. SADASIYA BHAT.
 The Hon'ble Mr. K. RAMA AYYANGAR.
 The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU.
 The Hon'ble B. RAJA RAJESWARA SETUPATI *alias* MUTTURAMALINGA SETUPATI Avargal, Raja of Ramnad.
 The Hon'ble Mr. B. VENKATAPATI RAJU.
 The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
 The Hon'ble YAQUB HASAN SAHIB Bahadur.
 The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR SAHIB Bahadur.
 The Hon'ble Mr. GORDON FRASER.
 The Hon'ble Mr. C. H. HIGGINBOTHAM.
 The Hon'ble Sir FAIRLESS BARBER, Kt.
 The Hon'ble Sir GHULAM MUHAMMAD ALI SAHIB Bahadur, Khan Bahadur, G.C.I.E., Amir-i-Arcot or Prince of Arcot.
 The Hon'ble the Most Rev. JOHN AELEN, D.D.
 The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.
 The Hon'ble Mr. T. RICHMOND.
 The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
 The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.
 The Hon'ble Sri SOBHA CHANDRA SINGH DEO, Zamindar of Serugada.
 The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Bobbili.

QUESTIONS AND ANSWERS.

[Order made by His Excellency the President under rule 11 of the statutory rules for the asking of questions in the Council—

(1) Printed copies of all the questions and answers to be put and given at the meeting shall be placed on the Council table half an hour before the President takes his seat. The questions shall be numbered consecutively as printed.

(2) The questions shall be put and answered in the following manner :—

The Secretary shall call the name of each interpellator in turn, specify the serial numbers of his questions and make a sufficient pause to allow the Honourable Member a reasonable opportunity of rising in his place, if he is desirous of asking any supplementary questions. Supplementary questions must be put immediately after the principal questions to which they relate.]

The Hon'ble the Raja of Ramnad.

Inclusion of a name in the Council Electoral rolls.

1 Q.—(a) Are the Government aware that the name of Mr. A. Rangaswami Ayyar, Cowldar of Akkaramesi village in the Ramnad district, is included in the list of zamindars for Madura (Council Electoral roll)?

(b) Will they kindly state if the estate he holds or a portion thereof is separately registered under rule 1 (4) (a) in Schedule IV, and whether he derives sufficient income that could be reckoned under rule 6 (b) to give him the required qualification?

1 A.—(a) The Government find from a perusal of the electoral roll of zamindars (Provincial Schedule IV, group 2) that it includes the name of A. Rangaswami Ayyar, Proprietor of Akkaramesi.

(b) It must be presumed that the Collector was satisfied that he possessed the prescribed qualifications.

Condition of the Anuppanadi supply channel, Madura city.

2 Q.—With reference to the answer given to my question No. 103 put at the meeting of the Legislative Council held on 22nd May 1917 on the insanitary condition of the Anuppanadi supply channel in the Madura city, will the Government kindly state if they have made inquiries, and with what result?

2 A.—The Madura Municipal Council has approved an estimate for Rs. 65,100 prepared by the Executive Engineer for the improvement of the Anuppanadi channel. To assist the Council in carrying out the work, the Government have sanctioned a grant of Rs. 32,500 from Provincial funds.

Administration of the Sivaganga zamindari after the lease expires.

3 Q.—(a) With reference to the answer given to my question No. 34 put at the meeting of the Legislative Council held on the 20th November 1917, will the Government kindly state whether they have now decided as to the arrangement to be made for the administration of the Sivaganga zamindari after the lease expires?

(b) If so, will the Government place on the table a proposition statement?

3 A.—The matter is still under the consideration of the Court of Wards.

3RD APRIL 1918.] (The Raja of Ramnad; Mr. M. Ramachandra Rao.)

4 Q.—(a) With reference to the answer given to sub-clause (iii) of my question No. 38 put at the meeting of the Legislative Council held on the 20th November 1917, will the Government kindly state whether the remarks of the various District Magistrates on the police administration, dropped since 1915, do still continue to be published or not in copies furnished to district officials?

(b) If the answer is in the affirmative, will the Government kindly reconsider their decision, and make the same available for public information?

4 A.—(a) Yes.

(b) The Government cannot accept the Honourable Member's suggestion.

5 Q.—Will the Government kindly furnish information on the following heads regarding the resolutions and questions sent by non-official members since 1909 when the Legislative Council was enlarged :—

Resolutions—

- (1) number received;
- (2) number admitted;
- (3) number withdrawn;
- (4) number accepted;
- (5) number opposed by Government;
- (6) number rejected by Council; and
- (7) division taken by poll with the result:

Questions—

- (1) number received; and
- (2) number admitted?

5 A.—The information asked for is given below :—

Resolutions.

- (1) 924.
- (2) 715.
- (3) 195 resolutions were not moved at all; of those moved, 273 were withdrawn.
- (4) 66.
- (5) 180.
- (6) 177 resolutions were rejected by the Council; and the discussion of one was stopped under rule 4 of the business rules.
- (7) Divisions were taken by poll in 51 cases; in 48 of these, the motion was lost, in 3 it was carried.

Questions.

- (1) 4,086.
- (2) 3,916.

The Hon'ble Rao Bahadur M. Ramachandra Rao Pantulu.

6 Q.—(a) With reference to the answer given to the question No. 58 at the meeting held on the 1st February 1916, will the Government be pleased to state whether the final decision has been come to with reference to the irrigation projects mentioned in the answer to the question?

(b) Will the Government be pleased to state if any of the above projects has been sanctioned for execution in 1918-19?

(c) Will the Government be pleased to state what the major and minor irrigation projects are which will be investigated in 1918-19?

6 A.—(a) Of the several schemes mentioned in the answer to question No. 58 referred to by the Honourable Member, no decision has yet been come to regarding the following projects :—

- (i) The Jayamangalam channel, Ganjam district.
- (ii) The Koratholi-Tampara project, Ganjam district.
- (iii) The Girisola channel, Ganjam district.
- (iv) Coringa and Polavaram Islands extension, Godavari district.
- (v) Improving the supply to Kanigiri Reservoir, Nellore district.
- (vi) The reclamation of the Kaliveli swamp, South Arcot district.
- (vii) Marandahalli project, Salem district.

The other projects have been abandoned.

(b) No.

(c) It is expected that a final decision will be come to in 1918-19 on the seven projects referred to in the answer to the first part of the question, on the Pasumbalur and Kanagachittar projects in the Trichinopoly district, the Pratur Pumping project in the Guntur district and the Tambipettai Odai project in the South Arcot district.

The preliminary investigation of the following projects is nearly complete and the question of investigating them in detail will shortly be settled :—

The Thandava Reservoir project in the Vizagapatam district, the Thokapalli Reservoir and Tippyapalaiyam projects in the Kurnool district and the Vamsadhara project in the Ganjam district.

Remarks of District Magistrates in the annual Police Report.

Questions and resolutions received since 1909.

Major and minor irrigation projects.

(Mr. M. Ramachandra Rao ; Mr. Ramanuja Achariyar.) [3RD APRIL 1918.

Utilization of
water-power.

7 Q.—Will the Government be pleased to state whether the possibility of utilizing water-power for the generation of electricity or for other industrial purposes has been investigated in this Presidency as suggested in paragraph 62 of the recommendations of the Ootacamund Industrial Conference held in 1908? If not, will the Government consider the advisability of appointing an officer to investigate this subject?

7 A.—The subject is engaging the attention of the Government and a certain number of schemes are being investigated. It is not considered necessary at this stage to appoint a special officer.

List of places
notified as
towns.

8 Q.—Will the Government be pleased to place on the table a statement containing a list of towns notified by Collectors in 1917-18 under Standing Order No. 21, clause 9?

8 A.—The Government have called for the information and will place it on the table when received.

Special allow-
ance to Govern-
ment servants
on less than
Rs. 30.

9 Q.—In view of the high prices of all articles of food and clothing now prevailing, will the Government be pleased to consider the advisability of sanctioning a special allowance to all whole-time servants of Government drawing less than Rs. 30 per mensem?

9 A.—The question of the rise of prices is under examination and, in connexion therewith, the question whether the rise in prices has been of such a character as to demand any special steps in regard to Government servants will come under consideration.

Grants to local
bodies for
meeting
increased pay
of sub-assistant
surgeons.

10 Q.—Will the Government be pleased to consider the advisability of making a grant to the local bodies to enable them to pay the increased scale of salaries recently adopted by the Government for sub-assistant surgeons in this Presidency?

10 A.—The Government regret that they cannot undertake to relieve local bodies of their liability to pay the salaries which are fixed as appropriate for the Government servants whose services are lent to them.

The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar.

Statistics
regarding
some High
Courts.

11 Q.—Will the Government be pleased to publish the statistics that they have obtained from the Bombay and Calcutta High Courts, upon which the Hon'ble Mr. Gillman, in his reply to the resolutions on High Court Judges moved at the February meeting, compared the work of a Judge of the Madras High Court with that of each of the other High Courts?

11 A.—No statistics were obtained from the Bombay and Calcutta High Courts. The Honourable Member is referred to the Civil and Criminal Justice reports of those provinces.

Statistics
regarding the
Allahabad
High Court.

12 Q.—Will the Government be pleased to state whether they received similar statistics in respect of the Allahabad High Court, and whether the same will be published for the information of this Council?

12 A.—No.

Pay of
untrained
teachers.

13 Q.—With reference to G.O. No. 320, Educational, dated 24th March 1916, will the Government be pleased to state—

(i) whether untrained teachers are easily obtained for Rs. 8 a month; and
(ii) whether such teachers may be employed on Rs. 10 a month as a temporary measure until trained teachers become available?

13 A.—(i) There does not appear to be any general difficulty in obtaining untrained teachers on Rs. 8 a month. In cases where such difficulty has been reported, the Government have approved the payment of untrained teachers at a rate usually reserved for trained teachers.

(ii) The Government are not prepared to give the general sanction apparently contemplated by the Honourable Member.

Steamers of the
B.I.S.N.
Company and
Tirumulavasal.

14 Q.—Will the Government be pleased to state—
(i) whether they are aware of an agreement between the B.I.S.N. Company and the South Indian Railway Company, under which steamers of the former company are unable to visit the port of Tirumulavasal in the Tanjore district;

(ii) whether a copy of the agreement will be obtained and furnished to this Council; and
(iii) whether steps will be taken to rescind the agreement in the public interests?

14 A.—(i) Yes, such an agreement was arrived at in 1902.

(ii) & (iii) Even if the agreement were cancelled, the present high freights and the scarcity of tonnage would prevent any B.I.S.N. Company steamer calling at Tirumulavasal. The Government therefore do not consider that any useful purpose would be served by publishing the agreement now or having it cancelled.

3RD APRIL 1918.] (Mr. Ramanuja Achariyar ; Mr. Annamalai Chettiyar.)

15 Q.—Will the Government be pleased to state, with reference to their reply to question No. 16 (ii) put at the meeting of the Council held on 20th November 1917—

(i) whether orders have been passed on the further memorial from the landholders under the Uyyakkondan channel in the Trichinopoly district regarding the management of the channel; and

(ii) whether a copy of the orders will be laid upon the table?

15 A.—(i) & (ii) Orders have not yet been passed on the further memorial referred to, which has been forwarded to the Superintending Engineer for report in consultation with the Collector.

16 Q.—Will the Government be pleased to state, with reference to their reply to question No. 2 put at the meeting of the Council held on the 12th February 1918,—

(i) whether they are aware that at the time of the Coronation Darbar a certificate was awarded to M.R.Ry. N. R. Vijayaraghava Ayyangar Avargal, then chairman of the Nidamangalam union, for its administration;

(ii) whether they are aware that at the same time a medal was awarded to M.R.Ry. A. Seturama Ayyar Avargal, and that in 1915 the title of Rai Sahib was conferred on him partly for his work as union chairman;

(iii) whether either of these gentlemen was asked to take up the appointment in July 1917; and

(iv) who was the 'other non-official gentleman' who was regarded as suitable?

16 A.—(i) It is a fact that, at the time of the Coronation Darbar, a certificate was awarded to M.R.Ry. N. R. Vijayaraghava Ayyangar Avargal.

(ii) It is also a fact that at the same time a medal was awarded to M.R.Ry. A. Seturama Ayyar Avargal and that in 1915 the title of Rai Sahib was conferred on him.

(iii) No.

(iv) The gentleman referred to in the answer to the Honourable Member's question at the meeting of the Council in February last as having been unwilling to undertake the duties of union chairman was M.R.Ry. Rai Sahib A. Seturama Ayyar. From a communication since received from that gentleman it appears that there was some misunderstanding on the subject.

The Hon'ble Rao Bahadur S. R. M. Annamalai Chettiyar.

17 Q.—(a) Referring to the answer given by the Government to question No. 102 (a) and (b) put by the Hon'ble Mr. Narasimheswara Sarma at the meeting of this Council held on the 5th April 1916, will the Government be pleased to state the results of the following industrial experiments which were taken in hand by the Government then: (1) Oil-pressing, (2) Pencil-making, (3) Glass manufacture, (4) Paper pulp making, (5) Soap making, (6) Lime brick making, (7) Sugarcane crushing?

(b) Referring to the Government's answer to part (c) of the above question, will the Government be pleased to state—

(1) whether the Mechanical Engineering school at Cocanada has been opened; and if so, is that institution popular;

(2) whether the proposals for the Trades school in Madras have been elaborated and with what results;

(3) whether the Government have considered the proposals for the private industrial schools at (a) Vizagapatam, (b) Tanjore and (c) Coimbatore and with what results; and

(4) whether the Government have finally considered and adopted the 'Technical Education Code' to regulate the organization and maintenance of industrial and technical schools submitted by the Director of Industries?

17 A.—(a) The Honourable Member is referred to G.O. No. 1209, Home (Education), dated the 19th September 1917, with regard to items (1) to (4) and (6). With regard to item (5) he is referred to G.O. No. 285, Revenue, dated the 21st January 1918, and with regard to item (7) to G.O. No. 3141, Revenue, dated 4th October 1917. All these have been placed on the Editors' Table.

(b) (1) The opening of the school has been unavoidably delayed. Detailed proposals are now being worked out by the Department of Industries.

(2) The Honourable Member is referred to G.O. No. 728, Home (Education), dated 2nd June 1917, placed on the Editors' Table. Fuller proposals have yet to be worked out.

(3) (a) *Vizagapatam*.—The Honourable Member is referred to G.O. No. 1584, Home (Education), dated 15th December 1917, placed on the Editors' Table.

(b) *Tanjore*.—A site was acquired by the Government which has subsequently been leased to the Salesian Mission for the purposes of a secondary and an industrial school.

(c) *Coimbatore*.—The proposal to develop the St. Joseph's Industrial School with State aid was subsequently dropped.

(4) The proposal to issue a Technical Education Code has been dropped for the present.

(Mr. Ahmad Tambi Marakkayar ; Mr. K. R. V. Krishna Rao.) [3RD APRIL 1918.]

The Hon'ble Khan Bahadur A. T. G. M. Ahmad Tambi Marakkayar.

School-fees for
Muhammadan
boys in private
institutions.

18 Q.—(a) With reference to my question, put at the meeting of the Council held on the 19th May 1914 and the answer of Government thereto, regarding the levy of half-fees from Muhammadan students in private aided schools, are the Government aware that the managers of several aided secondary schools, such as the S.P.G. Secondary school and Kalyanasundaram Ayyar's High school at Tanjore, are still levying full fees from Muhammadan students and are not adhering to article 32 of the Grant-in-Aid Code?

(b) Will the Government be pleased to make inquiries in the matter and insist on the managers of such aided schools to collect only half-fees from Muhammadan students, with a view to encourage education among Mussalmans?

18 A.—(a) Article 32 of the Grant-in-aid Code does not oblige private managers to levy fees from Muhammadans at half rates and a few managers do not do so.

(b) The Government see no reason for special inquiry since they are not prepared to deprive managers of their present powers as to levy of fees. The Honourable Member's attention is however invited to the fact that in assessing grants the amount foregone by managers in admitting Muhammadans at half rates is taken into consideration.

Increased pay to
untrained
Muhammadan
teachers.

19 Q.—(a) Are Government aware that educational authorities are finding it difficult to secure the services of untrained Muhammadan teachers for Muhammadan elementary schools, for the small pay of Rs. 8 per mensem?

(b) Are Government also aware that some taluk boards are paying to such teachers Rs. 10 per month?

(c) Will the Government be pleased to pass an order that all untrained Muhammadan teachers in the Muhammadan elementary schools should be paid Rs. 10 per mensem?

19 A.—The Honourable Member is referred to the answer to question No. 13.

Religious
disturbances at
Kalinad, South
Kanara
district.

20 Q.—(a) Has the attention of Government been drawn to an article in the *Madras Mail* of the 16th March 1918, regarding the Hindu-Muhammadan riot that took place at Kalinad, a village in the Kasaragod taluk, South Kanara district?

(b) Are Government aware that the Sub-Magistrate of Kasaragod ordered the police to fire on the mob, as a result of which three people were killed and several wounded?

(c) Will the Government be pleased to direct immediate inquiries to be made in the matter and place on the table the result of such inquiries?

20 A.—The Government have perused the article referred to and have received a report from the District Magistrate. The circumstances of the riot are likely to form the subject of criminal proceedings and at present the Government do not propose to take any further steps.

Exemption of
gosha women
from the
Defence of
India Passport
Rules.

21 Q.—(a) With reference to the resolution moved by me at the meeting of the Council held on 22nd November 1917, regarding the exemption of gosha women from the provisions of the Defence of India Passport Rules, will the Government be pleased to state if any reply has been received to the communication, addressed by them to the Government of India, on the subject?

(b) If not, will the Government be pleased to again address the Government of India in the matter?

21 A.—(a) No reply has been received.

(b) The Government of India will be reminded.

Officers
empowered to
grant and sign
passports.

22 Q.—(a) With reference to the press communiqué, dated the 24th July 1917, issued by the Home (Miscellaneous) Department, empowering District Magistrates of certain districts to grant and sign passports in the name of His Excellency the Viceroy and Governor-General in the case of Indians residing within their respective jurisdictions, will the Government be pleased to recommend to the Government of India to entrust similar powers to the District Magistrate of South Arcot?

(b) Will the Government be pleased to recommend to the Government of India that revenue divisional officers in the districts of Madura, Ramnad, Tanjore, Tinnevely, Malabar and South Arcot should also be empowered to issue the above passports?

22 A.—(a) The Government will make the desired recommendation.

(b) No.

The Hon'ble Mr. K. R. V. Krishna Rao Pantulu.

The Local
Boards and
District Muni-
cipalities
Bills.

23 Q.—Will the Government be pleased to inform whether the Local Boards and District Municipalities Bills have been submitted in their final form to the Government of India and when they are likely to be introduced before the Council?

23 A.—The Bills have not yet been submitted to the Government of India and it cannot be definitely stated when they will be introduced in the Council.

3RD APRIL 1918.]

(Mr. K. R. V. Krishna Rao.)

24 Q.—Will the Government be pleased to inform the amounts of grants given by each municipality and district board for public libraries in the Presidency during the last two official years?

Grants by local
bodies for
public libraries

24 A.—The Government have no information as to the grants actually given by the various municipalities and district boards for public libraries. The following payments have been sanctioned by the Government:—

1916-17.

- (1) Rupees 10 per mensem by the Kistna District Board to the free library of Telugu and Sanskrit literature opened by the Balasarasvati Pustaka Bhandagara Sangam at Angalur.
- (2) Rupees 60 by the Bezwada Municipal Council to the Ram Mohan free public library and reading room.
- (3) Rupees 60 by the Tanjore Municipal Council to the free reading room and library.
- (4) Rupees 100 by the Tanjore Municipal Council to the free reading room and library attached to the Karanthai Tamil Sangam.

1917-18.

- (1) Rupees 100 by the Bezwada Municipal Council to the Ram Mohan free public library and reading room.
- (2) Rupees 100 by the Tanjore Municipal Council to the free reading room and library.
- (3) Rupees 100 by the Tanjore Municipal Council to the free reading room and library attached to the Karanthai Tamil Sangam.

25 Q.—With reference to the representation of the Gōdāvari District Association contained in its letter No. 48, dated 6th February 1918, to Government requesting that for reasons given sheds be constructed from the navigation revenue at important locks and other places in the Gōdāvari delta for the convenience of passengers, will the Government be pleased to issue necessary instructions for the construction of the same at an early date?

Construction
of sheds at
locks, etc., in
Gōdāvari
delta.

25 A.—The Government do not propose to take the action suggested.

26 Q.—Will the Government be pleased to state whether the estimates said to have been submitted to the Government of India for the improvement of drains in the Gōdāvari deltas have been received sanctioned?

Estimates for
improvement
of drains in
Gōdāvari
delta.

26 A.—The reference in the question is presumably to the answer given to clauses (b) and (c) of question No. 126 asked by the Honourable Member at the meeting of the Legislative Council held on the 20th November 1917. All the estimates submitted to the Government of India have now been sanctioned.

27 Q.—Will the Government be pleased to state whether the estimates said to have been sent to the local Government for sanction for the improvement of the irrigation channels under the Kovvur-Manjeru junction canal have been returned to the Executive Engineer from the Government? If not, will the Government be pleased to expedite same for removing the inconvenience complained of by the ryots under the channel?

Improvement
of irrigation
channels under
Kovvur-
Manjeru junc-
tion canal.

27 A.—The estimate has recently been sanctioned and orders are under issue.

28 Q.—With reference to Board's Standing Order No. 35 in which revenue due on ryotwari and minor inam lands is ordered to be paid as a rule in the village in which lands are situated and that voluntary payments in a revenue taluk or district other than that to which the village is attached should not under any circumstances be accepted, will the Government be pleased to state whether this rule is being strictly enforced in all districts and if there has been any departure in any district, whether it is due to any special order issued authorizing such a departure?

Place at which
kist should be
paid.

28 A.—So far as the Government are aware the rule is strictly enforced and no orders of Government authorizing a relaxation of the rule can be traced.

29 Q.—Is grain compensation allowed to all the subordinates in the Chittoor district as it is constituted now along with other districts in the Presidency? If not, will the Government be pleased to sanction the same for that district also?

Grain
compensation
allowance
in Chittoor
district.

29 A.—Under article 72 of the Civil Account Code grain compensation can only be sanctioned when the price of the common staple food-grain of the district is dearer than Re. 1 for twelve seers. Since last October this condition has not been fulfilled in the Chittoor district and consequently no allowance has been sanctioned for the intervening months.

(Mr. K. R. V. Krishna Rao ; Mr. Rama Ayyangar ; [3RD APRIL 1918.
Mr. Rajagopala Achariyar.]

Qualifications
of the assistant
to the Director
of Industries.

30 Q.—(a) What are the qualifications of the present assistant to the Director of Industries?

(b) Will the Government be pleased to appoint a mechanical engineer as assistant to the Director of Industries?

30 A.—(a) The Honourable Member is referred to the list giving the qualifications of officers in the Department of Industries which was laid on the table with reference to his question No. 21 asked at the meeting of the Legislative Council held on the 2nd April 1917.

(b) The present assistant to the Director of Industries is a qualified mechanical engineer.

The Hon'ble Mr. K. Rama Ayyangar.

Improvement
of an irrigation
source in
Ramanad
district.

31 Q.—With reference to the answer to question No. 119 put by me at the meeting of the Council, dated 20th November 1917, regarding the Elunthorai Kondan tank, will the Government be pleased to state whether the report has been received and if so, what steps are proposed to be taken in the matter?

31 A.—A provisional report has been received from the Superintending Engineer. The matter is under consideration by the local officers, and no decision has yet been arrived at.

Revision of
pay of
compounders.

32 Q.—With respect to the answer to question No. 122 put by me in the same meeting regarding the prospects of certain compounders, will the Government be pleased to state whether orders have been passed and if so, will the Government be pleased to place the orders on the Editors' Table?

32 A.—G.O. No. 483, Medical, dated 27th November 1917, is laid on the table.*

Reservation of
Arugupulli
tope, Ramanad,
for grazing
purposes.

33 Q.—With reference to the answer to question No. 124 put by me in the same meeting regarding the Arugupulli tope, will the Government be pleased to state if the reports have been received and if so what orders have been passed on the same?

33 A.—Reports have been received but no orders have yet been passed.

Reorganiza-
tion of the
process-service,
etc., establish-
ments.

34 Q.—Will the Government be pleased to lay on the table the proposals made for the reorganizations of the process-service, the copyist and the nazarat establishments in the Presidency before they are finally sanctioned for adoption?

34 A.—The pay of the process-service establishment has recently been revised with the sanction of the Government of India. A copy of revised rule III of the Process Service Rules is laid on the table.

As stated in the answer to question No. 79 asked at the meeting of the Legislative Council held on the 20th November 1917, the Government do not contemplate any revision of the pay of copyists.

A general reorganization of the nazarat establishments is not likely to be made in the near future. The Honourable Member's suggestion will be considered at the proper time.

Publication of
certain
statements in
Local Fund
Administration
Reports.

35 Q.—Will the Government be pleased to state under what circumstances it was decided to drop the usual statements attached to the Local Fund Administration Report other than the statements Nos. I, II and III? Will the Government be pleased to order the publication of the other statements also?

35 A.—The list of statements to be submitted by local boards with their administration reports was revised by a committee which considered the question in 1916. Several statements besides those numbered I, II and III are still compiled and copies are furnished to all district boards with the General Local Fund Review, but they are not placed on the Editors' Table because they are compiled chiefly for official information and are not of sufficient general interest to justify the expense of wider publication.

The Hon'ble Mr. K. RAMA AYYANGAR :—“With reference to question No. 35, will the Government be pleased to publish the other statements also which used to be published previously, because they contained information relating to charitable endowments in charge of local bodies as also the number and mileage of roads which is quite a necessary information?”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“I will make a note of it and inquire.”

Scheme for
recruitment
to the Revenue
Department.

36 Q.—With reference to the answer given to question No. 26 at the meeting of the Legislative Council, dated 22nd May 1917, regarding the scheme of recruitment of Revenue Department, will the Government be pleased to state if the details of the scheme have now been settled and if so will the Government be pleased to lay it on the table?

* Printed as Appendix I on page 543 infra.

† Printed as Appendix II on page 544 infra.

3RD APRIL 1918.]

(Mr. Rama Ayyangar.)

36 A.—The proposals in regard to recruitment for the Revenue Department to which the Honourable Member refers resulted in the orders in G.Os. No. 3060, Revenue, and No. 3061, Revenue, dated 30th September 1917, both of which have been laid on the Editors' Table. There is no scheme now under consideration.

37 Q.—With reference to the answer to question No. 174 at the meeting of the Legislative Council, dated 21st November 1916, regarding the progress of an irrigation tank in Buthipuram village, will the Government be pleased to lay on the table the report from the Collector referred to therein?

Irrigation
tank in
Buthipuram,
Madura
district.

37 A.—The Collector's reports are laid on the table.*

38 Q.—With reference to the answer to question No. 206 at the meeting of the Legislative Council held on the 6th February 1917 regarding the water-supply to the Palayakayal tank, will the Government be pleased to state if the investigation referred to has been completed and if so will the Government be pleased to lay the results of the investigation and the order thereon on the table?

Water-supply
to the
Palayakayal
tank in the
Tinnevely
district.

38 A.—The investigation is proceeding and has not yet been completed.

39 Q.—Is there a rule to the effect that the Presidency Port Officer should be an officer of the Royal Indian Marine?

Appointment
of Presidency
Port Officer.

39 A.—Yes.

40 Q.—(a) Is it a fact that about 1914 two clerks from the Secretariat were transferred to higher paid appointments in the Presidency Port office?

Importing of
outsiders into
the Presidency
Port office.

(b) Is it a fact that at the time of the transfer there were in the department and there still are clerks qualified to hold the situations referred to?

(c) Is it a fact that of the two clerks referred to in paragraph (a) one had only three years' service under Government at the time of the transfer and both of these had no knowledge or experience at all of the work of a marine office?

(d) Will the Government be pleased to order that no further transfer of the kind shall take place?

40 A.—The appointments to which the question has reference are in the gift of the Presidency Port Officer. The Government are aware of the facts and see no reason to question the propriety of his action. They must decline to fetter his discretion as to the filling of future vacancies.

41 Q.—(a) Will the Government be pleased to lay on the table a statement showing the pay and prospects of the port and coast light service under the control of the Presidency Port Officer?

Pay and
prospects of
the port and
coast light
service.

(b) Is it a fact that only Eurasians are admitted to the coast light service to the exclusion of other communities?

(c) Will the Government be pleased to order the removal of this distinction?

41 A.—(a) A statement is laid on the table.†

(b) & (c) The selection of recruits for the coast light service is not based on racial considerations but on the suitability of candidates for the duties they have to discharge.

42 Q.—(a) Will the Government be pleased to lay on the table a statement showing the scale of pay and the distribution of the clerical staff coming under the category of the 'consolidated Presidency Port Service'?

Increase of pay
of the staff in
the Presidency
Port Service.

(b) Will the Government be pleased to order a revision of the scale so as to provide for progressive pay and distributing the same circlewar with a certain number of higher paid appointments in each circle?

42 A.—(a) The statement required is laid on the table.‡

(b) The Government do not propose to move in the matter at present.

43 Q.—(a) Will the Government be pleased to lay on the table a statement showing the financial position of the Minor Ports fund for the past five years?

Provincialisa-
tion of the
Minor Ports
Trust fund.

(b) Was a proposal at any time made to Government by the Presidency Port Officer or others for treating this fund as part of the Provincial revenues?

(c) Will the Government be pleased to consider the advisability of bringing this fund within the scope of the Provincial revenues?

43 A.—(a) The Honourable Member will find full particulars of the financial position of the Minor Ports fund in the statements which are published every year in the Fort St. George Gazette and the Gazettes of maritime districts.

(b) & (c) No such proposal has been traced and the Government are not at present convinced that any advantage would be gained by converting the Minor Ports fund into an ordinary item of Provincial revenue.

* Printed as Appendix III on page 545 infra.

† Printed as Appendix IV on page 546 infra.

‡ Printed as Appendix V on page 546 infra.

(Mr. Rama Ayyangar ; Mr. Richmond.) [3RD APRIL 1918.

The Light-house Library fund.

44 Q.—(a) Is it a fact that certain fee is collected from visitors to light-houses and that the proceeds go to a fund known as 'the Light House Library fund' under the control of the Presidency Port Officer?

(b) Will the Government be pleased to consider the advisability of utilizing this fund as a support to the Hospital ship "Madras"?

44 A.—(a) Yes.

(b) As the fund is utilized for the amelioration of the conditions under which light-keepers have to work, the Government consider it undesirable to divert it to any other purpose.

The Hon'ble Mr. T. Richmond.

European High School Examination.

45 Q.—(1) Will the Government be pleased to state with reference to the answer to question No. 382 (52), dated 2nd April 1914, whether the question of altering the date of the European High School Examination has been considered?

(2) Will the Government be pleased to lay the papers connected with the subject on the table or state the reason for any delay that there may be in passing orders?

45 A.—Pending the final orders of the Government of India on the recommendations of the Simla Conference, it has not been possible to come to any conclusion as to the date of the European High School Examination.

Reform of European education.

46 Q.—Will the Government be pleased to state the different reforms carried out on the subject of European education as the direct result of the Simla Conference?

46 A.—The Honourable Member is referred to G.O. No. 876, Home (Education), dated the 2nd July 1917, a copy of which is laid on the table.*

Service in War and appointments under Government.

47 Q.—(1) Will the Government be pleased to state whether it is true that the Punjab Government have instructed their Commissioners and Deputy Commissioners to give preferential treatment, in making appointments to the Public Service, to those who have rendered meritorious War Service or who are closely related to those who have done so?

(2) Will the Government be pleased to consider the advisability of issuing similar orders in this Presidency?

(3) Will the Government be pleased to state whether any such considerations have so far influenced the Government in appointing Hindus, Muhammadans or Anglo-Indians to the Public Service in this Presidency?

47 A.—(1) & (2) The Government are not aware whether any such instructions have been issued in the Punjab but they approve of the principle that in making public appointments preference should be given to those who have rendered meritorious active service and they will themselves issue orders commending it to all officers having powers of appointment.

(3) If in any instance such considerations arose, they could not fail, other things being equal, to have influenced the decision of Government. No specific case can however be cited.

Anglo-Indians on military duty outside India.

48 Q.—(1) Will the Government be pleased to state the number of Anglo-Indians of this Presidency employed on duty, outside of India, connected with the war since its outbreak and how many of them were recruited after August 1914?

(2) Will the Government be pleased to state whether it has any information in regard to the number of Anglo-Indians dead, killed, wounded or invalided while out of India on such duty?

48 A.—The Government are not in possession of the information desired, but will endeavour to ascertain whether it can be made available.

Direct recruitment of deputy tahsildars.

49 Q.—(1) Will the Government be pleased to state whether in the direct recruitments recently made for the deputy tahsildarship the candidates were selected solely on account of their examination qualifications, and, if not, what the other qualifications were that were considered by the Selection Committee in judging their merit?

(2) Whether there are any Anglo-Indians now employed as deputy tahsildars?

49 A.—(1) The selection was made not solely with reference to the examinations which the candidates had passed but also on a consideration of their physical qualifications and their general suitability for service in the Revenue Department. (2) According to the Revenue establishment list corrected up to 1st January 1918 there are three Anglo-Indians employed as Deputy Tahsildar and Sub-Magistrates in the Presidency.

* Printed as Appendix VI on page 547 infra.

[3RD APRIL 1918.] (Mr. Richmond ; Mr. Subbarayalu Reddiyar ; the Raja of Bobbili.)

50 Q.—Will the Government be pleased to state—

(1) the number of Anglo-Indians, Hindus and Muhammadans directly recruited to appointments carrying salaries of Rs. 100 or upwards during the last five years; and

(2) how many of them were relations of officials drawing or who drew salaries of Rs. 500 and upwards?

Direct recruitment to appointments on Rs. 100 and over.

50 A.—The information asked for is not available and could only be compiled by a larger number of special inquiries than the Government feel justified in ordering to be undertaken.

The Hon'ble Diwan Bahadur A. Subbarayalu Reddiyar.

51 Q.—With reference to the answer given to question No. 70 asked by me at the meeting of the Council held on the 12th February 1918 regarding the areas where the forest panchayat system is prevalent in the districts of North Arcot and South Arcot and the working of those panchayats, will the Government be pleased to lay on the table the information if it has since been received?

Forest panchayats in North and South Arcot.

51 A.—The information has not yet been received.

52 Q.—With reference to the answer given to question No. 72 asked by me at the meeting of the Council held on the 12th February 1918 regarding the distribution of water-supply under the Cheyyar aicut in North Arcot district, will the Government be pleased to lay on the table the report if it has been since received?

Distribution under the Cheyyar aicut.

52 A.—A copy of letter No. 195-EI/816-C-8, dated 22nd March 1918, of the Superintending Engineer, VII Circle, is laid on the table.*

The Hon'ble the Raja of Bobbili.

53 Q.—Will the Government be pleased to have a memorandum containing the following information prepared and circulated to all the zamindars and holders of proprietary estates so as to assist them in considering the question of getting unsurveyed estates surveyed:—

Survey of estates.

- (1) the names of the estates already surveyed by the Government survey parties;
- (2) the year in which each estate was surveyed;
- (3) the method of survey adopted in each estate;
- (4) the relative advantages and disadvantages of each method;
- (5) the total cost of survey of each estate and the cost per acre and per square mile;
- (6) the details of simplified survey which the Government propose to introduce hereafter with a view to secure economy in cost?

53 A.—The suggestion will be considered.

54 Q.—Will the Government be pleased to publish a list of the estates in which settlement of rents has been effected or is being effected by Government officers on the application of the holders thereof or their ryots under chapter XI of the Madras Estates Land Act?

Settlement of rents in estates.

54 A.—Settlement of rents under chapter XI of the Act has been effected in 35 villages of the South Vallur estate and in 4 villages of the Pithapuram estate. No such settlement is now in progress.

55 Q.—Will the Government be pleased to have a short manual published under chapter XI of the Madras Estates Land Act of the methods adopted in making a settlement of rents and also the rules and orders issued by Government in regard to preparation of a record-of-rights?

Manual of rules, etc., in regard to record-of-rights in estates.

55 A.—The Government are disposed to think that the publication of such a manual as is suggested in the question is a matter that might be left to private enterprise, but they would be prepared to republish the rules and place them on sale in the form of a Government Order if asked to do so.

56 Q.—With reference to the answer to my question No. 53 of April last will the Government be pleased to state whether any report has been received from the Director of Public Instruction in regard to instituting a course of lectures in Telugu on First-aid in Hygiene and Home-nursing in the Government Training schools and Telugu Secondary schools and, if so, what orders have been passed thereon?

Lectures on First-aid, etc., in selected girls' schools.

56 A.—Yes. The report of the Director of Public Instruction and the orders passed thereon are laid on the table.†

57 Q.—Will the Government be pleased to state whether it is a fact that there has been an increase in the consumption of arrack in the Vizagapatam Agency and a decrease in the Ganjam Agency and if so the causes which led to the same?

Consumption of arrack in the Ganjam and Vizagapatam Agencies.

* Printed as Appendix VII on page 548 infra.

† Printed as Appendix VIII on page 549 infra.

(The Raja of Bobbili; Mr. Ranga Achariyar.) [3RD APRIL 1918.]

57 A.—In the Agency areas under the contract distillery supply system the consumption of arrack decreased from 298 gallons in Ganjam and 18,178 gallons in Vizagapatam in 1914-15 to 161 gallons and 12,506 gallons respectively in 1916-17. There are no statistics of consumption in the outstill areas, and the figures of consumption reported for these areas are very rough estimates. The Government have no reason to suppose that consumption has increased in these areas in either of the Agencies. The number of outstills in Ganjam has been reduced from 33 in 1914-15 to 19 in 1916-17 and nil for the ensuing lease (1918-19), and the number in Vizagapatam from 377 to 312 and 201. According to rough estimates the consumption in Ganjam in 1916-17 was only 13,912 gallons as against 23,602 in 1914-15, and in Vizagapatam 632,160 as against 674,520. The decrease in both districts is attributed to the closure of shops.

Export of
Ongole cattle
to Java.

58 Q.—Will the Government be pleased to state whether they have any information as to the number of Ongole and other well-known breeds of cattle exported from this Presidency during 1917? If so, out of the cattle so exported how many were bought for the Dutch Government at Java with the permission of the Indian Government by Dr. Vander Veen?

58 A.—The Government have no information but have called for it.

Instruction in
Malaria to
teachers in
Agency tracts.

59 Q.—Will the Government be pleased to prescribe 'Malaria, its prevention, treatment and cure' as one of the subjects for students undergoing training in the training schools for teachers of the Agency tracts in Ganjam and Vizagapatam districts?

59 A.—The training school curricula are at present being revised and care will be taken to see that they include the necessary information about malaria as well as other prevalent and epidemic diseases.

The Hon'ble Mr. T. Ranga Achariyar.

The Madras
Irrigation Cess
Act (Amend-
ment) Bill.

60 Q.—Will the Government be pleased to state—
(a) at what stage Bill No. 5 of 1917, the Bill to amend the Madras Irrigation Cess Act, stands; and
(b) whether it is a fact that the Government have abandoned the idea of introducing the Bill into the Legislative Council with a view to its being enacted into law?

60 A.—The Government have decided not to proceed further with the Bill referred to.

Giving effect to
the decision of
the Privy
Council in the
Ulam case.

61 Q.—Will the Government now be pleased—
(a) to give effect to the decision of the Judicial Committee of the Privy Council in the Ulam case by refunding to zamindars and inamdars in the Presidency the irrigation cess or water cess collected from their ryots on the strength of the decision of the Madras High Court; and
(b) to issue instructions to Revenue officers to desist from collecting such cess in future?

61 A.—Collectors are authorized under Board's Standing Order No. 189 (i) to sanction the refund of all sums to which it is clear that the Government were not originally or have ceased to be entitled and they will deal with all applications in accordance with this Standing Order. The question whether any particular case falls within the decision of the judgment of the Privy Council is a matter to be decided on its merits and cannot therefore be finally disposed of by such general instructions as are contemplated in the question.

A circular of
the District
Magistrate,
Chittoor.

62 Q.—(1) Will the Government be pleased to state—
(a) whether their attention has been drawn to the correspondence headed 'A curious circular' published at page 3 of the *Hindu* of the 8th February 1918; and
(b) whether the facts stated therein are true?
(2) If the answer be in the affirmative, will the Government be pleased to direct the District Magistrate of Chittoor to withdraw that circular?

62 A.—(1) (a) The Government have seen the extract indicated.
(1) (b) & (2) The Government have no information, and see no reason to issue any instructions to the District Magistrate at present.

Office for the
Superintending
Engineer,
Tanjore.

63 Q.—With reference to question No. 87 put by the Hon'ble Mr. A. S. Krishna Rao at the meeting of the Council on the 5th April 1916 and the answer thereto and considering the financial stringency due to the war, will the Government be pleased to order the proposal to construct a new building for the office of the Superintending Engineer, VII Circle, to be postponed and cause the same to be located in the spacious buildings of the Tanjore Palace where some other public offices also are being accommodated?

63 A.—The scheme for constructing an office for the Superintending Engineer, VII Circle, at Tanjore has been postponed for the present and is not likely to be taken up again till after the war.

3RD APRIL 1918.] (Mr. Ranga Achariyar; Mr. A. S. Krishna Rao.)

64 Q.—(1) Will the Government be pleased to lay on the table a detailed statement showing—

(a) the strength at present of the Engineer establishment (Imperial and Provincial services) in the Madras Presidency, and

(b) the sanctioned strength for the same services for 1918-19?

(2) If the number proposed for 1918-19 exceed the existing strength, will the Government be pleased to state the method of recruitment which they intend following in the next year to fill up the vacancies?

64 A.—(1) (a) The present strength of the Engineer establishment is as stated below:—

(i) Number of officers of the Imperial Service is	..	..	..	66
Deduct number on military duty	..	..	..	20
Do. on deputation	..	..	..	3
Do. on long leave	..	..	..	3
				26
Balance actually available	..	..	..	40
(ii) Number of officers of the Provincial Service	..	..	..	27
Deduct number on long leave	..	..	..	1
				26
Balance actually available	..	..	..	26
Total	..	..	..	66

(b) No particular strength has been sanctioned for the year 1918-19; but the sanctioned cadre of the permanent establishment which is applicable to the year 1918-19 also provides for the following:—

(i) Number of officers of the Imperial Service	..	..	..	66
(ii) Do. of the Provincial Service	..	..	..	32
Total	..	..	..	98

(2) The deficiency between the sanctioned and the existing strength is 32. To make up this deficiency, it has been proposed as usual to continue the * 2 temporary Engineers who are already in the department, to promote the existing Assistant Engineers as Executive Engineers and deserving Upper Subordinates as Sub-Engineers to replace the Assistant Engineers referred to above, entertaining temporary Upper Subordinates in the place of the permanent Upper Subordinates promoted in the manner indicated above.

65 Q.—Will the Government be pleased to state whether it is a fact

(a) that the percentage of Europeans in the Public Works Department at present is 70;
(b) that the Royal Commission on the Public Services of India has fixed the low percentage of 43 for Europeans in the Public Works Department; and
(c) that the Right Honourable the Secretary of State has prohibited the recruitment of European candidates for the Public Works Department during the year 1918?

65 A.—(a) The percentage of Europeans at present holding gazetted offices in the department is 64.5.

(b) The Royal Commission has not fixed any particular percentage for Europeans in the department, but has recommended a larger number of appointments from the Indian colleges and the Upper Subordinate establishment which will raise the proportion of appointments open to Statutory Natives of India to 50 per cent.

(c) No such prohibition as that specified by the Honourable Member has been laid down by the Right Hon'ble the Secretary of State for India. What the Secretary of State has stated is that his present intention is not to appoint any Europeans as assistant engineers in 1918.

66 Q.—Will the Government be pleased to provincialize all the Imperial vacancies during 1918-19 and fill up all the vacancies (Imperial and Provincial) by appointing competent Indian candidates from the subordinate service after obtaining the sanction of the Secretary of State, if necessary?

66 A.—The Government do not propose to take action in the manner suggested by the Honourable Member.

The Hon'ble Mr. A. S. Krishna Rao Pantulu.

67 Q.—Will the Government be pleased to state what measures, if any, have been taken to control the sale of salt in this Presidency?

67 A.—The Honourable Member is referred to the press communiqué issued by the Board of Revenue (Separate Revenue) on the 12th January 1918.

* (1) Mr. R. Savarinathan; (2) Mr. C. V. Stephens.

(Mr. A. S. Krishna Rao.)

[3RD APRIL 1918.]

Cases tried
under the
Criminal Tribes
Act, 1911.

- 68 Q.—Will the Government be pleased to lay on the table a statement showing with reference to each district of the Presidency for the last three years
- the number of cases tried under the Criminal Tribes Act, 1911,
 - the number of such cases defended by vakils, pleaders or others,
 - the number of witnesses examined in those cases (1) for the prosecution and (2) for the defence, and
 - the number of such witnesses who are police officers?

68 A.—The Government have no information beyond the figures for the whole Presidency which are given in the statements appended to the annual statistics of criminal courts and the reports on the administration of the Police.

Management
of criminal
settlements.

- 69 Q.—Will the Government be pleased to state the agencies by which and the terms under which the various criminal settlements in the Presidency are being managed?

69 A.—A statement showing the agencies by which the various settlements are being managed is furnished to the Honourable Member. These agencies receive grants from the Government and in certain cases lands have been alienated in their favour for the benefit of the settlers. The Government have also provided the requisite police staff and facilities for medical relief to settlers and the education of their children. These grants and concessions are liable to revocation at the pleasure of the Government, who exercise general control over the manner in which the settlements are administered and the grants are expended.

Information
regarding
criminal
settlements.

- 70 Q.—Will the Government be pleased to state with reference to each of the criminal settlements in the Presidency
- the number of criminals,
 - the tribe, class or caste to which they belong,
 - their present occupation, and
 - the number of police officers employed to look after them?

70 A.—A statement containing the information is laid on the table.† The figures entered in column (2) with reference to clause (a) of the question represent the state of affairs at the end of 1916. Later information is not available with the Government.

Report on the
working of
criminal
settlements.

- 71 Q.—(a) Will the Government be pleased to state whether any reports are annually received from the Collectors as to the working of the criminal settlements within their respective districts?
- (b) Will the Government be pleased to lay on the table the reports so received during the last three years?

71 A.—(a) Yes.

(b) No. The Honourable Member's attention is however invited to the fact that a general summary of the main features in the administration of criminal settlements is published annually in Appendix B of the Police Administration Report which is available to the public.

Lease of an
area in the
Cuddapah
district.

- 72 Q.—(a) Is it a fact that there is a plot of land known as 'Rani Vanam' in Yerraguntla village, Cuddapah district, and close to the Yerraguntla railway station?
- (b) Is it a fact that the said 'Rani Vanam' was planted with trees and converted into a village communal ground in honour of the late Queen Victoria?
- (c) Is it a fact that the 'Rani Vanam' was being used by the villagers for communal purposes such as annual festivals, annual fairs in honour of village goddess and sports?
- (d) Is it a fact that the 'Rani Vanam' was subsequently leased to Messrs. Dymes & Co. without the consent of the villagers of Yerraguntla?
- (e) Is it a fact that some villagers of Yerraguntla presented petitions in 1911 to the Collector, to the Deputy Collector, Jammalamadugu division, and others praying for the restoration of the 'Rani Vanam' to the villagers for communal purposes?
- (f) Is it a fact that the petitioners were thereupon informed by the Deputy Collector, Jammalamadugu division, as per Endorsement No. 1372, dated 4th November 1911, that the tope had been temporarily leased to Messrs. Dymes & Co. and that their wishes would be considered on the expiry of the lease?

(g) Is it a fact that some residents of Yerraguntla village presented a petition to the Collector of Cuddapah in September 1917 or thereabouts praying that the 'Rani Vanam' might be given back to the villagers at a very early date?

(h) Is it a fact that the Collector of Cuddapah passed orders in the latter part of January 1918 refusing to give it back to the villagers as before, but directing the subdivision of the land into plots of 10 cents and the auction sale of the yearly occupancy right therein on temporary pattas?

(i) Will the Government be pleased to inquire into the matter?

* Printed as Appendix IX on page 550 infra.

† Printed as Appendix X on page 550 infra.

3RD APRIL 1918.] (Mr. A. S. Krishna Rao ; Sri Sobha Chandra Singh Deo.)

- 72 A.—The Government have no knowledge of the facts mentioned in the question but it appears to be open to the persons interested to seek redress by moving the Board of Revenue to revise the Collector's order and until this remedy has been resorted to there seems to be no special ground for the interference of the Government in the matter.

73 Q.—Will the Government be pleased to make a statement about the prevalence of plague in this Presidency and about the measures taken by the Government to combat that disease?

Statement
regarding
plague
preventive
measures.

73 A.—The year 1917-18 has been marked by an unusual prevalence of plague over a great part of India and the Madras Presidency has shared to some extent in the general misfortune. The epidemic has been particularly severe in the Bellary district and Coimbatore, Salem, Kurnool and Anantapur have also been badly infected and in eight other districts there has been an appreciable number of cases. A feature of the epidemic in the past year has been its appearance in places where it was hitherto unknown, such as Vizagapatam, Bezwada, Guntur, Narasaraopet and recently Chirala.

The measures to be adopted in combating plague are set forth in the Plague Regulations and Standing Orders. The chief means of combating an existing epidemic of plague are inoculation and the evacuation of infected areas. To enable either to be carried out on a large scale, the co-operation of the people is needed and it is impossible for the Government to enforce either by any general order. Collectors and the district staff, generally, do their best to encourage both, and in order to strengthen the hands of Collectors they have recently been given power to spend money in anticipation of sanction for the purpose, among others, of providing hutting materials for people who have to leave their houses.

In order to prevent the importation of infection, the panchayats or headmen of villages and the municipal councils or chairmen of municipalities have been authorized to prevent (1) persons coming from an infected area from entering the village or town unless their clothing and personal effects are disinfected and (2) consignments of grain from being brought in until the bags have been removed from the carts and thoroughly exposed to the sun. Collectors have been empowered to order the exposure in the same way of consignments of grain which are being conveyed by rail, road or in any other way.

74 Q.—(a) Will the Government be pleased to lay on the table a statement showing the names of the villages in the various districts of the Presidency where informal panchayats have been formed?

Villages where
informal
panchayats
have been
formed.

(b) Will the Government be pleased to lay on the table the reports, if any, received from the Collectors of districts on the working of those informal panchayats?

74 A.—(a) The Honourable Member's attention is invited to the statement laid on the table in reply to question No. 12 asked at the meeting held on the 2nd April 1917 which gives the names of villages in the several districts of the Presidency in which informal panchayats had been formed up to that date. A statement showing the panchayats organized since then and up to the end of September 1917 is now laid on the table.*

(b) The Government have not yet received any report.

75 Q.—(a) Will the Government be pleased to state if a special officer has been appointed to investigate the Ayurvedic and the Unani systems of medicine, as per resolution of the Council of the 2nd April 1917?

Special officer
to investigate
the Ayurvedic
and Unani
systems of
medicine.

(b) If the answer to the above is in the negative, will the Government be pleased to state

- why there has been such delay in the appointment of that officer, and
- whether any attempts have been made to secure the services of a qualified person from among the private medical practitioners in the Presidency?

75 A.—The attention of the Honourable Member is invited to the answers given to questions Nos. 77 and 131 at the meeting of the Council held on the 20th November 1917. The Government are still endeavouring to find an officer to conduct the investigation.

The Hon'ble Sri Sobha Chandra Singh Deo.

76 Q.—(1) Are the Government aware—

(a) that, in compliance with the representations of the Uriyas, the college authorities of the local college in the Vizagapatam town appointed an Uriya pandit some eight years ago to meet the want of the Uriya students of the college? and

Teaching of
Uriya in the
Vizagapatam
College.

* Printed as Appendix XI on pages 551-554 infra.

(Sri Sobha Chandra Singh Deo.)

[3RD APRIL 1918.]

(b) that owing to the remarks of the Inspector of Schools, First Circle, that the paucity of the Uriya students in the college did not justify the provision for teaching Uriya in the college, the college authorities now propose to dispense with Uriya vernacular teaching in the college at Vizagapatam?

(2) Will the Government be pleased to direct the retention of the existing arrangement regarding the teaching of Uriya in view of the fact that there are 40 Uriya students in the college?

76 A.—The Government have no information but will inquire.

Constitution of the Jeypore Agency into a separate district.

77 Q.—Will the Government be pleased to separate the Jeypore Agency completely from the Vizagapatam district and to constitute it into an Uriya district under a separate and independent District Collector or Agent to the Governor?

77 A.—The matter is under the consideration of the Government.

Making the Uriya Secondary Training school at Berhampur permanent.

78 Q.—Will the Government be pleased to make the Uriya Secondary Training school at Berhampur a permanent institution with a qualified Uriya headmaster on Rs. 100 according to the original scheme?

78 A.—The matter is under consideration.

Location of the proposed engineering college for Telugu districts.

79 Q.—Will the Government be pleased to consider the advisability of locating the proposed engineering college in some convenient centre in Ganjam instead of in Vizagapatam in the interests of both Uriyas and Telugus?

79 A.—Vizagapatam has been selected for the location of a new engineering school (not college as stated by the Honourable Member) in view of the facilities afforded in the country round the town for outdoor surveying, its nearness to large railway workshops and its accessibility from the districts it is intended to serve. The Government see no reason to modify the decision.

Appointment of an Uriya as Deputy Superintendent of Police.

80 Q.—Will the Government be pleased to order the selection of a capable Uriya Police Inspector for Deputy Superintendentship?

80 A.—The Honourable Member is referred to the answer to question No. 104.

A separate taluk board for Parlakimedi.

81 Q.—Will the Government be pleased to state the reasons which led them to reject the proposal for the formation of a separate taluk board for Parlakimedi?

81 A.—The Chicacole Taluk Board was against the proposal as, in its opinion, the area under the existing board was not unwieldy and the proposal involved additional expenditure on establishments and other items.

A Uriya deputy collector for Ganjam.

82 Q.—Will the Government be pleased to post one of the Uriya deputy collectors of the Madras Presidency to the district of Ganjam?

82 A.—The Government have had the subject under consideration. One of the two Uriya deputy collectors has recently been placed temporarily at the disposal of the Court of Wards for employment as a Settlement Officer in the Kallikotta-Attagada estates in the Ganjam district. The other deputy collector is still under training in Guutur. The Honourable Member's suggestion will be kept in view.

Uriya test for clerks in civil courts in Uriya tracts.

83 Q.—Will the Government be pleased to prescribe Uriya tests for clerks in civil courts in the Uriya tracts of the Presidency?

83 A.—The attention of the Honourable Member is invited to the entries and 'remarks' against 'Translation Test' in the schedule appended to article 18 of the Special Test Notification published at pages 357 to 367 of Part I-B of the *Fort St. George Gazette*, dated the 24th April 1917, which show the qualifying test prescribed in Uriya for some of the clerical posts in civil courts in Uriya tracts of the Presidency. The Government do not consider it necessary to prescribe any further test in Uriya for such posts.

The Additional Munsif's Court, Berhampur, to be a Uriya court.

84 Q.—Considering that the overwhelming majority of the litigants in the Additional Munsif's Court at Berhampur are Uriyas, will the Government be pleased to convert that court solely into a pure Uriya Munsif's Court as in the case of District Munsif's Court at Aska?

84 A.—The Government are not prepared to take up the question at present.

Separate electorate for Uriyas in Berhampur municipality.

85 Q.—Will the Government be pleased to constitute a separate electorate for Uriyas in the Berhampur municipality?

[3RD APRIL 1918.]

(Sri Sobha Chandra Singh Deo; Mr. Siva Rao; Sir Alexander Cardew.)

85 A.—On the information at present before them, the Government see no need for constituting a separate electorate for Uriyas in the Berhampur Municipality. Three Uriya gentlemen are now serving as municipal councillors in Berhampur of whom two were appointed by the Government, the third being the elected chairman who is an ex officio councillor.

86 Q.—Regarding the new secondary schools proposed to be opened in Ganjam, will the Government be pleased to order that—

(i) the Board middle school at Aska be raised to a high school in view of the fact that this centre has no railway facility and it is far from the Berhampur College;

(ii) the Board elementary schools at Buguda and Shergada be raised to middle schools?

86 A.—The suggestion will receive due consideration.

87 Q.—(1) Are the Government aware that—

(i) the lands acquired for the reservoir at Surada which are all along under the cultivation of ryots of ten villages are the only source of living for the villagers;

(ii) that these ryots have been charged with the maximum penal assessment and that they have had to leave their lands and possibly emigrate to other places?

(2) Will the Government be pleased to ask the Collector of Ganjam to make some special arrangements in regard to the ryots of the above reservoir villages?

87 A.—The Government have no information since that which was furnished to the Honourable Member in September 1917. They will however make a further reference to the Collector on the subject.

The Hon'ble Mr. P. Siva Rao.

88 Q.—(i) Will the Government be pleased to state whether they have made any inquiry into the abnormal rise of prices of foodstuffs and the other necessities of life in this Presidency? If so, with what result?

(ii) Whether any report has been received in the matter; if so, will the Government be pleased to lay it on the table?

(iii) Will the Government be pleased to state what remedial measures the Government propose to adopt with a view to relieve the distress caused by the rise of prices?

88 A.—Fuller information on this subject than can be supplied in an answer to a question will be given in the course of the debate on resolutions Nos. V and VI and the Honourable Member is referred to the statement which will then be made.

89 Q.—Are the Government aware of the dearness of provisions prevailing in the Anantapur district; if so, will the Government be pleased to extend the compensation for dearness of foodstuffs granted to public servants to this district also?

89 A.—Compensation for dearness of food is granted to low-paid Government servants in the Anantapur district whenever the provisions of article 72 of the Civil Account Code are fulfilled.

The Hon'ble Mr. P. SIVA RAO:—With reference to question No. 89 about grain compensation allowance in Anantapur, the answer is, 'Compensation for dearness of food is granted to low-paid Government servants in the Anantapur district whenever the provisions of article 72 of the Civil Account Code are fulfilled.' I wish to know whether those provisions have been fulfilled and whether the benefit would be extended.

The Hon'ble Sir ALEXANDER CARDEW:—In this particular case the provisions have not been fulfilled and therefore as the rule is framed by the Government of India, we are unable to extend the benefit to that district.

The Hon'ble Mr. P. SIVA RAO:—May I know what the provisions in respect of dearness of food are?

The Hon'ble Sir ALEXANDER CARDEW:—The Honourable Member will find the principles in the article of the Civil Account Code quoted. I have not got the Civil Account Code at hand.

90 Q.—(i) Will the Government be pleased to state whether they have now received a memorial from the registrars and the sub-registrars regarding their pay and prospects; if so, will the Government be pleased to consider it favourably?

(ii) Will the Government be pleased to call for any memorials that may have been received from these officers by the Inspector-General of Registration and to pass favourable orders thereon?

90 A.—(i) No memorial has yet reached the Government.

(ii) It is understood that the Inspector-General of Registration has received memorials from registrars and sub-registrars regarding their pay and prospects. He has been asked to expedite their transmission to the Government.

Raising the status of certain schools, Ganjam district.

Relief to ryots whose lands have been acquired for Surada reservoir.

Inquiry into the rise in prices.

Grain compensation allowance in Anantapur.

Pay and prospects of registrars and sub-registrars.

(Mr. Siva Rao.)

[3RD APRIL 1918.]

Arrest of civil sub-assistant surgeons on military duty under the Army Regulations.

- 91 Q.—(i) Are the Government aware that some civil sub-assistant surgeons have been lent for military service in the Turkish prisoners' hospital at Bellary?
 (ii) Will the Government be pleased to state whether any, and if so, how many of them have been arrested within the last two months under the Army Regulations for alleged failure of duty; and under what circumstances?
 (iii) Whether any of them are still under arrest or have been since released?
 (iv) Will the Government be pleased to issue necessary instructions to the medical officers concerned that the civil sub-assistant surgeons in question are not bound by the Army Regulations?

91 A.—(i) It is a fact that many civil sub-assistant surgeons have been transferred to temporary military duty, but the Government have no information as to the institutions to which they are attached while on military employ.
 (ii), (iii) & (iv) One case of arrest of a sub-assistant surgeon on military duty has recently been reported to the Government by the Surgeon-General and the Government have the matter under their consideration.

Distribution of gazetted appointments in the Registration department.

92 Q.—(i) With reference to the question No. 15 put by the Hon'ble Khan Bahadur A. T. G. M. Ahmad Tambi Marakkayar Sahib Bahadur relating to the distribution of gazetted appointments in the Registration department and the reply of the Government thereto at the meeting held on 12th February 1918, will the Government be pleased to state what action has been taken in the matter?

(ii) Will the Government be pleased to declare that seniority, merit and qualifications should be the sole tests of appointment in the higher ranks of the Registration and the other public services, but not the class, the creed or the community of a public servant?

92 A.—(i) The matter is still under consideration.
 (ii) The Government are not at present prepared to make any declaration on the subject.

Improvements to Kinnivathan channel, Chingleput.

93 Q.—(i) Will the Government be pleased to state whether any memorial has been received on or about 21st February 1918 from the ryots in the matter of the restoration of the silted Kinnivathan channel in Kaliyampundi and the other villages in Uttiramerūr division in the Chingleput district?

(ii) If so, will the Government be pleased to consider it favourably?

93 A.—(i) Yes.
 (ii) The suggestion in the memorial will be duly considered if the execution of the work is decided upon.

Schools for teaching Kanarese in certain areas.

94 Q.—(a) Will the Government be pleased to place on the table the list of taluks and villages with a population of 60 per cent or more of Kanarese-speaking people in the districts specified below with the total population of each of such districts, taluks or villages in the districts of—

(i) Kurnool,	(v) Anantapur,	(ix) Coimbatore,
(ii) Bellary,	(vi) Chittoor,	(x) Trichinopoly,
(iii) South Kanara,	(vii) North Arcot,	(xi) Madura, and
(iv) The Nilgiris,	(viii) Salem,	(xii) Ramnad?

(b) Will the Government be pleased to establish Kannada (Kanarese) schools in such villages and make provision for Kanarese teaching in such places?

94 A.—The statistics desired by the Honourable Member are not available.

Arrest of a civil sub-assistant surgeon on military duty under the Indian Articles of War.

95 Q.—(i) Will the Government be pleased to state whether one S. Ramadoss, a civil sub-assistant surgeon working in the Turkish Prisoners' Hospital at Bellary, was arrested at Madras by the Military authorities under instructions from the Senior Medical Officer in charge of the hospital and whether he has been since released?

(ii) Will the Government be pleased to state fully the circumstances under which he was arrested and subsequently released?

(iii) Will the Government be pleased to declare that the civil sub-assistant surgeons lent for military service are not liable to be dealt with under the Indian Articles of War?

95 A.—(i) & (ii) The Government have no information.

(iii) The Honourable Member is referred to the answer to question No. 91.

Acquisition of land in the Tinnevely district by a German.

96 Q.—(1) (i) Is it a fact that a German has, since the war began, bought up a land on which a forest is growing right on the sea front of Kulasekarapatnam, about 40 miles west of Tuticorin?

(ii) Is it a fact that several Muhammadan traders applied for this land but did not succeed in getting it?

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(Mr. Siva Rao; Mr. Chidambaranatha Mudaliyar.)

(iii) Will the Government be pleased to state the circumstances under which a German was allowed to acquire a land during the war and as to why he has not been interned hitherto?

(iv) Is it also a fact that this German manages or controls a tramway and that many accidents occur in its length of 30 or 40 miles?

(2) Will the Government be pleased to inquire into the matter fully?

96 A.—The Government have no knowledge of any such occurrence and cannot undertake to inquire unless the Honourable Member furnishes the name of the German and is prepared to accept responsibility for the allegations brought forward.

97 Q.—(i) Is it a fact that an explosive magazine has been erected by the Port authorities of Madras close to the High Court and the new Legislative Council Chamber?

Removal of an explosive magazine.

(ii) If so, is this erection contrary to the regulations in force that no magazine is allowed within two miles of a Government building?

(iii) Will the Government be pleased to order the removal of this magazine?

97 A.—(i) Yes. The magazine is situated on the shore to the south of the Madras harbour at a distance of 850 yards from the High Court and of 1,350 yards from the new Legislative Council Chamber.

(ii) The Government are not aware of any such regulations.

(iii) The site of the magazine was approved of by the Chief Inspector of Explosives in India and its design was scrutinized under his authority. As adequate precautions have been taken to obviate danger, the Government do not consider it necessary to order the removal of the magazine.

98 Q.—(i) Is it a fact that the interests of small boat owners of Madras harbour have been prejudiced by the action of the Port authorities in giving the only places that can be used to make and repair their boats to two English companies and using a portion of the Basin as a club?

Port authorities and small boat owners in Madras.

(ii) Will the Government be pleased to inquire into the matter?

98 A.—The Government have no information but will inquire.

99 Q.—(i) Is it a fact that recently a long tract of valuable land vested by the Government in the Port of Madras has been given over to the South Indian Railway Company?

Transfer of a land vested in the Port of Madras to the South Indian Railway Company.

(ii) Is it also a fact that the Government have spent large sums of money on this land to bring it up to the requirements of the merchants?

(iii) Will the Government be pleased to state fully the circumstances under which the land in question was handed over to the Railway Company and also whether it is not needed by the port?

99 A.—(i) An area of 19,435 acres was transferred to the South Indian Railway Company in 1913.

(ii) The Government had spent no money on the land.

(iii) The land was handed over to the Railway Company at the instance of the Port Trust which pressed for the development of the Beach station. The land was not needed for port purposes.

100 Q.—(i) Will the Government be pleased to state what are the rules now in force regarding the appointment of 'certified' auditors in this Presidency?

The appointment of certified auditors.

(ii) Will the Government be pleased to lay down certain qualifications or tests or examinations for the class of 'certified' auditors?

100 A.—(i) The rules are published in the *Fort St. George Gazette* (vide notification No. 656, dated 11th September 1915, published at page 865 of Part I of the Gazette, dated 14th September 1915, and notification No. 218, dated 11th March 1916, at page 301 of the Gazette, dated 14th March 1916).

(ii) The question is under consideration.

The Hon'ble Mr. K. Chidambaranatha Mudaliyar.

101 Q.—Will the Government be pleased to state—

(a) the number of wagons applied for by merchants in all the more important stations for traffic in the Railways within the Province of Madras;

Adequacy of supply of railway wagons.

(b) the number of wagons supplied

(1) within a week,

(2) within two weeks,

(3) within three weeks after such application,

(4) and later

from 1st January 1917 to 31st March 1918

101 A.—The Government are unable to supply the information.

(Mr. Chidambaramatha Mudaliyar; Mr. Suryanarayana Rao; [3RD APRIL 1918.
Mr. Venkatapati Raju.]

Survey of
house-sites in
villages.

102 Q.—Will the Government be pleased to state if they have decided upon or have under consideration a detailed survey of all house-sites in the villages of this Presidency and the levy of assessment thereon, and if so, the principles which may guide them in the fixing of such assessment as also its revision, if any, at successive re-settlements?

102 A.—The Government have not decided upon nor have they under consideration any scheme for a detailed survey and assessment of all house-sites in the villages of this Presidency and for the levy of assessment thereon.

Assessment of
backyard
cultivation.

103 Q.—Will the Government be pleased to state whether the reply to the reference to the Board of Revenue regarding the assessment of backyard cultivation has been received by Government and whether the Government has arrived at any decision in the matter, and if so, lay the papers on the table?

103 A.—The Government have not yet received the report.

The Hon'ble Mr. A. Suryanarayana Rao Pantulu.

Appointment
of an Uriya
as Deputy
Superintendent
of Police.

104 Q.—(i) Will the Government be pleased to state whether there have been any gentlemen of Uriya birth holding the office of Deputy Superintendent of Police till now?

(ii) Will the Government be pleased to appoint one Uriya gentleman to the post?

104 A.—(i) No.

(ii) The Government will bear the suggestion in mind but are not prepared to give any promise.

Non-official
president for
Vizagapatam
District Board.

105 Q.—Will the Government be pleased to state—
(1) why a non-official president has not yet been nominated for the District Board of Vizagapatam; and
(2) when the Government proposes to nominate one for the vacant place?

105 A.—The Government do not intend for the present to nominate a non-official as President of the Vizagapatam District Board.

Listing of
post of district
judge recently
created.

106 Q.—Will the Government be pleased to consider the desirability of appointing a gentleman from the Provincial Civil Service to the newly created judgeship, Anantapur district?

106 A.—The appointment referred to has not yet been created. The question whether it should be held by an officer of the Provincial Civil Service will receive due consideration at the proper time.

Statistics of
plague-infected
areas.

107 Q.—Will the Government be pleased to place on the table a statement showing the number of districts and places within the districts which are at present infected with plague, as also statements showing the number of attacks and deaths in each district since the last outbreak in the respective districts?

107 A.—A statement is laid on the table.*

The Hon'ble Mr. B. Venkatapati Raju.

Improvement
to indigo
cultivation.

108 Q.—(a) Has the attention of the Government been drawn to the urgent necessity of immediate phosphate-manuring for indigo crop as suggested by Mr. Davies, Indigo Research Chemist?

(b) Will the Government be pleased to state whether any action was taken by the Agricultural Department for the supply of super-phosphate manures to the indigo cultivators to resuscitate the natural indigo industry?

108 A.—(a) The Government are not aware that Mr. Davies has drawn attention to the urgent necessity of immediate phosphate manuring for the indigo crop so far as the Madras Presidency is concerned.

(b) A report will be called for.

Disposal of
escheated
property.

109 Q.—(a) Will the Government be pleased to state whether the Local Government obtained the sanction of the Governor-General in Council under section 31 of Government of India Act, 1915, regarding power to dispose of escheated property, which was accruing year after year, to make grant in favour of the relative or any connexion of the person from whom the property has accrued?

(b) Will the Government be pleased to state the desirability of earmarking the balance of escheated property, after disposing of under section 31 aforesaid, for expenditure in connexion with amelioration of the depressed classes?

109 A.—No. The Honourable Member's attention is drawn to section 6 of The Madras Endowments and Escheats Regulation VII of 1817.

* Printed as Appendix XII on page 554 infra.

3RD APRIL 1918.]

(Mr. Venkatapati Raju.)

110 Q.—Will the Government be pleased to order the publication of the detailed income and expenditure of several agricultural farms especially at Samalkot and Anakapalle so as to afford facilities for the agriculturists to gain knowledge of scientific culture and its advantages? Income and expenditure of agricultural farms.

110 A.—The Government do not consider that statements of accounts such as proposed are likely to serve any useful purpose.

At present a summary of the experiments conducted at the different farms and of the results obtained is given in the annual administration reports of the department and in the annual reports of the work of the agricultural stations. As soon as an experiment has yielded successful and profitable results, the latter are made available to the public by means of leaflets, agricultural calendars, etc.

111 Q.—Will the Government be pleased to place on the Editors' Table the latest statistics of the cattle, sheep, goats, horses, etc., in several districts of this Presidency in detail for comparative study? Statistics of cattle, sheep, etc., in the Presidency.

111 A.—The last cattle census was taken in 1914 and the statistics relating to it are printed as Appendix G to the Season and Crop Report for 1916-17, which is available for sale at the Government Press. It is not considered necessary to lay them on the Editors' Table.

112 Q.—Will the Government be pleased to consider the desirability of opening a cement factory by the Government at Vizagapatam in view of the harbour construction there? A cement factory at Vizagapatam.

112 A.—The suggestion will be borne in mind.

113 Q.—Will the Government be pleased to place on the Editors' Table the reports made by the Engineering department on Kollair lake drainage and Thandava project otherwise known as Tuni river project? Reports on Kollair lake drainage and Thandava project.

113 A.—A note by the Chief Engineer for Irrigation describing the various suggestions made for the improvement of the Kollair lake drainage will be placed on the Editors' Table.

The preliminary report on the Thandava project is under consideration and no orders have been passed. No papers on this subject can be published at present.

114 Q.—(a) Will the Government be pleased to state when will the scheme report regarding the re-settlement of Vizagapatam district be published? Scheme report of Vizagapatam re-settlement.

(b) Will the Government be pleased to state if any economic inquiry is made in Vizagapatam district for re-settlement purposes, and if so, in what villages?

(c) Will the Government be pleased to publish the details of the aforesaid economic inquiry?

114 A.—(a) The Government have no information.

(b) & (c) They have no reason to doubt that the Special Settlement officer is making the prescribed inquiry into the economic condition of the agricultural population throughout the district but they have no information as to the villages selected by the Special Settlement officer for making detailed inquiries and they cannot at present say whether the details will be published.

115 Q.—Will the Government be pleased to state—

(a) whether the detailed income and expenditure statements of heads of revenue and expenditure open to discussion in this Council are available for additional members of this Council for inspection when necessary on application; and

(b) whether facilities would be offered for the members to look into them for effective discussion of those subjects? Detailed statements of income and expenditure under certain heads.

115 A.—The meaning of the words 'Detailed income and expenditure statements' which occur in the question is not understood. The civil budget estimates, copies of which are supplied to all Honourable Members of the Legislative Council, contain the details which are submitted to Government by the various heads of departments under the several heads of revenue and expenditure and the Government are not aware of any further detailed figures in their possession that could be made available for the inspection of Additional Members of the Council for more effective discussion of the budget estimates.

116 Q.—(a) Will the Government be pleased to state what was the minimum balance of the Provincial revenue to be budgeted for in our Presidency? Utilization of Provincial balances.

(b) Will the Government be pleased to state whether our Provincial balances are realizing any and what interest, and if so, from what source and at what rate of interest?

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(Mr. Venkatapati Raju; Mr. Yaqub Hasan.) [3RD APRIL 1918]

(c) In view of the orders of the Government of India, that the budget had to be prepared on the basis that the Provincial balances are not available for expenditure, will the Government be pleased to consider the desirability of discharging the Imperial loans and advances to our Provincial Government out of the Provincial balances so as to save yearly payment of interest?

116 A.—(a) The minimum Provincial balance prescribed by the Government of India is in the case of this Presidency twenty lakhs of rupees.
(b) The Provincial balances do not realize any interest.
(c) The matter is under consideration.

Allowance to sub-registrars for treasury work.

117 Q.—(a) Will the Government be pleased to state whether the sub-registrars who have to take charge of treasury work are paid any allowances?

(b) Will the Government be pleased to accord sanction to them the same allowance which was accorded to deputy tahsildars who do the duty of ex officio sub-registrars?

117 A.—(a) No.

(b) The Government do not consider it necessary to grant any allowance.

Certain practitioners to pass the Criminal Judicial test.

118 Q.—Will the Government be pleased to consider whether it is desirable to insist upon passing the Criminal Judicial test for all those persons who are not legal practitioners, to permit them to practise in all subordinate criminal courts?

118 A.—The Government consider that the restrictions placed on private pleaders by rules 192 and 193 of the Rules of Criminal Practice are sufficient, and they are not prepared to adopt the suggestion.

The Hon'ble Yaqub Hasan Sahib Bahadur.

Educational facilities for Muhammadans at Nellore.

119 Q.—Will the Government be pleased to state if they have received a memorial, dated the 19th August 1917, signed by several influential Mussalmans of Nellore praying for certain educational facilities and opening of schools for Mussalmans, and if so, will the Government be pleased to state what action has been taken or is proposed to be taken in this matter?

119 A.—The President, District Board, and the Chairman, Municipal Council, Nellore, to whom the petition was referred, have taken such action as seemed to them practicable on the petition. Nine new boys' and girls' schools for Muhammadans have been opened for Muhammadans within Nellore district and municipality.

A building for Government Muhammadan school, Georgetown.

120 Q.—Will the Government be pleased to state if they would give the premises in Broadway, Georgetown, Madras, recently vacated by the Venereal Hospital, to the Government Muhammadan Secondary school, Georgetown, which is badly in need of a suitable building?

120 A.—The Government have decided to use the buildings in question for another purpose and regret that they are not available.

Grants for fee concessions to pupils of backward classes.

121 Q.—Will the Government be pleased to give a list of secondary schools and colleges that have received grants in the years 1916-17 and 1917-18 to cover their loss of revenue on account of the collection of reduced fees from Muhammadan and backward class pupils stating the amount of grant paid to each institution in each year?

121 A.—A statement is laid on the table.* The full amounts admissible as compensation for the admission of pupils at concession rates have not been paid in cases where such payments would result in an excess of income over expenditure.

Grain compensation to clerks in Madras Collectorate.

122 Q.—Will the Government be pleased to state whether it is a fact that the clerks in the income-tax section of the office of the Collector of Madras and of the Collector of Income-tax drawing a salary of Rs. 30 or less are not being given the grain compensation allowance that is usually allowed to clerks of equal status in all Government offices in the City of Madras? If so, will the Government be pleased to order that the said clerks are not treated in this respect differently from other clerks of equal status?

122 A.—The clerks referred to do not draw grain compensation allowance because their scale of pay was revised in 1914 and the new rates then fixed took into account the withdrawal of grain compensation allowance which was simultaneously directed.

APPENDIX I.

[Vide answer to question No. 32 asked by the Hon'ble Mr. K. Rama Ayyangar at the meeting of the Legislative Council held on the 3rd April 1918, page 528 supra.]

G.O. No. 483, L. & M. (Medical), dated 27th November 1917.

READ—the following papers:—

(i)

G.O. No. 312, L. & M. (Medical), dated 16th July 1917.

ABSTRACT.—Sanctioning a revised scale of pay to compounders in Government, local fund and municipal service with effect from 1st March 1918.

(ii)

Letter—from the Hon'ble Surgeon-General W. B. PANNERMAN, C.S.I., K.H.P., M.D., D.Sc., I.M.S., Surgeon-General with the Government of Madras.

To—the Secretary to Government, Local and Municipal (Medical) Department.

Dated—the 7th November 1917.

No.—59-O./692.

I have the honour to solicit reference to paragraph 1 of G.O. No. 312, Medical, dated the 16th July 1917, under which the revised scale of pay sanctioned to compounders is applicable to those compounders only who possess in full the qualifications prescribed in sub-section (vi) of section V of the Civil Medical Code.

2. When an increased scale of pay was sanctioned to compounders in 1911, it was distinctly stated that the new scale will be extended to the existing compounders in case their service has been approved and their professional qualifications undoubted. The compounders who had put in approved service and whose qualifications were undoubted were accordingly promoted to the new scale and this was approved by Government—vide G.O. No. 1055 L., dated 12th June 1913. It therefore appears reasonable that the revised scale of pay now sanctioned should be made applicable to those compounders who were promoted to the new scale in 1911 in accordance with G.O. No. 176, Public, dated 2nd February 1911, and have continued to render approved service. It is impossible for these compounders to pass the Government technical examination in 'practical dispensing' now, considering their age and the length of service. I am therefore of opinion they should be given promotion according to the scale now sanctioned if they have rendered approved service and possess undoubted professional qualifications.

Order—No. 483, L. & M. (Medical), dated 27th November 1917.

The Surgeon-General's proposal is approved.

2. Local boards and municipal councils may also allow the new scale of pay to compounders in their service who have already been promoted to the scale of pay sanctioned in G.O. No. 176, Public, dated 22nd February 1911, if they have rendered approved service and their professional qualifications are certified to by the District Medical and Sanitary Officer.

(True extract)

R. A. GRAPAM,
Acting Secretary to Government

To the Surgeon-General.

" Accountant-General.
" Local and Municipal (Local) Department.
" Local and Municipal (Municipal) Department.
" Home (Judicial) Department.

APPENDIX II.

[Vide answer to question No. 34 asked by the Hon'ble Mr. K. Rama Ayyangar at the meeting of the Legislative Council held on the 3rd April 1918, page 528 supra.]

Revised rule III of the Process Service Rules.

Under section 20 of the Court Fees Act, VII of 1870, the High Court makes the following amendment to the rules for the service and execution of processes issued by the civil courts in the Presidency of Madras, outside the Presidency town, subject to confirmation by the Government of Madras and sanction by the Governor-General of India in Council:—

III (a) There shall be four classes of central nazars and their pay shall be—

						Rs.
First class	..	..	..	..	..	100 a month
Second	..	..	..	..	..	90 "
Third	..	..	..	..	..	80 "
Fourth	..	..	..	..	..	70 "

Provided that no central nazar shall be placed in the first class unless the process establishment to be supervised by him consists of not less than 100 peons and 20 amins; or in the second class unless the establishment consists of not less than 80 peons and 15 amins; or in the third class unless the establishment consists of not less than 60 peons and 10 amins.

Provided also that the pay of a central nazar in a sub-court shall not exceed Rs. 90 a month.

For the purpose of this clause and clause (c) below, one amin shall be considered equal to two peons.

(b) For each central nazar of the first and second class, an assistant nazar on Rs. 25 a month may be appointed.

(c) There shall be three classes of deputy nazars and their pay shall be—

						Rs.
First class	..	..	..	..	..	50 per mensem
Second	..	..	..	..	..	45 "
Third	..	..	..	..	..	40 "

Provided that no deputy nazar shall be placed in the first class unless the process establishment to be supervised by him consists of more than 15 amins and 50 peons; or in the second class unless the establishment consists of more than 12 amins and 40 peons.

(d) There shall be three classes of amins and their pay shall be—

						Rs.
First class	..	..	..	..	..	25 per mensem
Second	..	..	..	..	..	20 "
Third	..	..	..	..	..	15 "

Not more than one-third of the amins shall receive the pay of the two higher classes and not more than a quarter of that one-third (or one-twelfth of the whole) shall receive the pay of the highest class.

(e) There shall be three classes of peons and their pay shall be—

						Rs.
First class	..	..	..	..	..	10 per mensem
Second	..	..	..	..	..	9½ "
Third	..	..	..	..	..	9 "

Not more than one-fifth of the peons shall receive Rs. 10 a month and not more than two-fifths of the peons Rs. 9-8-0; and the rest Rs. 9 per mensem.

All these charges shall be debited against the "Process Service Fund."

APPENDIX III.

[Vide answer to question No. 37 asked by the Hon'ble Mr. K. Rama Ayyangar at the meeting of the Legislative Council held on the 3rd April 1918, page 529 supra.]

Copy of letter from the Collector of Madura, R.O.C. No. 1484-B. & G., dated 19th December 1916.

Adverting to the Government Memorandum No. 1818-B/16-1, dated 8th November 1916, and the reminder thereon, dated 13th December 1916, I have the honour to state that, after investigation by the Public Works Department, the Superintending Engineer, VI Circle, Trichinopoly, has expressed his opinion that the formation of Buthipuram tank in Dindigul taluk might be dropped as the supply was precarious and as the work would not pay.

2. The Superintending Engineer has been asked to furnish the data on which he considered that the work cannot pay. As soon as his reply is received a further report will be submitted.

Copy of letter from the Collector of Madura, D. Dis. No. 4906-Rev., dated 24th December 1916.

Adverting to the Government Memorandum No. 1818-B/16-1, dated 8th November 1916, and in continuation of this office No. 1484-B. & G., dated 19th December 1916, I have the honour to submit herewith a copy of the Superintending Engineer's letter No. 11002, dated 21st December 1916, since received from him explaining his reasons as to why the work of the formation of the Buthipuram tank will not pay.

ENCLOSURE

*Letter—*from the Superintending Engineer, VI Circle, Trichinopoly.

*To—*the Collector of Madura.

*Dated—*the 21st December 1916.

*No.—*11002.

Referring to your R.O.C. No. 1484-B. & G., dated 11th December 1916, I have the honour to inform you that the minimum amount of an estimate for formation of a new tank at Buthipuram is Rs. 12,600. The estimate is roughly prepared and is likely to be exceeded if prepared in detail.

The supply will always be precarious and there will have to be occasional remission but in good years 120 acres would be irrigated, and the Executive Engineer reports that from Revenue Divisional Officer's No. D. Dis. 1649-Rev., dated 24th August 1916, the net gain from the proposed scheme is only Rs. 478 which is 3.8 per cent on the capital cost. If however maintenance charges amount as usual to about 12 annas per acre, the net return is only 3 per cent.

APPENDIX IV.

[Vide answer to question No. 41 asked by the Hon'ble Mr. K. Rama Ayyangar at the meeting of the Legislative Council held on the 3rd April 1918, page 529 supra.]

Statement of pay and prospects of the Port Light and Coast Light Keepers.

Port light keepers including boat overcoats and signallers.			Coast light keepers.		
Grade.	Number.	Pay per mensem.	Grade.	Number.	Pay per mensem.
First grade	3	Rs. 35	First grade	5	Rs. 70
Second grade	3	30	Second grade	4	65
Third grade	14	25	Third grade	4	60
Fourth grade	20	20	Fourth grade	9	50
Fifth grade	15	15	Fifth grade	9	45
Sixth grade	15	12	Sixth grade	13	40
Seventh grade	16	10	Seventh grade	1	35
Eighth grade	10	8	Eighth grade	1	30
Ninth grade	4	7	Ninth grade	1	25
	100			47	

- (a) Port light keepers at Badagara, Calingapatam, Masulipatam, Hare Island, Tondi, Coondapoor and Malpe are granted local allowance according to the conditions of the locality ranging from Rs. 3 to Rs. 14 per mensem.
- (b) Light keeper at Vakalapudi is granted signalling allowance of Rs. 10 per mensem.
- (c) Port light keepers at Pamban and Chatram are granted local allowance at 20 per cent of their pay.
- (d) Port light keepers are given rent-free quarters.
- (a) Thirty-six coast light keepers are granted provision allowance ranging from Rs. 15 to Rs. 3.
- (b) House-rent allowance to eight coast light keepers ranging from Rs. 30 to Rs. 10.
- (c) Local (charge) allowance of Rs. 15 to thirteen coast light keepers (head light keepers) and Rs. 30 for Madras light house.
- (d) Compensatory local allowance to coast light keepers for education of their children at Rs. 15 per mensem.

APPENDIX V.

[Vide answer to question No. 42 asked by the Hon'ble Mr. K. Rama Ayyangar at the meeting of the Legislative Council held on the 3rd April 1918, page 529 supra.]

Detailed statement of consolidated establishment of the Presidency Port Service for 1918-19.

(1)	Clerical establishment.																	Total of column (2) to (17).
	Manager— Rs. 150-160 250 (Rs. 180 on 1st April 1918).	Head clerk, Rs. 100.	Rs. 75.	Rs. 70-6-100 (Rs. 100 on 1st April 1918).	Rs. 60.	Rs. 50.	Rs. 45.	Rs. 40.	Rs. 35.	Rs. 20-1-35 (Rs. 31 on 1st April 1918).	Rs. 30.	Rs. 25.	Rs. 20.	Rs. 15.	Rs. 12½.	Rs. 10.		
Presidency Port Office. Gopalpur	1	1	1	..	2	2	..	4	..	1	3	..	4	..	..	..	19	
	..	..	..	..	..	..	..	..	..	..	(L.A. 5).	1	..	..	..	..	1	
Calingapatam.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Vizagapatam..	..	..	..	..	..	..	..	..	1	..	..	..	1	..	..	..	2	
Bimlipatam ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Cocanada	..	..	..	..	1	..	..	..	1	..	1	..	3	..	..	..	6	
Masulipatam ..	..	..	..	..	..	..	..	..	..	..	1	..	2	..	..	..	3	
Porto Novo ..	..	..	..	..	..	..	..	..	..	..	1	..	1	..	..	..	1	
Cuddalore ..	..	..	..	..	..	1	..	..	1	..	1	1	..	..	..	..	3	
Negapatam ..	..	..	..	..	..	1	..	..	..	..	1	..	1	..	..	..	3	
Adirampattanam.	..	..	..	..	..	..	..	..	..	..	1	1	..	..	..	..	4	
Pamban	..	..	..	..	..	..	..	1	..	..	..	..	2	..	..	..	3	
	..	..	..	..	..	..	..	(L.A. 8)	..	..	..	..	(L.A.8)	..	..	..	..	
Tuticorin ..	..	..	..	1	..	..	..	..	1	..	1	3	4	..	..	..	10	
Calicut	..	..	..	..	..	1	..	..	..	..	1	1	4	..	..	..	7	
Cochin	..	..	..	..	..	1	..	..	..	..	..	1	1	..	..	..	3	
Ponnani	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	1	
Tellicherry ..	..	..	..	..	..	..	..	..	..	..	..	1	3	..	..	..	5	
Cannanore ..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	
Mangalore ..	..	..	..	..	..	1	..	..	..	..	1	..	2	(a) 3	(b) 1	..	8	
Mangalore ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	(b) 1	1	
Total ..	1	1	1	1	3	7	1	5	4	1	10	9	29	3	1	1	78	
Total amount per annum.	2,160	1,200	900	1,200	2,160	4,200	640	2,496	1,680	372	3,660	2,700	7,056	315	100	80	30,819	

(a) { Two for nine months in the year.
One for three months in the year.

(b) For eight months in the year.

APPENDIX VI.

[Vide answer to question No. 46 asked by the Hon'ble Mr. T. Richmond at the meeting of the Legislative Council held on the 3rd April 1918, page 530 supra.]

G.O. No. 876, Home (Education), dated 2nd July 1917.

The resolutions of the Conference held at Simla in July 1912 on the questions connected with the education of the domiciled community in India have been examined in detail in the light of the opinion expressed by the Government of India thereon with a view to seeing what further action is necessary to give effect to the recommendations of the Conference so far as they relate to this Presidency. Effect has already been given to some of the resolutions and only the following remarks are called for:—

(1) *Resolutions No. III—Remuneration of teachers and No. VIII—Examinations.*—The recommendations of the Conference regarding the introduction of a provident fund system for teachers and the policy to be followed in the matter of external examinations are under the consideration of the Government of India. The orders of that Government on these matters are awaited. The Director of Public Instruction is requested to submit proposals for the amendment of the Code of Regulations for European Schools so as to provide for the substitution of the leaving certificates for the existing examinations as soon as the policy in regard to the external examinations referred to above is settled.

(2) *Resolutions No. IV—Training of teachers and No. XI—Hygiene.*—A scheme for the establishment of a training college for the domiciled community in connexion with the Lawrence Memorial school, Ootacamund, and the question of the medical examination of European schools are under consideration and orders thereon will issue separately.

(3) *Resolution No. V—Collegiate education.*—With regard to the suggestion of the Government of India for the introduction of some system of separate boarding and tuition under a special instructor where the numbers are too small for hostels, the Government agree with the Director that the number of Anglo-Indians who take the University course is at present too small to justify them in taking any action in the matter. The Director is, however, requested to watch the effect of the tutorial system introduced under G.O. No. 608, Home (Education), dated the 7th May 1917.

(4) *Resolution No. VI—Grants-in-aid—Audit.*—Article 33 of the Code of Regulations for European Schools provides for the prescription of a regular audit of the accounts of income and expenditure of schools. The attention of the Director is drawn to the remarks of the Government of India on the subject in paragraph 10 of their letter No. 1069, dated the 22nd December 1916, and he is requested to take such action as he deems necessary to obtain reliable data.

(5) *Resolution No. VII—Concentration.*—The carrying out of the suggestion of the Conference in regard to the concentration of schools is beset with serious difficulties. But having regard to the importance which the subject deserves in the interest of European education, the Director is requested to take steps to effect concentration wherever possible and to refuse recognition to new schools where they appear to be superfluous if such a course will not impede the progress of education.

(6) *Resolution No. XIV—Instruction in temperance.*—The Director of Public Instruction is requested to report whether the syllabus of lessons on temperance issued by the English Board of Education has already been introduced in the higher classes in European schools and with what success, and if not, whether it may not now be introduced.

(True extract)

R. RAMACHANDRA RAO,
Secretary to Government.

APPENDIX VII.

[Vide answer to question No. 52 asked by the Hon'ble Diwan Bahadur A. Subbarayalu Reddiyar at the meeting of the Legislative Council held on the 3rd April 1918, page 531 supra.]

Letter—from M.R.Ry. Rai Bahadur A. V. RAMALINGA AYYAR AVARGAL, B.A.,
B.C.E., Superintending Engineer, VII Circle.
To—the Chief Engineer for Irrigation.
Dated—the 22nd March 1918.
No.—195-E.I./816-C.-8.

With reference to Official Memorandum No. 504/18-A-3, dated 16th February 1918, I have the honour to inform you that the rules of regulation of water in the Cheyyar main channel now in force are those approved in Chief Engineer's (Irrigation) Memorandum No. W-92-N.A., dated 9th October 1895. The Cheyyar main channel runs through a number of tanks and consequently they have to be filled in to a certain level before water can flow lower down. Vents are provided in the weir of the tanks with cills at some feet below the full tank levels and these are generally kept open till the 1st of December. It sometimes happens that this rule is not followed in a few cases as the ryots close the vents stealthily. Unless the interested ryots also co-operate with the Public Works Department subordinates, this cannot be completely stopped. The present establishment maintained for this purpose by the department is insufficient and even if it is increased, the mischief of the ryots cannot be effectively stopped.

The rules, as they are, cannot be called defective, but its working requires the co-operation and vigilance of the ryots.

With Irrigation Boards formed and worked by the interested ryots, the regulation of water in the system can be effectively improved.

APPENDIX VIII.

[Vide answer to question No. 56 asked by the Hon'ble the Raja of Bobbili at the meeting of the Legislative Council held on the 3rd April 1918, page 531 supra.]

G.O. No. 1398, Home (Education), dated 8th November 1917.

READ—the following paper :—

Letter—from the Director of Public Instruction.
To—the Secretary to Government, Home (Education) Department.
Dated—the 10th October 1917.
No.—R.C. 3500.

With reference to Government Memorandum No. 1506-A-3, dated the 23rd April 1917, the Inspectress of Girls' Schools, Northern Circle, proposes the institution of a course of lectures on first aid, hygiene and home-nursing in the Queen Mary High School, Vizagapatam, in the Training School for Mistresses, Rajahmundry, and in the Government Training School for Muhammadan Mistresses at Guntūr. It is stated that no lady practitioners are at present able to undertake the delivery of the lectures at Vizagapatam and Rajahmundry but that the District Medical and Sanitary Officer, Vizagapatam, and the Civil Surgeon, Rajahmundry, have undertaken to arrange for the delivery of the lectures by one of their assistants. The Inspectress adds that Dr. Eleanor Wolf and Miss P. Paru, physicians in charge of the A.E.L.M. Women Hospital, Guntūr, have consented to deliver for the benefit of the students of the Government Training School for Muhammadan Mistresses, Guntūr, the lectures in English which the headmistress will be required to translate in Hindustani to the students there and then. It is proposed that the course should extend over 15 lectures and that the lecturer should in each case be paid a remuneration of Rs. 75 at the rate of Rs. 5 per lecture. The proposal commends itself to me and I have the honour to request that Government may be pleased to accord their sanction to the institution of a course of lectures in the three schools mentioned above and to the payment of a remuneration not exceeding Rs. 75 to the lecturer in each case.

Order—No. 1398, Home (Education), dated 8th November 1917.

The Government sanction the institution of a course of 15 lectures on first aid, hygiene and home-nursing in the Queen Mary High School for Indian girls at Vizagapatam, the Training School for Mistresses at Rajahmundry and the Training School for Muhammadan Mistresses at Guntūr and the payment to the lecturer selected in each case of a remuneration not exceeding Rs. 75.

(True extract)

R. RAMACHANDRA RAO,
Secretary to Government.

APPENDIX IX.

[Vide answer to question No. 69 asked by the Hon'ble Mr. A. S. Krishna Rao Pantulu at the meeting of the Legislative Council held on the 3rd April 1918, page 534 supra.]

Settlement.	Managing agency.	Remarks.
1. Sitanagaram ..	Salvation Army ..	....
2. Stuartpuram ..	Do. ..	....
3. Bhumannagadda ..	Do. ..	....
4. Kalichedu ..	Official management ..	To be shortly closed. Proposals under consideration.
5. Kavali ..	American Baptist Mission ..	....
6. Bitragunta ..	Do. ..	....
7. Aziznagar ..	Salvation Army ..	....
8. Stuartpet ..	Do. ..	The closure of this settlement has been ordered: but there are still some 50 families here.
9. Reformatory settlement, Madras.	Do. ..	....
10. Reformatory settlement, Guntur.	Do. ..	....
11. Siddhapuram ..	Official management ..	This is not a settlement under the Act.
12. Pallavaram ..	Salvation Army ..	....
13. Kalla settlement ..	Madura American Mission.	This is not a settlement under the Act.

APPENDIX X.

[Vide answer to question No. 70 asked by the Hon'ble Mr. A. S. Krishna Rao Pantulu at the meeting of the Legislative Council held on the 3rd April 1918, page 534 supra.]

Name of settlements.	(a) Number of criminals.	(b) The tribe or class, or caste to which they belong.	(c) Their present occupation.	(d) The number of police officers employed to look after them.
(1)	(2)	(3)	(4)	(5)
Kalichedu ..	1,731 ..	Dommaras and Donga Dasaris.	Mining, road contracts, weaving and mat-making.	2 sergeants, 4 head constables and 48 constables.
Kavali ..	1,099 ..	Donga Yerakalas and Donga Dasaris.	Agriculture, weaving, basket-making and contracts.	2 head constables and 23 constables.
Bitragunta ..	Started in 1917. No figures available as to its present strength.	Donga Yerakalas and Dasaris.	Agriculture ..	District Police.
Stuartpuram ..	1,101 ..	Donga Yerakalas ..	Agriculture ..	1 Sub-Inspector, 1 head constable and 10 constables.
Sitanagaram ..	969 ..	Do. ..	Agriculture, quarry work and weaving.	1 Sub-Inspector, 1 head constable and 15 constables.
Bhumannagadda ..	496 ..	Vayalpad or Nawab-peta Korichas.	Agriculture, weaving and silk production.	10 constables.
Aziznagar ..	980 ..	Veppur Pariahs ..	Agriculture ..	District Police.
Madras Prisoners Home (now a reformatory settlement).	47 ..	Do. ..	Leather work ..	Do.
Guntur Prisoners Home (since converted into a reformatory settlement).	143 ..	Donga Yerakalas and Donga Dasaris.	Jute mill, road works, weaving and carpentry and petty contracts.	Do.
Siddhapuram ..	Started in 1917. No information as to its existing strength.	Donga Waddars ..	Agriculture and tank work.	1 Inspector assisted by the District Police.
Pallavaram ..	Do. do.	Veppur Pariahs ..	Quarrying and leather work.	2 constables.
Kalla settlement at Gudalur.	Do. do.	Madura Kallas ..	Agriculture ..	1 Sub-Inspector and 2 head constables.
Kulasekharapatnam ..	81 ..	Uppu Koravas ..	Employment in the sugar factory.	District Police.

APPENDIX XI.

[Vide answer to question No. 74 asked by the Hon'ble Mr. A. S. Krishna Rao Pantulu at the meeting of the Legislative Council held on the 3rd April 1918, page 535 supra.]

1. ANANTAPUR DISTRICT.

Gooty taluk—
1. Hanchanahal.
2. Pedda Vadugur.
Tadpatri taluk—
3. Jutur.
4. Peddapolamada.
5. Chinna Polamada.
Penukonda taluk—
6. Sommandipalli.
7. Nagalur.

Hindupur taluk—
8. Chilamathur.
9. Parigi.
Madakasira taluk—
10. Gudibanda.
11. Rolla.
Kalyandrug taluk—
12. Chintarlapalli.
13. Khaireru.
14. Narasapuram.

Kalyandrug taluk—cont.
15. Hulikallu.
16. Vapalaparti.
17. Palavai.
18. Mulakaledu.

2. NORTH ARCOT DISTRICT.

Cheyyar taluk—
1. Menallur.
2. Kilnaikampalayam.
3. Punaitangal.
4. Valvandal.
5. Kalpakkam.
6. Suruttal.
7. Mavandal.
8. Sengadu.

Cheyyar taluk—cont.
9. Vilaripattu.
10. Sirunavalpattu.
11. Melseshamangalam.
12. Navalpakkam.
Wandiwash taluk—
13. Tennangur.
14. Ponnur.
15. Vallam.

Wandiwash taluk—cont.
16. Nedunganam.
17. Nallur.
18. Aringunam.
19. Japtikaranai.
20. Tellar.
Arkonam taluk—
21. Paranj.

3. SOUTH ARCOT DISTRICT.

Tindivanam taluk—
1. Padirapuliur.
2. Olakkur.
3. Merkanam.
4. Omandur.
5. Parikkalpat.
6. Perumbakkam.
Gingee taluk—
7. Gingee.
8. Melmalayanur.
9. Menamur.
10. Sathiyamangalam.
Villupuram taluk—
11. Rambakkam.
12. Vidur.
13. Vikravandi.
14. Vanur.
15. Serudanur.

Villupuram taluk—cont.
16. Arasamangalam.
17. Tiruppachchanur.
18. Pillur.
19. Panchamadevi.
20. Vadavambalam.
21. Mokshakulam.
22. Poovarasankuppam.
23. Radhapuram.
24. Siruwallikuppam.
25. Kaveripakkam.
26. Pakkam.
27. Parasureddipalayam.
28. Sornavur.
29. Ayyuragraharam.
30. Ayyankoilpattu.
31. Madiyambakkam.
32. Avadiyarpattu.

Villupuram taluk—cont.
33. Anangur.
34. Nannathampalayam.
35. Panampattu.
Chidambaram taluk—
36. Kunnamangalam.
37. Nattarmangalam and Viranallur.
Vriddhachalam taluk—
38. Kammapuram.
39. Sathivadi.
40. Toludur.
41. Kaludur.
42. Tolar.
Cuddalore taluk—
43. Melpattambakkam.

4. BELLARY DISTRICT.

Rayadurg taluk—

1. Rakatala.
2. Kudlur.
3. Honnur.
4. Palakurthi.
5. Muradi.

Kudligi taluk—

6. Ayyanahalli.
7. Tulahalli.
8. Suladahalli.
9. Hudem.
10. Chornur.

Hospet taluk—

11. Daroji.
12. Ramsagar.
13. Muddapur.
14. Tornagal.

Hadagalli taluk—

15. Tambrahalli.
16. Hampasagar.
17. Moragiri.

Hadagalli taluk—cont.

18. Itigi.
19. Kogali.
20. Uttangi.
21. Soji.
22. Magalam.
- Harpanahalli taluk—
23. Chigateri.
24. Halwagal.
25. Gojapur.
26. Tavatur.
27. Manur Masalwada.
- Bellary taluk—
28. Virapuram (106).
29. Siddammanahalli.
30. Sindhavalam.
31. Kolagal.
32. Rupanagudi.
- Siruguppa taluk—
33. Hatcholli.
34. Harivanam.

5. CHINGLEPUT DISTRICT.

Saidapet taluk—

1. Kunnathur.
2. Velaoheri.
3. Polal.
4. Paruthipattu.

Ponneri taluk—

5. Minjur.
- Tiruvallur taluk—
6. Ikkadu.
7. Mappedu.

6. CHITTOOR DISTRICT.

Vayalpad taluk—

1. Tarigonda.

Chittoor taluk—

2. Kottakota.
3. Irala.
4. Marukambat.
5. Kanipakkam.

Palmaner taluk—

6. Baireddipalli.
7. Ramakuppam.
- Chendragiri taluk—
8. Ramakrishnarajupet.
9. Vedyangadu.
10. Tiruvelangadu.

7. COIMBATORE DISTRICT.

Gobichettipalayam taluk—

1. Chikkarasampalayam.

Bhavani taluk—

2. Oddapalayam.

Udamalpet taluk—

3. Karattoluvu.

Udamalpet taluk—cont.

4. Kadathur.
5. Dhali.
6. Pallapalayam.
- Palladam taluk—
7. Kalangal.

8. CUDDAPAH DISTRICT.

Pulivendla taluk—

1. Balappanur.

9. GANJAM DISTRICT.

Kudala taluk—

1. Kudala.
2. Vikrampur.

Chicacole taluk—

3. Buravilli.
4. Kotabommali.

10. GODAVARI DISTRICT.

Pittapuram division—

1. Mallam.

Tuni division—

2. Hamsavaram.

11. GUNTUR DISTRICT.

Bapatla taluk—

1. Kondapatur.

Tenali taluk—

2. Angalakoduru.
3. Edlapalli.

Ongole taluk—

4. Desarajupalli Kara-
- vadi.
5. Hanumapuram Nida-
- manur.
6. Kamparti.

Siruguppa taluk—cont.

35. Santhekudlur.
36. Raravi.
37. Karur.
- Adoni taluk—
38. Halvi.
39. Halaharivi.
40. Madire.
41. Kotekal.
- Alur taluk—
42. Peddahotur.
43. Nemakal.
44. Aspari.
45. Ramadurgam.
46. Gulyam.
47. Chintakunta.
48. Yerur.
49. Halaharivi.
50. Hebbattam.

Chingleput taluk—

8. Ninnakarai.
9. Kattankolathur.
10. Nandivaram.
- Madurantakam taluk—
11. Mamandur.

Chendragiri taluk—cont.

11. Yerpadu.

Pollachi taluk—

8. Kaliyapuram.
9. Periyapodu.

Ongole taluk—cont.

7. Paidipad.
8. Tangutur.
9. Allur.
10. Kottapatnam.
11. Santanulapad.

12. SOUTH KANARA DISTRICT.

Karkal taluk—

1. Karkal.

13. KISTNA DISTRICT.

Bhimavaram taluk—cont.

7. Yendaganda.
8. Palakoderu.
- Kaikalur taluk—
9. Polukonda.
- Bandar taluk—
10. Tarakatur.

Divi taluk—

11. Nagayalanka.
- Ellore taluk—
12. Madepalle.
- Yernagudem taluk—
13. Tadepalli.

14. KURNOOL DISTRICT.

Nandikotkur taluk—

3. Pagidiyala.

Pattikonda taluk—

4. Gönegandla.
5. Jonnagiri.

15. MADURA DISTRICT.

2. Mangalam.

16. MALABAR DISTRICT.

Tellicherry—cont.

4. Quilandy.
5. Kuttuparamba.
- Ernad taluk—
6. Manjeri.

Walavanad taluk—

7. Peruntalmanna.
- Wynaad taluk—
8. Manantoddy.

17. NELLORE DISTRICT.

2. Brahmadevam.

3. Allipuram.

18. RAMNAD DISTRICT.

Tiruvadanai taluk—

2. Rajasingamangalam.
3. Tirupalaikkudi.

Paramagudi taluk—

4. Salaigrām.
- Sivaganga taluk—
5. Idaikkattur.

19. TANJORE DISTRICT.

Mannargudi taluk—

4. Edamelaiyūr.
5. Tenparai.
6. Vaduvār Agrahāram.

Papanasam taluk—

7. Semmangudi.

20. TINNEVELLY DISTRICT.

Nanguneri taluk—cont.

44. Kariandi.
22. Karungulam.
23. Palavur.
24. Kudangulam.
25. Vaduvarpatti.
26. Singaneri.
27. Tennavaneri.
28. Sengikulam.
29. Pallayankulam.
30. Karuppakatti.
31. Sattankulam.
32. Ariyakulam.
33. Ambalam.
34. Kundakulam.
35. Perumpattu.
36. Nambianidappu and Mahiladiparacheris.
37. Koilammalpuram.
38. Kuthewankulam.
39. Vadagachimadil.
40. Kilakaduvatti.
41. Udayamartandamseri.
42. Nambittalaivanpattayam.
43. Tirumalaipuram.

Nanguneri taluk—cont.

45. Kasturirangapuram.
46. Bhattarpuram.
47. Vadugampatti.
48. Chintamoni.
49. Kalavur.
50. Parameswarapuram.
51. Nakkaneri.
52. Veppilangulam.
53. Irukkanturai.
54. Ambalawapuram.
55. Sankarapuram.
- Ambasamudram taluk—
56. Bengasamudram.
57. Pappakudi.
58. Mukkadal.
59. Sattupati.
60. Vellanguli.

21. TRICHINOPOLY DISTRICT.

Trichinopoly taluk—

1. Allur.
 2. Andanallur.
 3. Ariyur.
 4. Kulamani.
 5. Perugamani (excluding its hamlet Minakshipuram).
 6. Tiruppalattur (including Minakshipuram, hamlet of Perugamani).
 7. Valadi.
- Karur taluk—
8. Andankoil
 9. Lakshminarayana-samudram.
 10. Pallapalayam.
 11. Pugalur.
 12. Puliur.
 13. Somur.
 14. Tandoni.
 15. Tambiyadi.
 16. Vangal.
- Kulittalai taluk—
17. Kallapalli.
 18. Karuvappanayakam-pettai.
 19. Kosur.
 20. Marudur.

Kulittalai taluk—cont.

21. Panjappatti.
 22. Pillaiyalaiyam.
 23. Poyyamani.
 24. Rajendram.
 25. Ranganathapuram.
 26. Sivayam.
- Musiri taluk—
27. Kothapalayam.
 28. Sikkathambar.
 29. Tottiyam.
 30. Yerragudi.
- Namakkal—
31. Erumaipatti.
 32. Kambikumalai.
 33. Paramati.
 34. Pudupatti.
- Perambalur—
35. Anukkur.
 36. Esanai.
 37. Karai and Kilakkarai.
- Udaiyarpalayam—
38. Alagiyamanavalam.
 39. Andimalam.
 40. Annimangalam.
 41. Arungal.
 42. Elakkurichi.
 43. Elandakudam.
 44. Kandiradittam.
 45. Korayavetti.

Udaiyarpalayam—cont.

46. Kilayur.
47. Kilakkarittamkurichi.
48. Kilakulattur.
49. Kovilesanai.
50. Koyilur.
51. Kulamanikkam.
52. Majamedu.
53. Melakaruppur.
54. Nagamangalam.
55. Palanganattam.
56. Periatirukkonam.
57. Poondi.
58. Sattamangalam.
59. Sennavur.
60. Sirupurandan.
61. Sellangudi.
62. Suttamalli.
63. T. Palur.
64. Tirumalaivadi.
65. Tirumannur.
66. Vadugapalanjam.
67. Vengannur.
68. Vettiur.
69. Vilandai.
70. Viluppanankurichi.

APPENDIX XII.

[Vide answer to question No. 107 asked by the Hon'ble Mr. A. Suryanarayana Rao Pantulu at the meeting of the Legislative Council held on the 3rd April 1918, page 540 supra.]

Statement showing the number of places in each district now infected with plague and the cases reported since the last outbreak.

Name of district.	Number of places now on the list of infected areas (dated 26th March 1918).	Number of attacks reported from the district since the last outbreak up to 23rd March 1918.	Number of deaths reported from the district since the last outbreak up to 23rd March 1918.
Anantapur	51	6,055	4,455
Arcoot, North	9	4,103	2,450
Bellary	91*	21,872	16,943
Chingleput	10	1	1
Chittoor	2	67	39
Coimbatore	42	15,035	10,306
Cuddapah	4	153	111
Guntur	3	9	9
Kanara, South	1	1,832	1,503
Kistna	1	10	7
Kurnool	64	2,283	1,869
Madura	2	25	16
Malabar	2	156	125
Nilgiris, The	1	12	5
Salern	49	3,185	2,196
Vizagapatam	2	484	416

*This figure does not include the infected places in the Alur and Bellary taluks. They are not separately notified in the list of infected areas.

APPENDIX XIII.

[Vide answer to question No. 121 asked by the Hon'ble Yaqub Hasan Sahib Bahadur at the meeting of the Legislative Council held on the 3rd April 1918, page 542 supra.]

Name of school.	Grant given towards fee income foregone from girls, Muhammadans and pupils of backward classes in	
	1916-17.	1917-18.
<i>Boys' schools.</i>		
1. Kallikota College, Berhampur	2,478	2,191
2. Onslow Institute, Chatrapur	397	590
3. Sri Raja's Incomplete Secondary School, Dharakota	574	528
4. B.M. Incomplete Secondary School, Berhampur	632	621
5. Surangi Raja's Incomplete Secondary School, Ichchhapuram	397	621
6. Mrs. A.V.N. College, Vizagapatam	..	1,535
7. Maharaja's High School, Bobbili	294	330
8. C.B.M. High School, Vizagapatam	88	47
9. C.B.M. Incomplete Secondary School, Bimlipatam	49	35
10. Lutheran Mission Incomplete Secondary School, Salur	64	71
11. A.E.L.M. High School, Poddapuram	920	848
12. McLaurin High School, Cocanada	1,430	773
13. Hindu High School, Masulipatam	..	215
14. Taylor High School, Narasapur	500	550
15. R.R. High School, Nuzvid	129	157
16. C.M.S. High School, Bezvada	748	848
17. Do. Ellore	..	1,228
18. Edward Incomplete Secondary School, Atchanta	26	37
19. Victoria Memorial Incomplete Secondary School, Relangi	24	30
20. George Coronation Incomplete Secondary School, Nandigama	32	41
21. Hindu Incomplete Secondary School, Palacole	55	57
22. A.E.L.M. College, Guntur	705	829
23. A.B.M. High School, Ongole	301	138
24. Taluk High School, Tenali	300	328
25. Hindu Incomplete Secondary School, Vetapalem	..	3
26. Edward Incomplete Secondary School, Ponnur	..	34
27. George Coronation Incomplete Secondary School, Thurimalla	10	58
28. P.V.R. Incomplete Secondary School, Ongole	249	269
29. A.E.L.M. Incomplete Secondary School, Rentachintla	229	254
30. Coles' Ackirman Memorial High School, Nellore	683	806
31. V.R. High School, Nellore	334	301
32. R.V.M. High School, Venkatagiri	66	72
33. A.B.M. Incomplete Secondary School, Allur	32	259
34. Do. Kanigiri	39	21
35. Do. Kavali	358	272
36. National High School, Proddatur	203	255
37. Campbell Memorial Incomplete Secondary School, Jammalamadugu	48	48
38. S.P.G. High School, Nandyal	1,305	1,395
39. Coles' Memorial High School, Kurnool	946	833
40. Wardlaw High School, Bellary	54	38
41. St. John's Incomplete Secondary School, Bellary	..	56
42. London Mission High School, Gooty	203	196
43. Edward Coronation Incomplete Secondary School, Hindupur	78	56
44. H.E.L.M. High School, Tirupati	135	102
45. Basvara Raja's High School, Punganur	43	65
46. Madanapalle Theosophical College	316	..
47. A.A.M. Secondary School, Madanapalle	830	991
48. O.E.L.M. Incomplete Secondary School, Puthur	28	76
49. Bangaripalayam Zamindar's Incomplete Secondary School, Chittoor	8	32
50. R.P.B. Garu's Incomplete Secondary School, Kalahasti	38	53
51. Wesley College, Royapetta, Madras	347	352
52. Harris High School, Royapetta, Madras	1,590	1,790
53. St. Thome's High School, Mylapore, Madras	83	67

Name of school.	Grant given towards fee income foregone from girls, Muhammadans and pupils of backward classes in	
	1916-17.	1917-18.
	RS.	RS.
<i>Boys' schools—cont.</i>		
54. St. Gabriel's High School, Georgetown, Madras	6	6
55. S.P.G. High School, Vepery, Madras	231	336
56. Kellet High School, Triplicane, Madras	279	267
57. E.L.M. Fabricius Secondary School, Purasawalkam	107	194
58. Pachaiyappa's High School, Madras	77	68
59. Incomplete Secondary School, Chintadripet, Madras	8	..
60. Native High School, Chingleput	14	59
61. Pachayappa's High School, Conjeeveram and its branch	21	30
62. Hindu High School, Madurantakam	35	32
63. U.F.C.M. High School, Chingleput	399	349
64. Do. Conjeeveram and its branch	342	277
65. Wesleyan Mission High School, Tiruvallur	169	152
66. C.R.C. Secondary School, Perambur	65	123
67. Hindu Incomplete Secondary School, Tiruvallur	21	18
68. Wesleyan Mission Incomplete Secondary School, Alandur	80	138
69. Wesleyan Mission Incomplete Secondary School, Madurantakam	97	77
70. U.F.C.M. Incomplete Secondary School, Walajabad	86	165
71. Voorhee's College, Vellore	1,467	1,475
72. Danish Mission Secondary School, Tiruvannamalai	143	102
73. Madras Islamiah Secondary School, Vaniyambadi	1,432	1,171
74. C.S.M. Incomplete Secondary School, Arkonam	172	167
75. Zamindar's High School, Kattupputtur	..	26
76. Islamiah Incomplete Secondary School, Trichinopoly	338	304
77. A.A.M. High School, Tindivanam	619	848
78. St. Joseph's Secondary School, Cuddalore, and its branch	386	359
79. S.P.G. Incomplete Secondary School, Cuddalore	121	95
80. Wesleyan Mission High School, Negapatam	156	196
81. St. Peter's High School, Tanjore, and its four branches	30	28
82. Kalyanasundaram High School, Tanjore	133	118
83. Town High School, Kumbakonam	74	68
84. Native High School, Kumbakonam	84	96
85. Nadar's Secondary School, Poraiyar	175	16
86. Central High School, Tiruvadi	60	86
87. National High School, Negapatam	337	362
88. E.L.M. Incomplete Secondary School, Tanjore	60	32
89. Do. do. Poraiyar	27	..
90. St. Antony's Incomplete Secondary School, Tanjore	104	139
91. Incomplete Secondary School, Umayalpuram	5	6
92. Mahajana Sabha Incomplete Secondary School, Nannilam	3	..
93. Incomplete Secondary School, Kodavasal	1	6
94. Veeraraghava Pillai's Incomplete Secondary School, Tanjore	46	40
95. Aryan Incomplete Secondary School, Tiruvadamardur	11	9
96. A.V. Incomplete Secondary School, Komal	41	51
97. Banadurai Incomplete Secondary School, Kumbakonam	..	45
98. S.P.G. High School, Rāmnād	1,143	1,261
99. C.M.S. High School, Srivilliputtūr	362	352
100. Raja's High School, Sivaganga	167	121
101. Raja's Secondary School, Rāmnād	48	68
102. S. B. Kshatriya Vidyasala Incomplete Secondary School, Aruppu-kōttai	102	131
103. Raja Sethupati Incomplete Secondary School, Paramagudi	174	192
104. Victoria Incomplete Secondary School, Sivakasi	54	71
105. Madura College	..	818
106. Sourashtra High School, Madura	1,812	1,740
107. St. Mary's High School, Madura	71	27
108. A.M. High School, Pasumalai	17	87
109. Victoria Memorial High School, Periyakulam	156	170
110. St. Joseph's Incomplete Secondary School, Uttamapalayam	57	36
111. Victoria Memorial Incomplete Secondary School, Bodinayakanur	39	68
112. Sri Dandapani Incomplete Secondary School, Palni	60	63
118. C.M.S. College, Tinnevely	1,254	1,277

Name of school.	Grant given towards fee income foregone from girls, Muhammadans and pupils of backward classes in	
	1916-17.	1917-18.
	RS.	RS.
<i>Boys' schools—cont.</i>		
114. Caldwell High School, Tuticorin	162	97
115. St. Francis Xavier's High School, Tuticorin	161	151
116. Do. Palamecottah	1,220	887
117. C.M.S. High School, Megnanapuram	29	53
118. Do. Palamecottah	18	30
119. High School, Pattamadai	52	73
120. Hindu High School, Ambāsamudram	101	191
121. Do. Gopalsamudram	61	73
122. C.M.S. Incomplete Secondary School, Pannaivalai	67	97
123. Do. Dohnavur	53	61
124. Do. Surandhai	126	148
125. S.P.G. Incomplete Secondary School, Mēlūr, Tuticorin	68	58
126. C.M.S. Incomplete Secondary School, Tenkasi	156	152
127. C.M.S. Mary Ardens Incomplete Secondary School, Palamecottah	192	188
128. S.A.V. Incomplete Secondary School, Tuticorin	8	10
129. Gomati Edward Incomplete Secondary School, Sankaranayinar-kōyil	14	18
130. Hindu Incomplete Secondary School, Alwārtirunagari	54	91
131. Do. do. Viravanallūr	118	129
132. Do. do. Alwarkurichi	8	4
133. Coimbatore College	..	102
134. Diamond Jubilee High School, Gobichettipalayam	107	134
135. St. Michaels' High School, Coimbatore	346	337
136. London Mission High School, Coimbatore	218	332
137. Do. Erode	74	123
138. Hindu Incomplete Secondary School, Kaniyur	80	77
139. St. Antony's Incomplete Secondary School, Coonoor	333	320
140. B.G.M. College, Calicut	..	671
141. B.G.M. High School, Palghat	432	472
142. Santa Cruz High School, Cochin	67	80
143. Raja's High School, Kollengode	70	85
144. N.E. High School, Alattur	10	21
145. B.M. Incomplete Secondary School, Quilandi	136	57
146. Do. Badagara	..	137
147. Hindu Middle School, Palghat	7	5
148. Hindu Incomplete Secondary School, Ponnani	108	131
149. Hindu Secondary School, Chathapuram, Palghat	28	37
150. Incomplete Secondary School, Manjapra	93	104
151. Do. Taliparamba	5	7
152. Kadattanad Raja's Secondary School, Parameri	42	45
153. B.E.M. High School, Mangalore	1,542	1,296
154. Christian High School, Udipi	839	986
155. B.M. Incomplete Secondary School, Kasaragod	250	304
156. Do. do. Mulki	..	135
157. Do. do. Bantwal	..	38
158. Rozario Incomplete Secondary School, Mangalore	149	102
159. Ganapati Incomplete Secondary School, Mangalore	402	439
Total	40,043	41,556
<i>Girls' schools.</i>		
1. A.E.L.M. Sylvanus Hall Girls' Secondary School, Guntur	471	588
2. A.B.M. Girls' High School, Nellore	444	500
3. A.A.M. Incomplete Girls' Secondary School, Madanapalle	276	328
4. London Mission Girls' Boarding High School, Vepery	1,201	1,412
5. U.F.C.M. Boarding Girls' Secondary School, Rayapuram	993	880
6. Wesleyan Mission Girls' High School, Royapettah	829	873
7. St. Ebba's Girls' High School, Royapettah	439	397
8. C.S.M. Girls' Secondary School, Kilpauk	443	583
9. U.F.C.M. Girls' Day School, Georgetown, Madras	675	637

* Full amount not paid.

APPENDIX.

Name of school.	Grant given towards fee income foregone from girls, Muhammadans and pupils of backward classes in	
	1916-17.	1917-18.
	RS.	RS.
<i>Girls' schools—cont.</i>		
10. E.L.M. Girls' Incomplete Secondary School, Purasawakam, Madras.	287	..
11. A.A.M. Girls' Boarding Incomplete Secondary School, Ranipet.	424	447
12. R.C. Fort Girls' High School, Trichinopoly, with its branches at Palakarai and Cantonment.	1,445	1,630
13. Wesleyan Mission Girls' Incomplete Secondary School, Woriyur, Trichinopoly.	462	463
14. E.L.M. Girls' Incomplete Secondary School, Tanjore	307	333
15. Capron Hall Girls' High School, Madura	738	1,010
16. Sarah Tucker College, Palamcottah	1,298	1,128
17. St. John's Girls' High School, Nazareth	618	669
18. R.C. Girls' Incomplete Secondary School, Sattankulam ..	335	306
19. St. Mary's Girls' Boarding Incomplete Secondary School, Sawyerpuram.	460	434
20. C.M.S. Girls' Boarding Incomplete Secondary School, Palamcottah.	651	575
21. Elliot Tuxford Girls' Boarding Incomplete Secondary School, Megnanapuram.	488	546
22. C.E.Z.M. Gell Memorial Girls' Secondary School, Ootacamund..	284	278
23. B.M. Girls' High School, Calicut	788	818
24. Sacred Heart Girls' Secondary School, Tellicherry	32	56
25. Incomplete Secondary Girls' School, Chalapuram, Calicut ..	142	60
26. St. Anne's Girls' High School, Mangalore, and its two branches.	654	861
27. B.M. Balmatta Girls' Incomplete Secondary School, Mangalore.	491	447
Total ..	15,675	16,259
Grand total ..	55,718	57,815

[The above statement excludes first-grade colleges.]

COMMUNICATIONS TO THE COUNCIL; THE BUDGET FOR 1918-1919; 559
THE MADRAS PREVENTION OF ADULTERATION BILL, 1918.3RD APRIL 1918.] (*The Secretary; Sir Alexander Cardew; the President; Mr. Rajagopala Achariyar; Mr. Rama Ayyangar.*)

COMMUNICATIONS TO THE COUNCIL.

The SECRETARY reported the receipt of a communication, dated 16th March 1918, from M.R.Ry. Rao Bahadur N. Krishnaswami Ayyangar Avargal, High Court Vakil, Kumbakonam, on the subject of the Bill to amend the Madras Village Courts Act, 1888.

THE BUDGET FOR 1918-1919.

The Hon'ble Sir ALEXANDER CARDEW presented the Budget for 1918-1919 and in doing so said:—"Your Excellency, under rule 29 of the financial rules I have the honour to formally present to the Council the Budget for 1918-1919. The remarks which I have to make on the subject of the financial arrangements of the year are contained in the memorandum prefixed to the Financial Statement. All Honourable Members have been furnished with printed copies of the memorandum which shows the changes made in the Revised Financial Statement and embodied in the Budget estimates. In these changes, effect was given to all the resolutions passed at the last meeting of the Council. I think there is nothing, therefore, on which I can enlighten the Council at the present stage. I, therefore, formally present the Budget estimates to the Council."

His Excellency the PRESIDENT:—"We will have the debate on the Budget probably the day after to-morrow; it depends upon the resolutions."

THE MADRAS PREVENTION OF ADULTERATION
BILL, 1918.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR introduced the Madras Prevention of Adulteration Bill, 1918, and moved that it be read in Council and in doing so said:—

"I beg to introduce the Madras Prevention of Adulteration Bill, 1918.

"Honourable Members are no doubt aware of the history of legislation in India to prevent adulteration of food and drugs. At present the law on this subject in this Presidency is contained in Chapter XXXI of the Madras City Municipal Act (which was inserted in 1904) and the corresponding sections in the Hill Municipalities Act, 1904. It has long been felt that these provisions are inadequate. In 1912 some chairmen of municipal councils and presidents of district boards were consulted on the need for further legislation. Opinion was almost unanimous that the evil of adulteration was growing in magnitude, that it could not be dealt with effectively, and that special legislation was necessary. The present Bill has been prepared in response to this demand. Honourable Members will notice that the Bill does not deal with drugs. The reasons for limiting the scope of the Bill in that respect are that the adulteration of drugs is not common in this Presidency; the analysis of drugs is often difficult and it is likely that the extension of the Bill to drugs would involve an amount of harassment which could not be justified on the ground of public necessity.

"The Statement of Objects and Reasons and the notes on clauses are detailed and it is unnecessary for me to explain the provisions of the Bill at any length. The Bill is drafted on the model of similar legislation in England and the United Provinces and its scheme is simple. The administration of the measure is left to local bodies; it will be applied to particular localities where the need is felt and the local bodies concerned provide the machinery for its working. Secondly, provisions are enacted to enable local executive officers to inspect places in which food is manufactured or sold and power is given to those officers to seize adulterated food. Thirdly, there are clauses regulating the appointment of analysts, the purchase of samples, the procedure to be followed when samples are submitted for analysis, etc. Fourthly, there are special provisions in regard to articles of common consumption such as milk, butter, ghee, etc; power is taken to prescribe standards of purity for these articles and to prohibit the sale of articles which do not conform to the standard except under conditions which would give the purchaser very clear indication of the fact that the articles are not of the prescribed standard of purity. Lastly, the Governor in Council is given power to frame rules for working the Act in areas to which it is extended and the local bodies concerned are given power to frame by-laws.

"I beg to move that the Bill be read in Council."

The Hon'ble Sir ALEXANDER CARDEW seconded the motion.

The Hon'ble Mr. K. RAMA AYYANGAR:—"My Lord, I have read through the provisions of this Bill and I find that the provisions are such as may be very useful where there is much adulteration going on. There is a clause there enabling the Government to extend it to places where the need arises. There is also another clause empowering local authorities to frame additional by-laws not inconsistent with the Act or the rules that might be framed under the Act. All these provisions I have seen, my Lord, and it is only therefore that I want to place before the Government some views when considering the whole position.

"My submission is that in mufassal parts, so far as I know, the conditions have not arisen which require any special enactment to be made, so that there may be officers appointed who

(Mr. Rama Ayyangar; Mr. M. Ramachandra Rao; [3RD APRIL 1918.
Mr. A. S. Krishna Rao.]

might have power to prosecute persons and inspect the places referred to in the Act. There are provisions in the Madras City Municipal Act, as has been pointed out; but what was said by the Honourable Member in charge was that some chairmen had expressed an opinion that need for the Act had arisen. My first request will be that the matter may be allowed to be discussed in the several boards themselves, and I would also request that unless two-thirds or three-fourths of the members of the local body administering the local affairs in any particular area join together to make a recommendation to Government that the provisions of the Act may be extended to that area also, it should not be thought fit to extend the provisions to such area. My object in placing such a view before the Government is once this enactment is extended to apply to a particular area where there is very small mischief going on and the consequences are not really serious, the mischief may be rectified, but it would affect the bona fide traders in the locality. It has been found that even in the case of the Hackney Carriages Act, where it has been introduced in the mufassal much good has not resulted, though I am not prepared to say that it was wrong to introduce it to the areas to which that Act has been extended. All that I say is when there is an analyst and articles are purchased and offered for analysis they are divided under the Act into three parts, one part being delivered to the owner of the property and where there is a provision for the person who possesses property to bring before the tribunal the person who was the owner of the property at the commencement much falsehood would result—when there is all this complex situation, I submit, my Lord, that it is very proper to consider the position before this Act is extended to any particular local area. I do not say that the Act need not be passed; it may be passed for Madras if the Corporation think so, and to other particular areas in which such mischief is going on it is proper that the provisions of the Act should be made applicable. It is proper in the case of mufassal local areas to give power to a large majority of the members of the local boards to apply to have the Act extended if necessary. That is the principal point I wish to place before the Government. I should certainly like that all these powers given under the City Municipal Act to the Madras Corporation may be given to other municipal areas. There may be a general provision made in the District Municipalities Act that the municipal areas may be given power to apply to the Government for having the rules made under this Act or Bill applicable to their areas. It is only proper that power should be given to local bodies to apply."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I have heard the objections of the Hon'ble Mr. Rama Ayyangar to this Bill. At the outset, I must say at once that I generally support the principles of this Bill which seeks to provide control by both local boards and municipalities to prevent adulteration of food. The evil is one that certainly deserves consideration, especially with reference to the adulteration going on of food-stuffs in most of the municipal towns and those outside them, especially where there are places for the adulteration of ghee, I know in the Circars there are two or three places where ghee is stored in large quantities by dealers and adulterated with various other commodities and exported to Rangoon as well as to Calcutta. I know also, my Lord, that in some of these cases the Calcutta authorities have rejected altogether some of these articles imported to Calcutta. The adulterated commodities were afterwards disposed of in places for which they were not intended. There can be no objection to empowering the local authorities to exercise control. I know it is equally necessary to extend this Bill to localities where conditions are suitable. The objection suggested by my Honourable friend is that it might work great hardship and that municipal authorities must be empowered to extend provisions of the measure on their own initiative. All these and other objections may be met by making suitable and proper provisions in the Bill itself if they are necessary. I do not think there is any reason to object to the terms of the Bill which, after all like all other enactments, has to be tested by the way in which it is worked. I therefore generally support the provisions of the Bill."

The Hon'ble Mr. A. S. KRISHNA RAO:—"My Lord, I welcome the introduction of this Bill, and I give my support to the main principles thereof. There are, however, some features of the Bill which I wish to place before the Council for their serious consideration, because they are calculated to affect the discretion of the local authorities or the executive officers to an unnecessary extent. It is only that aspect of it, which I wish to place before this Council to-day. Under clause 3, the local executive officer may delegate his powers and duties under this Act to such person and in such manner as may be prescribed. The local executive officer is defined in clause 2. It means: 'In any municipality in which there is a Commissioner, the Commissioner; in other municipalities the President or Chairman of the Council; and in or for other local areas, such public servant as may be designated by the Local Government for the exercise of the functions of a local executive officer under this Act'. Under clause 18 the Local Government have taken power to make rules 'prescribing the classes or qualifications of persons to whom and the conditions on which the local executive officer may under section 3 delegate his powers.' It will be found that in various enactments constituting local bodies there are provisions enabling the local executive officer or the Chairman of the Council to delegate his powers under certain contingencies. I would ask whether there is any justification for fettering the general discretion given to him and saying that he must delegate his powers only to such persons and in such manner as may be fixed by rules framed under clause 18. I find that in the Adulteration Act of the United Provinces, no such powers of delegation have been prescribed. No reason is given in the Statement of Objects and Reasons for making such a provision in this Presidency."

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(Mr. A. S. Krishna Rao; Mr. Yaqub Hasan;
Mr. Gordon Fraser.)

"Another point which I wish to place before this Council is that under clause 4 'the local authority having control over any local area to which any provisions of this Act may be extended may, subject to the approval of Government, appoint a public analyst for such area.' So far as that provision is concerned, there is absolutely no difference of opinion; but sub-clause (2) goes further; and I object to the Government taking further steps in that direction if the local body does not think it fit or necessary to appoint an analyst. Why not allow discretion to the local bodies which, it is admitted on all hands, ought to be developed in a satisfactory manner? The clause goes further than the United Provinces Act when it says that when such an officer is appointed the local body can be called upon to defray in whole or in part, the expenses of the appointment and that such an order can be enforced by proper provisions in the Act itself. That provision is calculated to interfere with the discretion of the local authorities. It is better that these provisions are modified as satisfactorily as possible."

"There is only one other portion of the Bill to be considered—clause 6 dealing with the prosecution of employers. The provision is wider than it should be. Sub-clause (2) says: 'Where an employer is charged with an offence under this Act, he shall be entitled on application duly made by him to have any other person whom he charges as the actual offender brought before the court at the time appointed for the hearing, and if, after the commission of the offence has been proved, the employer proves to the satisfaction of the court that he used due diligence to enforce the execution of this Act and that the said other person committed the offence without his knowledge, consent or connivance, the said other person shall be convicted and the employer shall be acquitted.' I wish to point out that the responsibility placed upon the employers by this Act is unduly large. It is stated in the Statement of Objects and Reasons that this goes further than the corresponding provision in the English Act, but it is stated that 'in England the principle has been extended to breach of locomotive regulations and breach of factory regulations. It appears to be susceptible of generalization and has here been generalized.' So far as our Province is concerned, we are taking steps to check adulteration. Everybody supports it because it is in the interests of public health. But we must be cautious in enforcing the penal provisions. It is observed in the Statement of Objects and Reasons that even in England it is restricted to particular foodstuffs though the principle has been extended to breach of locomotive regulations and of factory regulations. Whereas in countries where the Act has been in operation for years, such a drastic provision is not necessary, we must not have it here in the initial stages. With these remarks I support the introduction of the Bill."

The Hon'ble Mr. YAQUB HASAN:—"My Lord, I am in full sympathy with this Bill. It is a surprise to me that any member of this Council should oppose it. In my opinion this Bill has been long overdue. If this Bill does not do anything more than preventing the adulteration of one article of food, I mean ghee, it will confer a great boon to the entire community in this Presidency. It is notorious how ghee is adulterated in this Presidency. The Hindus specially should welcome this Bill because the ingredients used in adulterating ghee are particularly obnoxious to them. The provisions of the present Municipal Act for the City of Madras have been found to be not helpful in preventing the adulteration of foodstuffs, and I particularly regard this feature of the Bill satisfactory that it is applicable to the whole Presidency and not to any particular locality. It is contemplated that when the Local Boards Act, the District Municipalities Act and the Madras City Municipal Act are amended some provision for the prevention of adulteration should be embodied in them, but I would nevertheless prefer that there should be a separate Act for this purpose and this Bill is a step in the right direction. No doubt there are certain clauses which would be found to be unworkable and there are others to work which may cause a real hardship. But that is a thing which can be discussed at a later stage clause by clause after the Bill comes from the Select Committee. The Select Committee will, no doubt, modify the Bill to a certain extent, but I do not think that this Bill is on the whole as stringent as it is represented to be. In the matter of adulteration no rules in my opinion can be too stringent. Adulteration must be stopped and there is no use being lenient to those who make a nefarious living at the cost of the health of the whole population of the Presidency, because every one has to take food in some form or another some part of which is more often adulterated than not. I warmly support the Bill."

The Hon'ble Mr. GORDON FRASER:—"Your Excellency, I should just like to mention that the Bill would be warmly welcomed by all connected with the commercial community. It is unfortunately restricted to foodstuffs, although the general effect will be reflected in connexion with all forms of adulteration which unfortunately is so prevalent throughout the Presidency. I should think it important from the health point of view—the Honourable the Surgeon-General will confirm this—it will help to keep down the high death-rate which now prevails from intestinal disorders. I thoroughly approve of the Bill. As to the question whether the Bill is to apply to particular places only, I hope it will not be long before the Bill is extended to all parts of the Presidency."

The motion was put and agreed to.

The Secretary read the title of the Bill.

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar moved that the Bill be referred to a Select Committee for report.

The Hon'ble Sir Alexander Cardew seconded the motion.

The motion was put and agreed to.

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The Hon'ble Diwan Bahadur P. Rajagopala Achariyar moved that the Select Committee be constituted of the following gentlemen—the Hon'ble Surgeon-General, the Hon'ble Mr. M. Ramachandra Rao, the Hon'ble Mr. T. Ranga Achariyar, the Hon'ble Mr. A. Subbarayulu Reddiyar, the Hon'ble Mr. Gordon Fraser, the Hon'ble Mr. Higginbotham, the Hon'ble the Advocate-General, the Hon'ble Mr. Graham and the Hon'ble Diwan Bahadur P. Rajagopala Achariyar.

The motion was put and agreed to.

A BILL TO AMEND THE MADRAS MEDICAL REGISTRATION ACT, 1914.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—"I have the honour to introduce a Bill to amend the Madras Medical Registration Act, 1914, and move that it be read in Council. It will be within the recollection of the Council that in the year 1913 a Bill introduced by Dr. Nayar was passed into law about March 1914. In pursuance of that Act, a Medical Council was constituted and medical practitioners were registered. In November of that year it was found that the Medical Council took proceedings against a medical practitioner who is well known in this Presidency, Dr. M. Krishnaswami Ayyar, for his having undertaken the management of a free Ayurvedic dispensary in Triplicane opened by Rao Sahib—now Diwan Bahadur—C. Annan Chettiyar, and the proceedings were taken against him on the ground that he was guilty of covering. After it was found by the Medical Council that he was guilty of infamous conduct, it was thought necessary that certain provisions in the Medical Registration Act which gave rise to that difficulty should be modified in as satisfactory a manner as possible. It is true that according to section 18 of the Act an appeal can be made by the medical practitioner affected to the Governor in Council, but section 19 of the Act at the same time laid down that the proceedings cannot be questioned in a court of law. Immediately these proceedings were known to the public, opportunity was taken to make motions for leave to introduce a Bill to amend the Medical Registration Act, and at the meeting in December 1917 three motions were made—one by the Hon'ble Mr. Narasimheswara Sarma, another by the Hon'ble Mr. Ramachandra Rao and the third by myself. When those motions were made, the Government accepted those motions and stated that they had no objection to the granting of the motion though they would consider the terms of the various Bills when they were published in due course. I think it would be profitable if I read at this stage the remarks made by the Hon'ble Sir Alexander Cardew in reply to the first of these motions. He admitted that it was only natural that there should be that feeling in the country in respect of the proceeding against Dr. Krishnaswami Ayyar and then said :—

‘According to the information which has been published—and Honourable Members must have seen it in the papers—this gentleman has been suspended and his name temporarily removed from the medical register. Section 18 of the Act lays down that an appeal shall lie to the Governor in Council against every decision of the Medical Council under section 13 or section 16. Those are the sections under which this action of removal presumably purports to have been taken. I must further draw attention to the next section of the Act. Section 19 of the Act lays down “No act done in the exercise of any power conferred by this Act on the Governor in Council or the Council or the Registrar shall be questioned in any Civil Court.” The consequence of that provision is that any person who is prejudiced or affected by an order of the Medical Council is deprived of any of the remedies afforded by the Courts and is obliged to come to the Governor in Council for any remedy that he may desire. The Governor in Council is by this section placed in the position of one exercising a quasi-judicial function. The Government has to consider each case with as much impartiality as can be expected of such an imperfect body.’

"The Hon'ble Sir Alexander Cardew was pleased to give the necessary caution—
 'It cannot, of course, be an entirely judicial attitude.'"

‘It cannot, of course, be an entirely judicial attitude, but it will endeavour to attain as near that desirable frame of mind as is compatible with its unfortunate executive nature’

“ Having stated that and having also pointed out that there would be some difficulty in defining exactly what is meant by an Ayurvedic practitioner and Unani practitioner, he said that there was no objection to the motion being granted. Accordingly leave was granted to introduce the Bills. After waiting for some time I thought it best to take the next step allowed by the statute to ask for the introduction of this Bill in this Council and I sent a copy of the Bill to the Secretary to the Legislative Council. It was published in the *Fort St. George Gazette* and it was also communicated to the Additional Members of the Council. It was communicated to the Government of India for their administrative approval, and after some correspondence I was informed by the Secretary of the Council as a result of that communication, on the 17th December 1917 as follows:—

'I am directed to inform you that the Government of India have, by telegram, withdrawn their objections to the introduction of your Bill to amend the Madras Medical Registration Act, 1914, subject to certain remarks which were to follow by letter.'

I naturally thought there should be no difficulty whatever in introducing the Bill in this Council and in the Government accepting its principle. No doubt there may be some differences of opinion as regards the exact terms of the Bill or regarding the wording of the Bill. All these difficulties will have to be solved, when the Bill is referred to a Select Committee. I was informed that they sent that telegram subject to certain remarks contained in the letter of the Government of India, but unfortunately I am not in possession of that information. I thought

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that the letter might throw some further light on the subject and that I might have an opportunity of explaining to the Council any difficulties pointed out by the Government of India and of replying to any suggestions made by that Government. I requested the Secretary of the Council to furnish me with a copy of that letter. I was informed that I could not be supplied with it. I am therefore in the dark as to what transpired between the Local Government and the Government of India. But of this at least I am sure, that the Government of India have withdrawn their objections to the introduction of this Bill. I hope this Government also will have no objection to the introduction of the Bill. If they do object to it, I shall be surprised at their attitude.

“So far as the Bill to be introduced in this Council is concerned, it is calculated to remove the apprehensions that naturally exist that the Medical Registration Act might affect the study and practice of indigenous medicines. It will be remembered that during the discussion of the Medical Registration Bill in 1913-1914, it was definitely stated that nothing would be done to interfere with Ayurvedic and other indigenous systems of medicine. The instance, though it is only one specific instance, which I have given naturally created the impression that the provisions of the Act were not quite satisfactory and that it was competent to the Medical Council, in the absence of a definition of either ‘covering’ or ‘infamous conduct in a professional respect,’ to pass strictures upon medical gentlemen when they did not really deserve such strictures.

“So far as the various clauses of the Bill are concerned, I shall briefly explain them. They are contained in the Statement of Objects and Reasons. It will be found that so far as the first clause is concerned, it is a formal portion. We may pass on to the second clause, which seeks to add one other section, section 1-A, after section 1: ‘Nothing shall be done under this Act or under the rules made thereunder either by the Governor in Council or the Medical Council or the Registrar, so as to affect, discourage or otherwise interfere with the study or practice of the Ayurvedic, Unani or other indigenous systems of medicine.’ At an earlier stage it was found that the Registrar of the Medical Council wrote to the Principal of the Ayurvedic College whether there were any persons practising the allopathic system who were taking part in the teaching in that college. Some of these gentlemen went so far as to resign their posts. I will come to that later on.

“ Clause 4 of the Bill which I wish to take up next seeks to explain ‘ infamous conduct.’ It suggests that ‘ infamous conduct in any professional respect ’ shall not mean or include (a) study or practice of the Ayurvedic, Unani or other indigenous systems of medicine; or managing, assisting, encouraging or supporting Ayurvedic and Unani dispensaries, hospitals and colleges.

"So far as clause 3 is concerned, it is to the effect that the decision of the Medical Council against a medical practitioner must be by a majority of two-thirds of the members present and voting at the meeting. When a similar Medical Registration Bill was before the Bengal Council, a similar amendment was moved and accepted by the Government. Clause 3 which I seek to introduce says that the committee defined in section 17 ought not to have the final voice. Section 17 says that for the purpose of the inquiry 'every medical practitioner of the Council may delegate his power to a committee of three or more and the decision of that committee shall be the decision of the Council.' That is the provision in section 17 of the Medical Registration Act. It is therefore possible for a committee consisting of three members of the Medical Council to pass the final decision regarding questions affecting the conduct of a medical practitioner. The suggestion I make by clause 5 of the Bill is to the effect that that portion of the Act may be omitted and that the committee shall only be called upon to submit its report to the Council which shall be the only body competent to pass such an order.

" Clause 6 suggests that the inquiry under section 13 or 16 shall be with the assistance of a member of the legal profession and that a judicial assessor shall be secured. You find a corresponding provision in the English Act, and it is certainly desirable that in these inquiries which are judicial inquiries, members of the medical profession may be given the assistance of a legal gentleman, because when proceedings are sought to be taken against a medical practitioner in matters which prejudicially affect him, it is right that such satisfactory provision should be made.

“ These are some of the main provisions of the Bill which I seek to introduce. I only ask Honourable Members to pause for a while and see whether it is desirable that this permission should be granted. I know after the case of Dr. Krishnaswami Ayyar attempts have been made to somewhat smoothen the way of competent medical practitioners in their dealings with the Medical Council. It is true that attempts have been made not to put into operation some rules made by the Medical Council for the guidance of the medical profession. The simple question I ask is, if you find a defect in an enactment, is it not the obvious duty of this Council to remedy that defect by a statute properly passed? Is it proper that we should merely depend upon the mere good will of the Medical Council for the time being either to take proceedings or not in respect of any particular matter? I submit that so long as we are satisfied that the absence of a definition of either ‘ covering ’ or ‘ infamous conduct ’ has given rise or is likely to give rise to difficulty, there is only one course open to the Council namely, to remedy the defect in the best manner possible. That is what I would specially urge before this motion is considered on other aspect of it which may be referred to at present.

"These various portions of the Bill which I am placing before the Council require careful scrutiny in the select committee which is to be appointed if this motion is carried, in the light of

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the criticisms which may be received from the public or the members of the medical profession. This is not the stage at which either the Government or any one else for the matter of that can oppose it. The Council which has already given kind permission for the introduction of the Bill would have no objection to allow the second reading of the Bill. With these remarks I move that the Bill be read in Council."

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR:—"My Lord, I second the motion. I do think that it is time that this amending Bill is passed into law subject to such modifications as the Select Committee may make and the Council approve. I feel it my duty to inform the Council and the Government that in accepting this motion they are only complying with a public necessity."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, I cannot but express my regret that my Hon'ble Friend Mr. A. S. Krishna Rao has thought it incumbent upon him to bring this motion before this Council. The Honourable Member is quite aware that the questions which are involved in this debate are of a very controversial character, and I think it has been generally recognized in this Council that such questions and controversies, especially questions which, as in this case, are likely to trench upon racial grounds, should as far as possible be avoided during this great crisis which we are going through. The Honourable Member has not explained why at this particular juncture he has brought forward this Bill. Notice was first given of it two and a half years ago and the only reason that I can see why he thought it necessary at this stage to force it on the attention of this Council or the public is the fact that it has day by day become more stale and it has become day by day more clear that no such Bill is necessary. When this Bill was first given notice of, there was, as the Honourable Member has stated, a case against Dr. Krishnaswami Ayyar. That case was settled and the whole agitation that grew up around it died down, and the relations between the Medical Council and the rest of the world, as far as I know, are free from all causes of annoyance or excitement, and I cannot imagine anything more injudicious than disturbing this state of peace by bringing forward this Bill at this moment. If the Bill had not been brought forward and we had been allowed to go on in the way we had been, a few years more would have conclusively proved the absence of any necessity for legislation of this kind. Each year which has passed, during which this enactment has been in force without producing any hardship to the class of medical practitioners whose interests are supposed to be served by this Bill has led and will lead to the conclusion that the Act needs no amendment."

"I submit to the Council that this Bill is not only inopportune but unnecessary. I listened with some attention to what the Honourable Member has said, but I failed to see that he made any serious attempt to prove that the Bill was necessary. It was said that when the Act was passed it would not affect the Ayurvedic practitioners. That remains perfectly true. The Ayurvedic practitioner who is not a registered medical practitioner is not affected by the decisions of the Medical Council. He is entirely outside the Act. If he is not content with it and if he wants to come under registration, it is open to him to take steps to render that possible. It would be open to those who have the interests of Ayurvedic practitioners at heart to have their own council, their own system of registration and their own members to control the special practices which degrade those practitioners, such practices as advertising, use of secret remedies, and canvassing, and generally to put their house in order. That is the true line which those Honourable Members of this Council who are interested in the Ayurvedic profession should follow. This Bill does not propose to do that. Its proposal is to make certain declarations regarding the existing Act."

"The first main provision in the Bill is 'nothing shall be done under this Act or under the rules made thereunder either by the Governor in Council or the Medical Council or the Registrar so as to affect, discourage or otherwise interfere with the study or practice of the Ayurvedic, Unani or other indigenous systems of medicine.' The vagueness of that phrase is so great that no one can possibly tell what it means. Suppose disciplinary action is taken against some registered practitioner under the Act. It may be pleaded that this gentleman had the interest of Ayurvedic medicine in view and he wanted to advance it and so he cannot be touched because of section 1-A of the Act. That would knock the whole bottom of the Act of 1914, that would destroy the effect of that Act in raising the standard of conduct and in improving the professional morals of registered practitioners. It would be open to the registered practitioners to enter into a league with Ayurvedic practitioners to allow advertisement, use of secret remedies, canvassing about for customers which it is the object of this Act of 1914 to prevent. It is in the highest degree undesirable that such a wide and dangerous loophole should be opened in the Act of 1914. Of course section 4 also says 'study and practice of the Ayurvedic or other indigenous systems.' That appears to be a surplusage; nobody prevents their study. Any registered practitioner can study them and the Government have themselves undertaken to give assistance to the publication of Ayurvedic works. No proposals have reached the Government in that direction. The Government are prepared to consider well drawn up proposals for the publication of standard Ayurvedic works in order that the texts upon which this 'system' rests may be thoroughly examined and brought to the light of day. The Government have also expressed the desire to undertake an investigation of the drugs used in that 'system.' In all these directions the Government are prepared to assist those who are working on Ayurvedic methods both in the publication of books and in the examination of drugs, but they are not able to go further."

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"This Bill would unduly impair the present boundaries that exist between the registered practitioners and other practitioners. Therefore the Government are quite unable to accept this motion and must oppose it. Though in 1915 when it was first mooted, the Government said 'we do not object to the motion for leave to introduce the Bill,' the Bill had not then been published and it was not known what course the Honourable Member would take. It was expressly stated that the Government would reserve their further attitude in regard to any measure that might be sent in. It seems to me that this measure, as it has been framed, is calculated to do vast possible mischief, that it will make the existing Act inoperative, and that no benefit will be done to the Ayurvedic practitioner, while, on the other hand, it has not been shown that the Ayurvedic practitioner has been prejudiced or that there is any real grievance which this Bill seeks to redress."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"Your Excellency, I very much regret that the Hon'ble Sir Alexander Cardew has opposed this motion. Honourable Members will remember that the previous discussion in this Council and the object of the present measure is to safeguard the interests of the public in regard to the medical treatment in areas where the western methods are not still adopted. It will be remembered that the immediate cause of the action against Dr. Krishnaswami Ayyar in 1915 was his association with the Ayurvedic dispensary at Triplicane and the whole object of the present motion is to declare that the association of a registered practitioner with an Ayurvedic physician is not infamous conduct within the meaning of the Medical Registration Act."

"My Lord, it is within the experience of many Honourable Members that medical relief in the mufassal is very inadequate and sometimes the Ayurvedic physician and the registered practitioner have to co-operate in the treatment of their patients. It is now impossible to do so, and the object of my Hon'ble Friend Mr. Krishna Rao is not either to confer a special benefit upon the Ayurvedic physician or upon the allopathic physician, but simply to further the interests of the public in permitting this association for the relief of the sick and poor. That is the chief point with reference to clause 1 of this Bill, namely that it should not be considered infamous conduct for a registered practitioner to associate with an Ayurvedic practitioner."

"My Lord, I have on previous occasions brought to the notice of Honourable Members how these words 'infamous conduct' have been interpreted in the English Act, how these words have been incorporated in the Madras Medical Registration Act and how they should be interpreted. I should like to know of any case under the English law where the mere association with a practitioner of any other system has been considered infamous conduct, or under any Medical Registration Act in India. I have brought to the notice of Honourable Members various reported cases where the question was considered as to what should be considered to be infamous conduct in a professional respect. This matter has been the subject of judicial interpretation in various reported decisions where it was held and this is what the Master of the Rolls, one of the Judges of the High Court has enunciated: 'if it is shown that a medical man, in the pursuit of his profession, has done something with regard to it which would be reasonably regarded as disgraceful or dishonourable by his professional brethren of good repute and competency, then it is open to the General Medical Council to say that he has been guilty of infamous conduct in a professional respect.'"

"My Lord, it has been stated, of course it must be assumed that under the Madras Medical Registration Act it is considered to be infamous conduct for a registered practitioner to associate with a practitioner of the Ayurvedic or Unani system. In regard to this matter, I must again invite the attention of Honourable Members to various English cases where the question for consideration was whether the conduct of the practitioner was dishonourable—not merely whether he has associated with a practitioner of another system. There the question was about advertisements, writing books which were considered to be objectionable and various other practices as also imputations made by a medical man against his own brethren. All these cases have been reported in the Law Reports. It seems to me from that that these words ought to be interpreted in the same way under the enactments in India. I put it to the Hon'ble Sir Alexander Cardew whether he would apply these words to practitioners of the Ayurvedic system. Perhaps Honourable Members are aware that the Government have recognized the merit of these men by conferring the title of Vaidya Ratna and other titles on practitioners of these systems. Probably it is also within the knowledge of Honourable Members that in America practitioners of various systems are grouped together to form members of the same Medical Council. For example, in America there seem to be some four or five schools of medicine. Representatives of the various schools form the Medical Council. For example, there is the allopathic system which is known as the old school of medicine; then there are other schools consisting of homeopathy, eclectic and physio-medical schools of medicine. The practitioners of the various schools are represented on a single medical board. I am anxious that Your Excellency's Government should do something to encourage the indigenous systems which have survived all these years and even at the present day are ministering to the needs of large communities and affording efficient medical relief which is at present very inadequate. It seems to me that such a declaratory Bill will remove the legitimate fears that are entertained at present."

"As pointed out by the Hon'ble Sir Alexander Cardew, since 1915 the atmosphere has settled down a great deal. He thinks that this is a controversial measure of the kind which prevents this Council from considering it at present. In fact, Honourable Members who have perused the proceedings of the Legislative Councils of the various provinces would have

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noticed that all the Medical Registration Acts were passed after the war. If the subject is controversial, the very consideration of the Medical Registration Acts must be much more controversial. I know, my Lord, that this question of controversial measures seems to be interpreted in various ways in various provinces. Only the other day the Hon'ble Sir Alexander Cardew wished to introduce the most controversial measure of the present generation, the Irrigation Cess Bill which has been now dropped by the Government. It seems to me that having made that attempt—

The Hon'ble Sir ALEXANDER CARDEW (*interrupting*):—"I rise to a point of order. I did not seek to introduce the Bill; the Honourable Member himself is quite alive to the fact that the Bill was dropped. When the Bill was dropped it was not sought to be introduced."

His Excellency the PRESIDENT:—"We know the facts; what are matters of controversy are matters of judgment."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"I only meant that the Bill was published for introduction. I should not have said this if the Bill was locked up in the archives of the Secretariat, but when it is published I am right in assuming that the Hon'ble Sir Alexander Cardew had the intention to introduce it in the Council; otherwise I should not have said anything about it. The Hon'ble Sir Alexander Cardew did not say that he would welcome any measure for the separate constitution of another board for practitioners of the Ayurvedic system. I can really understand that attitude of mind. If he had said that—besides merely permitting the publication of books on Ayurvedic treatment, if the Government have shown any inclination to subsidise Ayurvedic dispensaries or encourage the treatment by means of Ayurvedic or Unani physicians—I could really understand his point of view.

"I am also quite alive to the fact that there are difficulties in the association of Ayurvedic and allopathic physicians, but these difficulties will continue to exist so long as there are two medical schools in this Presidency, the one patronised by the Government and the other without any State aid or patronage. Therefore if the main essential point in the Bill, a statutory declaration that the mere association with physicians on whom titles are bestowed by the Government for their professional skill is not dishonourable association, were accepted, I think the object of the Bill would be attained. As regards two other points touched upon in the Bill it seems to me they are subsidiary questions. It is not necessary to examine them at present. I am sure there will be a suitable opportunity of examining the provisions about a two-thirds majority in the decisions of the Medical Council. The essential principle of this Bill is to obtain a declaration in the form of a statutory enactment that this association of the practitioners of the two systems is not infamous conduct and it is that essential point which I trust Honourable Members will remember.

"My Lord, I would in this connexion appeal to Your Excellency not to reject this motion purely as a motion which the Government are bound to oppose. It seems to me that it does not endanger in the slightest degree any medical institutions which are now under the control of the Government. What is asked is merely a declaration that co-operation is not dishonourable conduct. The object of the whole Act is that declaration. With these words I support this motion. I trust that the Hon'ble Sir Alexander Cardew would have the Bill examined in the Select Committee. I am perfectly certain that my Hon'ble Friend Mr. Krishna Rao would be agreeable to suitable modifications which, while maintaining, as the Hon'ble Sir Alexander Cardew put it, the good that has been produced by the Act will take away this legitimate ground for public complaint, which practitioners of other systems have with regard to that association. I am told, my Lord, that the Medical Council have passed a resolution to the effect that they have no objection to this association provided it is in the interests of the poor and the sick, and if that is so, I am not at all satisfied as to why the Hon'ble Sir Alexander Cardew should oppose this motion. The medical profession has declared in that resolution that there is no objection to that association provided it is in the interests of the poor sick, but there is nothing to prevent a modification of that resolution at any time. It is only to prevent any such step being taken that my Honourable Friend has introduced this motion.

The Hon'ble Mr. YAQUB HASAN SAHIB:—"I am sorry that the Government do not see their way to accept this motion. I have closely followed the Hon'ble Sir Alexander Cardew's speech. I regret I do not see in it any strong reason that would justify the Government in throwing out this Bill. It is a very simple Bill. To clauses 3, 5 and 6 the Hon'ble Sir Alexander Cardew could not possibly have any objection. The only clause to which serious objection is taken is clause 4, which relates to infamous conduct. In this clause a sort of negative definition is given of the infamous conduct, viz, that certain actions of the registered medical practitioners shall not be considered infamous conduct. That clause may perhaps be too vague and too wide, but the Select Committee in revising it may possibly narrow it down or make it more definite. Beyond that I do not see what objection there can be to accepting this Bill.

"In the present times, when the number of the practitioners of western system is not large enough to cope with the medical requirements of the whole country, thousands and thousands of people have to be content with the Unani and Ayurvedic systems of treatment. This Registration Act has, it cannot be denied, done a very great harm to the systems of medicines long in vogue in this country. It has created a distrust of the whole indigenous

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systems of medicine. The registered practitioners now fight shy of all association with the practitioners of the indigenous systems. I am aware of a case in which a Hakim sought the help of a doctor, but the doctor refused to see the patient simply because he would be considered as associating with a Unani Hakim. I have known other instances where doctors found it necessary to use certain Indian medicines which Hakims used to prescribe. Many of them now hesitate to use these medicines because they are afraid that their action will be mistaken for association with the native system of treatment. So, the Act has brought about a complete separation of these two classes of medical practitioners, with the result that instead of co-operation there is a sort of conflict between the two, which is very undesirable. Therefore, I thought, if anything of the nature of this Bill were introduced which without interfering with the legitimate object of the original Act removes the cause of friction, it would be welcome. It is quite reasonable to lay down that the decision as to what is and what is not infamous conduct shall be arrived at by a certain majority of the Council and not by a committee of two or three persons. A Bill like this ought to have commended itself to the Government especially as the Government of India had no objection to it. The Government of India deal with the whole country at large and many a time there were resolutions brought forward in that Council, in discussing which the Government of India have expressed their sympathy with the Unani and Ayurvedic systems of medicine and they have also promised to support them. Even Your Excellency's Government have promised to give some support to the indigenous systems of medicine. Therefore I do not see why, when a practical suggestion is made in connexion with the Registration Act which will make it less harmful to other systems, the Government should not see their way to accept the motion. I hope they will reconsider their attitude and allow the Bill to go to a Select Committee so that it may with some modification be passed to the satisfaction of all concerned."

The Hon'ble Mr. P. SIVA RAO:—"My Lord, I must confess to a feeling of keen disappointment at the attitude taken up by the Hon'ble Sir Alexander Cardew towards this motion. The Honourable Member at the outset started by saying that it was a matter of a highly controversial nature and that the present time was very inopportune for ushering in a discussion of this kind. So far as I can see, my Lord, there is absolutely nothing so objectionable or controversial in this Bill that all discussion of this measure should be dropped at the present time. Then it was also hinted by the Honourable Member that it was unnecessary. I wished to hear more about this aspect of the matter that it was unnecessary. It was also said that the relations between the Medical Council and the members of the profession were very cordial and it was unfortunate that anything should be done that would disturb these harmonious relations.

"The main principle of this amending Bill is that it seeks to explain what is 'infamous conduct'. I have read the voluminous literature which has grown round it in 1914 when the Act was passed by this Council and also when action was taken against Dr. Krishnaswami Ayyar and when motions for introducing Bills were put forward in this Council to rectify this state of things. I remember also that when the Medical Registration Bill was introduced into this Council there was an outburst of opposition; and to make matters easy and to make the passage of the Bill smooth, the then Surgeon-General gave out to the Council—these are his words: 'I think it might perhaps avoid a good deal of opposition to this Bill if it were made quite clear in the preamble that the Bill applies only to those who practise the methods of medicine which are approved by the General Medical Council in England.' In other words, my Lord, the promise was held out or the pledge was given that the present Medical Registration Act shall not affect any other system of medicine, Ayurvedic or Unani. Then it was seriously thought out whether some such declaration was necessary and should be made in the preamble itself, but unfortunately when the Medical Registration Bill came to the final stages, the Hon'ble Sir P. S. Sivaswami Ayyar said it was unnecessary to make any such provision, because there was absolutely nothing in the Act to affect the Ayurvedic or Unani System. Now, my Lord, the question before us is extremely simple. The Medical Registration Act was never intended to affect any other system of medicine that was in vogue. The simplest question for us to decide is whether this action taken by the Medical Council against Dr. Krishnaswami Ayyar for having declared his association with the manager of an Ayurvedic dispensary as infamous conduct, whether that declaration would or would not affect the Ayurvedic system which is now in vogue. The Hon'ble Sir Alexander Cardew asked where are the other systems affected, it only brings certain followers of one system under disciplinary regulation. But it has seriously affected those systems. It means that the other systems, the Ayurvedic and Unani systems, have not yet received State recognition, but on the other hand are branded with infamy. If it is an offence on the part of a registered medical practitioner to associate himself with an Ayurvedic doctor or manage any Ayurvedic dispensary, if that rule were to prevail—in regard to which the Government have not committed themselves to any position—does it not go to stigmatise other systems as being quackery and as not deserving any recognition?

"If this Bill is unnecessary, then I would ask where is any harm in making the terms of this Act plain and in explaining what 'infamous conduct' is so as to exclude cases of association of a registered practitioner with an Ayurvedic institution. Now it is also stated, my Lord, that the Ayurvedic and Unani systems are grandiloquent terms. It is asked, where are the systems? When we ask that these should be examined by a scientific authority and placed on a scientific basis we get a very poor response. When we ask that some Ayurvedic dispensaries should be started and that local bodies should be allowed to give them grants, our request is not

"The great flaw is (if you look at paragraph 4) the word 'infamous conduct' still used in regard to the study and practice of the Ayurvedic system. What is infamous conduct? It is unfortunate that we should struggle with this word. It means conduct which would be likely to spoil the fair fame or name of any practitioner. 'Infamy' from which 'infamous' is derived has come to obtain a quite different meaning in ordinary English. This is a very old word. We very much prefer to call it unprofessional conduct. No one who is—I am not speaking as the head of the department—a registered practitioner has the least objection to the study of the Ayurvedic or Unani or any other system of medicine. In fact, it is definitely proposed in various parts of India and it is also proposed in Madras that a definite inquiry should be made into the Unani and Ayurvedic systems to find out, if it is possible, that some good exists in them. I personally have no doubt that there is some good; on the other hand it is impossible to believe that a system of medicine that has lasted thousands of years can have no good in it. I am told by men, by practitioners who know the language of the people better than myself, that quite a considerable success is often gained by Unani and Ayurvedic practitioners in their treatment of sick people, but please let me remind you that an inquiry of this kind should be a scientific inquiry. I do not know if there is any one in this Presidency or in India capable of doing it. In order to inquire into the effect of these medicines you must use experienced chemists, biologists, physiologists and also toxicologists. Therefore the study of the Ayurvedic system will be a difficult one, although I do not see any reason why it should not be undertaken. Next take practice. That is why the doctors object to this Bill because this Bill is not as the mover has suggested, a remedy for the defects of the old Bill, but it is a denial of it or a tearing up of it. Why we object to the word practice is this, that if all men were honest, there would be no need for a law; if all doctors were honest there will be no need for registration; it is the dishonest or the people who may be so shaky that they may easily become dishonest or those who are on the verge of dishonesty, who will be caught by the Act. As lawyers say 'hard cases make bad law', I must say that Dr. Krishnaswami Ayyar's case will make extremely bad law. I entirely agree with the Hon'ble Sir Alexander Cardew that this is a very inopportune law. I entirely agree with the Hon'ble Sir Alexander Cardew that this is a very inopportune moment in which to begin to introduce a Bill to amend the Act for the registration of doctors. We have just settled down comfortably and are beginning to understand each other, and it is very unlikely indeed that we should quarrel again. I have told the mover both personally and by communication what I desired to say, but I have not been able to stop him from bringing it up. I first pointed out to him that as President of the Council I called together a meeting of the Council and there was a full Council meeting in which we had quite as many Indians present as Europeans, and after a short discussion I saw that the feeling of the meeting was, 'do not let us have any more of the Krishnaswami Ayyar incident, do not let us have any

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more quarrels, let sleeping dogs lie, and let us get on. They passed a resolution that though they were not able to countenance the association of western practitioners with these Ayurvedic and Unani practitioners, they were not willing to enforce the penal clauses of the Act to the detriment of patients. Doctors want registration for purposes of professional discipline, they do not want it to do harm to Ayurvedic medicine and they are quite prepared to even allow their registered practitioners to associate with Ayurvedic practitioners, provided that it is done as an exceptional act and that it is done solely in the interests of patients. The danger of allowing it by law would be that the association would soon turn into partnership, and that into covering; covering meaning that the man who is covered does things in the name of the coverer which he would not dare to do if he could not shelter his name under a greater name, the registered practitioner in this case. I most certainly believe and most honestly think that bringing in this Bill now is to throw the apple of discord among us once more. It will do no good to the Ayurvedic practitioners and it would stir up bad feeling among everybody, which is entirely wrong. I earnestly hope that this Council containing both Europeans and Indians will take it from me as the only medical man present and standing, in the same sort of position as a bishop would be before the High Court on matters of Church discipline, I may not be able to persuade you, but not only myself but Indian practitioners whom I have consulted agree with me that it would be a good thing to leave things alone. There is no hostility, there is no likelihood of any hostility under the old Act, you can take it from me. Unless your stir up hostility, Dr. Krishnaswami Ayyar's case will not occur again."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I propose first to refer to a few observations made by the Hon'ble Sir Alexander Cardew. I must confess to a sense of disappointment that he has not approached the question from the standpoint that it deserves. At this stage, there is no one in this Council or outside it who would do anything whatever to throw any apple of discord among the happy and contented members of the medical profession. It is not the object of this Bill to produce any such result, nor is it calculated to effect any such object. The only point for Honourable Members of this House to consider at this stage is whether sufficient reasons have been shown on behalf of Government for refusing a detailed and careful discussion of the provisions of the Bill or whether it has been shown satisfactorily why it should be strangled and nipped in the bud."

"The first objection of the Hon'ble Sir Alexander Cardew is that it is a measure which will create race prejudice. I am very sorry to hear that expression from him. I may assure him that this Bill is not really calculated to raise any such spirit. My Lord, if it is only borne in mind that the provisions of the Medical Registration Act in the United Provinces, in Bengal and in the Punjab, where also there was any amount of discussion and trouble, were passed at a time of war, is there any justification for suggesting that we, in the Madras Council, ought not to consider it, on the ground that it is a controversial topic? I fail to appreciate that position. It was only at the end of last year that a similar amendment to the Bill was proposed in the Bombay Legislative Council by the Hon'ble Mr. Patel and considered. I do not think it was ever suggested that it ought not to be discussed because it is a controversial measure, or because it was likely to create any feelings of race prejudice. I therefore request Honourable Members of this Council to consider the Bill on its merits and not to view it from the standpoint that it is controversial, in view of the fact that similar Bills have been discussed throughout the country. There are no circumstances peculiar to this province to justify a different treatment; much less justification is there for suggesting that this Bill is likely to create race feeling. Most of the registered practitioners are Indians and most of us are interested in the welfare and well-being of the medical profession as any one can possibly be. What this Bill seeks to do is that while we are perfectly willing that persons practising these systems should have a regulation of their own to protect themselves, we should make it clear that it will not affect those practising other systems of medicine."

"The Hon'ble Sir Alexander Cardew, while considering the provisions of this Bill apart from those general objections which I fail to appreciate, read clause 2 of the Bill and pointed out that the provisions are very wide and vague, that if it is accepted it is likely to take away the bottom from the original Act and that it is dangerous to accept it. Can anybody who introduces this Bill or any other Bill commit himself to the language of the Bill when it is taken into consideration. If, after further consideration, the provisions can be made more definite so as not to affect other provisions, there is no one in this House who would suggest to the contrary. Is the reason suggested that this clause is vague sufficient to induce this Council to reject this motion. I am sure it is not so. The only other point which has been suggested is the association of one registered practitioner with those other than registered medical practitioners. We feel thankful to the Hon'ble Surgeon-General for the attempt which he has been making to restore peace and contentment among the members of the profession. We are glad to have been told that a resolution was passed in the Medical Council to the effect that some of the penal provisions of the Act will not be enforced when they work hardship upon the patient. We are glad so far, but does this Bill seek to do anything to affect their position. If once that principle is accepted, what deters him or anyone else from allowing that being made a provision of law? He suggested in the course of his remarks that association might lead on to partnership and that partnership might lead on to covering. There is that danger in its being passed into law. Is there any difficulty in making clear provisions when the Bill goes through the Select Committee to minimise that evil? I do not find any difficulty in taking up the course which has been suggested. The Hon'ble the Surgeon-General has told this Council that he also feels it inopportune that it should be taken up at this time and that he

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wrote to me in the hope that I might not introduce it. As he has referred to it, I think it is my duty to say a word about it. It is true that I received a demi-official note. But after coming here, I thought it my duty to consult certain members of the medical profession. Let me assure this House that I had very great hesitation in coming to a conclusion after the letter of the Hon'ble the Surgeon-General was received; but after coming here and consulting some interested in the subject, I have thought it best to introduce the Bill having been convinced that it is calculated to do them good and that there is absolutely no reason for alarm in the minds of medical practitioners. It is after I was satisfied about it that I have thought it fit to introduce this Bill into the Council. I have nothing more to add to what has been said already about the various provisions of the Bill. The present motion is to consider the general principles. If that motion is carried, it will be time enough to consider in detail the various provisions of the Bill."

His Excellency the PRESIDENT:—"Before a division is taken, allow me to employ two minutes in offering one observation to the Council. I am sure that it cannot be said that the attitude of the Government towards Ayurvedic medicine is in any way hostile. The Honourable the Surgeon-General in his admirable address has made that perfectly plain. It is already within the knowledge of members of this Council that the Government have undertaken to appoint an officer to study the drugs used by the Unani and Ayurvedic practitioners and have also given an undertaking to publish any manuscripts or books on the subject. This really brings us to what I think is a point that has been overlooked in this whole discussion. It is not true or correct to say that there are Ayurvedic or Unani systems of medicine. There are isolated practitioners using hereditary and traditional remedies, but there is no system. There is no common discipline such as that which the Hon'ble the Surgeon-General pointed out. It has been found by experience that it is desirable to exercise some sort of discipline over practitioners practising the western system of medicine, and one very strong objection that must be entertained to this measure lies in this: the test of all these efforts must be to do good to the patient. We have to consider public interest. One of the gravest objections which the Hon'ble the Surgeon-General pointed out to this proposed measure is that it will tend to break down that discipline which we are endeavouring through the Medical Council to exercise over western practitioners. It is true there is no such discipline or organization in regard to Ayurvedic and Unani practitioners—and as I have already pointed out, it is better not to use the word 'system,' though such encouragement as has been possible, has been offered by the Madras Government—and it is for those practitioners and for those who support that system of medicine to let it grow, let it be organized and let it come to such a pitch of organization that it will come under a regulation such as that found necessary for the western system. The real fact is, there is no antipathy to Ayurvedic and Unani medicine. I want to make that perfectly clear, either in the minds of Government or in their intentions or in what they have done. They are obliged to recognize the fact and generations of experience, as the Surgeon-General pointed out, have brought up the point, that you must exercise discipline, in the interests of the public over the medical profession and that discipline is best exercised internally by the profession itself. The great danger that this Bill exposes itself to is that in relation to purely Ayurvedic and Unani 'systems' of medicine, it will tend to break down that discipline which we are endeavouring to exercise through the existing organization upon western systems of medicine as practised in India. I would appeal to the Council to consider that the interests of western medicine in India are committed to their charge equally with the interests of any other system and if any harm is done to the attempt to fortify and strengthen the existing system by any measure in this or any other Council, every member must share his responsibility. I now propose to take division; I now put it to vote."

The motion was then put to vote and lost.

THE MAPPILLA SUCCESSION BILL.

The Hon'ble Mr. A. T. G. M. AHMAD TAMBI MARAKKAYAR:—"Your Excellency, I beg to present the report of the Select Committee on the Mappilla Succession Bill to amend and define the laws of intestate succession among Mappillas governed by the Marumakkattayam or the Aliyasantana Laws of Inheritance. The copies of the report and the Bills are placed on the table of the Honourable Members and I wish to bring to the Honourable Members' notice the last paragraph of the Select Committee's report reading:—

"8. As we have not made any substantial amendment in the Bill, we think it unnecessary to publish the report and the amended Bill in the *Fort St. George Gazette*. We recommend that they may be taken into consideration at the meeting of the Council to be held on the 3rd April 1918 and that the Bill as amended by us be passed into law."

"I therefore beg to move, Your Excellency, that the Bill and report be taken into consideration at once and passed into law."

The Hon'ble Mr. Yaqub HASAN SAHIB:—"Your Excellency, I beg to second the motion. The Hon'ble Mr. Yaqub HASAN SAHIB:—"Your Excellency, I beg to second the motion. The Select Committee has considered this Bill very thoroughly. The Government of India drew their attention to the fact that there were several schools of Muhammadan Law and whether it was not necessary to make the reference to 'the rules of Muhammadan Law' more definite. We considered that aspect of the question also and came to the conclusion that no alteration was necessary in this respect. The people who will be affected by this

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Bill will be governed by that particular branch of Muhammadan Law that is consonant with their religious beliefs, but as Mappillas are all Sunnis, there is no fear of any complication in this respect. I second the motion and hope the Council will pass this Bill into law."

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, Government accept the motion."

The motion was then put and agreed to.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I propose to slightly amend sub-clause 3. I have given notice of an amendment to clause 1, but after discussion with the Honourable Mover and the Hon'ble the Advocate-General, I propose a slight amendment to add certain words at the end of sub-clause 3. The object of the amendment is merely to make it quite plain that the Bill applies only to those Mappillas who are governed by Marumakkattayam or the Aliyasantana Law, whether domiciled in the Presidency or outside it. I propose to add at the end of sub-clause 3 the words 'who are so governed.'"

The Hon'ble the Advocate-General seconded it.

The motion was then put and agreed to.

Clauses 1 and 2 were allowed to stand part of the Bill.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"I do not propose any amendment to clause 3."

Clause 3 was also allowed to stand part of the Bill.

The preamble was also put and agreed to.

The Hon'ble Mr. A. T. G. M. AHMAD TAMBI MARAKKAYAR:—"Your Excellency, I beg to move that the Bill as amended be passed into law."

The Hon'ble Mr. A. S. Krishna Rao seconded the motion.

The motion was then put and agreed to.

Resolutions on matters of general public interest.

RESOLUTION RE RECRUITMENT OF STATIONARY SUB-MAGISTRATES.

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, the proposition I have the honour to move runs as follows:—

'I. This Council recommends to His Excellency the Governor in Council that the Government do take steps to recruit stationary sub-magistrates directly from the Bar or from other specially qualified persons by a combined system of competitive examination and nomination.'

"Your Excellency, I shall first explain what I mean by this. It will be seen by a reference to page 30 of the Civil Budget Estimate that we have got about 139 deputy tahsildars, 49 of whom are placed on Rs. 150 and 90 of whom are on Rs. 125. Again, when we go to page 86 of the Civil Budget Estimate, we find that we have got 152 stationary sub-magistrates, 33 of whom are on a pay of Rs. 150 and 119 are on a pay of Rs. 125. I propose by this resolution that these stationary sub-magistrates amounting to 152 may be recruited by the process that I have asked for. As I said, I do not want just now to touch the other deputy tahsildars who are also magistrates in some places, because I do not want that the prospects of a certain set of officers that have been entertained under other circumstances, should be interfered with. The main object of the resolution can be seen to be that stationary sub-magistrates, who, more or less, do purely magisterial duty, may be recruited in a way that they may be quite competent to discharge the duties of their office and they will be quite efficient and possess the character needed for that purpose. This will require a recruitment according to the principles laid down by the Public Services Commission in their recent report, at page 171 of the Majority report—this will require a recruitment of about thirteen sub-magistrates per annum. The percentage taken there works out like that. This subject was before this Council at a meeting on the 5th April 1916, but I do not propose to go into the details that we discussed at that meeting, because, I do not think that much of what was said is necessary to consider this resolution as I have placed it before the Council. As I said, it is only about half the number of magistrates that I ask, should be recruited like that for the present. Recruitment of a half like that will naturally raise the tone of the other half also and will enable them to emulate each other to be equal to the discharge of the duties which devolve on them. The most formidable objection to this is the question of the prospects of about 400 graduates who have entered the department on Rs. 15 and Rs. 20 and about 920 revenue inspectors—I take the figures as in 1916—as also about 110 revenue inspectors, new people, that have been recruited as revenue inspectors on Rs. 35; some of these have been confirmed and others have not been. It might be urged that it would be wrong on principle to interfere with the prospects of these people. I have only to point out in connexion with this matter that the revenue inspectors that have been so recruited have, for promotion, about 580 places with a pay of more than Rs. 40 namely, 182 taluk

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sarishtadars, 25 Collectors' sarishtadars, 80 accountants' places, 23 clerks in the Records office, 64 shroffs, 63 Indian judicial officers' clerks, etc., in all making about 180 accountants besides the 139 deputy tahsildars' posts and other posts that may be referred to. It will be seen from this that they have prospects sufficiently wide if they are competent, and if they prove their merit they can also become divisional officers and go up further. Therefore, in the proposal I make, I do not really interfere with the prospects of this class of officers. But why I am very particular about placing a resolution of this kind is that we find that a graduate who entered the department on Rs. 20 or on Rs. 35 takes on an average 14 to 20 years before he becomes a sub-magistrate, and in the case of a revenue inspector recruited in the superior grade we find from the statement made in 1916 that not one of them was acting as sub-magistrate before a period of five or six years, so that it may be taken that it takes seven to ten years for those who enter the service on Rs. 35 to become qualified to become stationary sub-magistrates. In fact, taking it as an average, and taking that the average age of gentlemen who entered the department is 20 to 23, he has to get through the lower ranks and if he is a graduate he is able to reach the sub-magistrate's place only in the 35th or the 38th year of his age; in the case of revenue inspectors recruited on the Rs. 35 grade, he will be in his 30th or 32nd year when he becomes a stationary sub-magistrate. All these ages are such as would not give them the necessary grit, capacity and intelligence to cope with the duties of this responsible office. We know that a punishment that a second-class magistrate can award—most of our stationary sub-magistrates in a few months become second-class magistrates and they can try most offences and they can inflict punishment—is up to six months' imprisonment besides levying fine. That kind of position necessarily involves the possession of everything that will be necessary to constitute one an efficient man of character. It might be well said that these men who rise from the lower rungs can also be that. I do not want to dispute that fact except for the fact that practical experience does not show it to be so. It is always better that we have a set of officers who are directly recruited and who would discharge their duties without fear or favour to the satisfaction of the public. If it were not for any other reason, I should say that the Government would be well advised to see that public feeling in the matter is satisfied, that they should have persons fairly efficient and above suspicion and above complaint, that persons that would not become tools or led by the nose by officials around them; if people recruited like that are placed in charge of that business, the public will have in their minds the confidence that is necessary for the due appreciation of the discharge of these duties. Therefore it is that I have come forward with this proposal. I have put in the latter two clauses and they probably create some difficulty—'stationary sub-magistrates directly from the bar or from other specially qualified persons by a combined system of competitive examination and nomination.' In fact, this combined system that I refer to I have been recommending for all appointments of worth under Government. I have asked for such recruitment in the case of sub-inspectors, in the case of deputy superintendents of police; in the case of Provincial Civil Service, Government themselves have adopted it; in the case of the accounts branch it has been pursued. It is only in that way that I ask for this recruitment. The combined system of competition and nomination deserves to be explained. I do not mean to submit, my Lord, that this should be a covert way of placing before this Council a resolution for any particular intelligent advanced community to take advantage of the position. I should first submit to the Government that it has been felt and should be felt that that ought not to weigh with the Government in the matter of competitive examinations that I ask for; but if the circumstances in the opinion of Government do require an exercise of their discretion, I am quite willing that Brahmans who have passed in larger numbers than other communities need not be asked to stand at all. There may be one or two places given to such men, or there may be none given, because there are already very many people who are sub-magistrates. I am entirely willing to leave it to the Government. But let there be proper recruitments by selecting meritorious and well-placed persons by a proper competitive examination; in fact, viva voce examination, personal appearance, the respectability of the family from which the particular candidate comes, may all be given special marks in the consideration and the body or the board that sits to do this work may give special marks on that score. But what I do want is that people that are really efficient and have worked their way to come up to the higher rungs of the ladder and who have passed these examinations,—most of these among non-Brahmans and Muhammadans that have passed these examinations—have done so under circumstances which require to be admired by Government. In such cases, I submit, my Lord, such of them as have come up like that should be given a chance of being selected without being vetoed by the nomination board. They will be able to compete freely at the competitive examination and show to the Government that they are fit to be taken up. In the exercise of that discretion, that I referred to, among the 20 or 30 or 40 persons selected like that Government might choose the people that may be required to be recruited for the 13 places per annum and I submit that such recruitment will secure for the magistracy a body of persons who will reflect great credit on the administration and who will react on the other portion of the staff of a similar grade and add to the prestige of Government and the administration. That is the main point I wish to place before the Government.

"One suggestion relating to nomination might also be made. If it is a question of nomination of members of the bar, it may be done, as I suggested, by competitive examination even there, or it may be that Their Lordships of the High Court who are now selecting district munsifs for the places which they are so creditably occupying may be asked to select the persons for these posts also to be put in charge of stationary sub-magistrates' posts. I do not want to put any restriction on the method of recruitment, but I do want that the main principle that should be recognized in a matter of this kind is that all persons should feel that they have

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a chance of reaching posts of this kind irrespective of the circumstances they could command. The people who have to nominate should take into consideration the circumstances which every capable candidate cannot command. It so happens, my Lord,—and I dare say your Lordship's experience in England of the I.C.S. and other competitive examinations will bear me out—that people who make the greatest name and become very great in after life are persons that come from comparatively insignificant quarters as a general rule, but they preserve and maintain and promote the prestige of the positions which they are called upon to take charge of as a result of these competitive examinations. It is unnecessary to point out that the brilliant set of young men that have gone out of Madras in connexion with the accounts examination will be a standing monument of the importance of this kind of recruitment and the Provincial Civil Service men who some years back were recruited by competitive examination have now proved themselves to be gems of that service and in fact they have been able to commend themselves to the Government in a number of ways that it is unnecessary for me to detail. Therefore, I submit that no wrong view will be placed on the proposition I have placed before the Council. I only want to see that recruitment of these stationary sub-magistrates is made properly. I do not want that any specially trained intelligent community should be benefited, but I want that the persons that are selected and put in charge of these appointments should be persons who will command the confidence of the public and who will discharge their duties efficiently without fear or favour. With these remarks, I commend the resolution to the acceptance of the Council."

The Hon'ble Mr. P. SIVA RAO :—" Your Excellency, I beg to second this resolution. The resolution, as has been explained by the Honourable Mover, relates to the recruitment of the class of officers known as stationary sub-magistrates. The Honourable Members of this Council are aware that this class of sub-magistrates wield enormous powers. They are magistrates of the second class; they try various offences under the Indian Penal Code and they have powers of sentencing a man up to six months' imprisonment. Therefore, it is but necessary that attempts should be made to improve this class of officers. At present, most of them are clerk-made, to use a hackneyed phrase; the sub-magistrates rise from the lowest rungs; they are entertained as clerks on Rs. 20, then they become revenue inspectors, then head accountants of taluk offices and then they are installed as sub-magistrates. There is something faulty at the outset in the present system that it enervates a man when he reaches the sub-magistrate's place. It takes nearly 15 years and he would not have a fresh mind. The principle involved in this resolution is to see that we resort to direct recruitment as far as possible. That is the first principle which this resolution implies.

" Before I proceed further, I should state the difficulties in the present system. At the outset, I brought to the notice of the Council that these stationary sub-magistrates exercise formidable powers and draw rich salaries of Rs. 150 and Government are contemplating to improve their prospects and raise them to Rs. 200. There is an impression that they are hard-worked and their pay is likely to be improved. When every attempt is made to improve the qualifications of the bar, I see no attempt to improve the qualifications of the subordinate judiciary in this country. I must say that the purity of the administration of criminal justice depends on a large scale upon this class of sub-magistrates. Every care must be taken to supply these offices with as competent material as possible. Direct recruitment seems to be the only remedy. It seems to have been adopted by this Government very recently in ordering the selection of seven men for filling up deputy tahsildars' posts.

" The next recommendation which this resolution contains is that they may be drawn from the bar. Recruitment from the bar is approved by universal experience which is the system in vogue in other countries and it is also partially in force in this country in the case of district munsifs; and there is absolutely no reason why the same system should not be tried in the case of sub-magistrates as well. It is conceded on all hands that munsifs recruited directly from the bar have been doing excellent work and have been turning out very honest and efficient work. Now, a member of the bar, under the present conditions, will at least be a graduate and he is expected to have some strong grounding in law, and he is expected to be independent also. What is the present state of things as disclosed? The present-day sub-magistrate is given to knee-crooking too much, mortally afraid of the police and he cannot be expected to do impartial justice between the Crown and the accused. He always looks up to the good opinion of the police superintendents and having risen from the lowest rank of clerkship, he will have naturally some other connexion. He has hardly got a judicial temperament with which we had to deal in trial of those cases. No doubt he passes some tests, but these criminal tests, the criminal higher and criminal lower, are not expected to give him a sound training in the principles of law, which is necessary for the efficient exercise of the functions of these sub-magistrates.

" So, my Lord, the resolution asks that the recruitment may be directly from the bar or, in the alternative, a combined system of competition and nomination. I am sure nomination is condemned on all sides as a most unsatisfactory method of filling appointments. There might be something very special in the circumstances of this country to have induced the members of the Public Services Commission to say something in favour of nomination in this country, but, so far as I am concerned, I believe nomination is a very unsatisfactory way of filling up posts. Instead of that, the Honourable Member wants a combined system of competition and nomination. Nomination, he has taken care to provide for, to safeguard the interests of those who cannot safeguard their own interests themselves. I do not think there is anything in this resolution which will trench upon the interests of any class or community which calls for special treatment. The gist of the resolution is: provide yourself with higher qualified men

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and draw the material from the bar as much as possible and also whomsoever you select, do it by the open test of competition and not by the rather backdoor method of nomination."

With these words, Your Excellency, I second the resolution.

The Hon'ble Sir ALEXANDER CARDEW :—" Your Excellency, I do not think the Honourable Member who moved this resolution has made up his mind as to what he does really propose. His resolution says that steps be taken to recruit stationary sub-magistrates directly from the bar or from other specially qualified persons by a combined system of competitive examination and nomination. If these people do come from the bar, are they to come by nomination or by competitive examination and is it to be a competitive examination open only to the members of the bar or open to other persons also who have reached some standard of education? If it is to be by nomination, which has been condemned by the last speaker, then it is possible to confine it to the bar. But surely, Your Excellency, it is an unwarranted assumption that the bar produces any higher standard of candidates than is to be found elsewhere. The young men who come and ask me to recommend them for the post of district munsifs are all of them, or seem to be remarkably like those young men who want to be recommended for the posts of deputy tahsildars, with this difference that the one class has gone through a training of two years in the Law College. They are drawn from the same rank of life and they are practically equal with the advantage on the part of the vakil—all of them have taken the B.A. degree—that he has taken two years' course at the Law College. I do not say that it is not an advantage; if they are going to be nothing but sub-magistrates, it would be an advantage. But they have to be not only sub-magistrates, they do not want the whole of their lives to be magistrates, but they hope some day to be tahsildars and deputy collectors. If they have this two years' training at the Law College, I do not see how they can have the experience to fit them to be tahsildars and deputy collectors. There is a great advantage in the early executive training. Government attempted a few years ago to meet the objection by selecting a certain number to be appointed to the grade of revenue inspectors having the minimum qualification of the B.A. degree. That experiment has only been in force since 1911 and I am not sure that it was introduced even in 1911. The scheme was put forward in 1911 and I am not sure whether the first selections were not made a year later. In the course of these five or six years, the scheme has not yet had full trial so far as it has gone, though Government are advised that it is working well and that a good class of candidates is coming forward and that they are satisfactory; and I think the Council will be well advised, as I told the Council when this question was raised two years ago, or in still more recent times, to allow that experiment to go on at present. It is impossible to recruit the whole of the sub-magistrates direct, because there is a very large number, as the Honourable Member has himself pointed out some 920 revenue inspectors and those 920 revenue inspectors are, many of them, graduates, who have been unable to enter on a higher pay and who look forward to promotion to taluk head accountants and sub-magistrates. It would be fatal to the interests of these men to adopt this resolution and to recruit stationary sub-magistrates either by competition or otherwise. Even the small measure which the Government took this year of the direct recruitment of deputy tahsildars has undoubtedly prejudiced, to some extent, the men already in the service. I could not, therefore, recommend the Council to adopt a proposal which will seriously affect all the men who are now serving in the ranks of revenue inspectors. Any change must be introduced gradually. It will be quite impossible to accept the resolution. I would add that the work of the magistracy has apparently stood the test of experience extremely well. The number of sentences reversed on appeal is only about 6 or 7 per cent. In civil courts, a very much larger number of decisions is altered. At any rate, we must assume that the courts before whom appeals come are satisfied with their work. Otherwise, there would be a larger percentage of cases which would be reversed. I think the Council will, on the whole, be well advised not to accept the resolution but to watch the further progress of this scheme of probationary revenue inspectors. It will gradually leave the service. Those that enter the higher grades will rise much more rapidly to the position of sub-magistrates and those in the lower division will not be promoted except in rare instances. We are moving in the direction the Honourable Member wants, but the adoption of his proposal would create dissatisfaction in the service and would produce heart-burning among those who are already in the service. In fact, it would be very hard on them and very unfair to accept this resolution."

The Hon'ble Mr. K. RAMA AYYANGAR :—" Your Excellency, I would like to say a word in answer to one or two questions which were put by the Hon'ble Sir Alexander Cardew about the bar. I thought I made my position clear, whether it is to be from the bar or other special candidates that it must be by competition, except it be that the High Court is asked to nominate from amongst the members practising before them, from their knowledge and experience of the persons appearing before them and send up their names. That is a case that must be considered by the Government. If a practitioner appears before their lordships and they observe an young man arguing cases before them, and if they make a selection, that might be allowed as a special case. The selection that they have been making with this experience is very good in the case of cases. The selection that it was a recruitment of a B.A. and B.L., who just took his degree, I do not district munsifs. If it was a recruitment of a B.A. and B.L., who just took his degree, I do not want to make a distinction between him and another honours graduate. The honours graduate might have to pass the criminal, civil and judicial tests and he may be able to compete on a common platform with the other B.A. B.L. candidates and satisfy the Government that he is equally competent. In such cases, where experience is not the criterion, competition alone shall be the test.

" What is the combined system of competition and nomination is a question put by the Hon'ble Sir Alexander Cardew. I only said that this competitive examination is one in which much more than the number required would be arranged to sit, selection will then be made from

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amongst the whole lot. In that case, no other consideration arises than that of the most competent men, those men who will be able to discharge the duties most successfully. In a few years, they will be able to show exceptional skill in the discharge of the duties entrusted to them. In various lines they have proved themselves to be competent to improve the department in their charge considerably better than ordinary officers. So far as that goes, I did not make any doubt. I do not want any nomination pure and simple, except in the case of practising lawyers and barristers, who by the knowledge and experience of High Court Judges are found to be quite competent for the posts for which they are selected.

"As regards the other point, which the Hon'ble Sir Alexander Cardew told me about, he said that I had not shown whether these men were to remain as sub-magistrates all their lives or whether they should not become deputy collectors. I specially pointed out that 580 appointments will be open to these revenue inspectors and therein I mentioned the Collectors' office posts as also head-accountants' and deputy tahsildars' places as well as the higher ranks. So far as the stationary sub-magistrates go, I did not include in the number I gave the tahsildars' places drawing over Rs. 150 and Rs. 175 and Rs. 200, nor the deputy collectors' places which will be open to both classes. If he proves himself competent to discharge the duties, the Collector will promote him. One of the rules requires that before a man becomes a deputy collector, he should have been a tahsildar; if the sub-magistrate has given satisfaction, he will be made a tahsildar for two years and that training will be quite sufficient for a man of this kind that we select to enable him to discharge his duties as divisional officer much better than the divisional officers whom we are now getting at the age of 50 or 52, having entered the department on Rs. 20. I have no doubt that the system that I recommend will have to be adopted sooner or later and the earlier it is taken up the better. In a previous resolution by the Hon'ble Diwan Bahadur A. Subbarayalu Reddiyar to have these subordinate service posts taken on Rs. 70 instead of on Rs. 35, this question was threshed out; those persons that are prepared to take up an appointment in the superior posts on Rs. 35 will have sufficient posts thrown open to them for promotion. My Lord, I do not think that the number of assistant collectors and sub-collectors who are entertained by the Indian Civil Service competition for the number of posts that we are filling up, or the number of assistant superintendents of police is much larger in proportion than the number of higher officers available to these 920 Revenue Inspectors referred to by the Hon'ble Sir Alexander Cardew. I had found that the proportion is much greater, the proportion of superior posts available to them. I gave figures myself and I also referred to the report of the Public Services Commission because I was satisfied that there was good scope for people entering on Rs. 35 while the administration of criminal justice would have been placed on a much more satisfactory footing.

"The Hon'ble Sir Alexander Cardew, though he did not pointedly refer to it, referred to the reversals of the decisions of sub-magistrates as though it was a point which he wanted to mention without pressing it was a question of great consequence. He said that the appellate courts before whom such appeals came were satisfied with the character of the work done by them. My Lord, much is known of these appellate courts and it will be acrimonious to start a discussion on that. I do not propose to do it. It will be sufficient for me to say that the previous discussion has dealt with it. Whatever that may be, it has been said even by the Hon'ble Sir Alexander Cardew that they are moving in the direction that I want. I am quite satisfied that unless we place as officers in charge of the posts of sub-magistrates, men of intelligence, capacity, respectability and character, many Collectors would continue to say that unless the whole system of recruitment of sub-magistrates is modified, it will not be possible to bring a satisfactory state of things in criminal administration. I have not asked for all the posts being thrown open to them, but I only ask for half the posts—it may be even 100. I do want that we should move in this direction and this Government will be only adding to its important items of advance by introducing this. I was never satisfied with nomination and I never said that nomination is a good method; without competition nomination is hopeless and useless. That has been my contention in respect of all appointments. I only want to take a long range of competent men by a competitive examination and make a selection from them; Government can exercise that right very well. I only submit that that is the course I wish should be adopted by the Government."

The resolution was put and lost.

The Council then adjourned for a short interval.

The Council reassembled at 3 p.m. when the discussion on resolutions was resumed.

RESOLUTION *RE* CONTROL OF MUFASSAL HOSPITALS TO BE MAINTAINED FROM PROVINCIAL FUNDS.

The Hon'ble Mr. K. RAMA AYYANGAR :—"Your Excellency, the resolution that stands in my name runs as follows :—

'II. This Council recommends to His Excellency the Governor in Council that in the case of mufassal hospitals to be maintained hereafter from Provincial funds, control may continue to remain with the local municipality or a sub-committee to be appointed by that body with the chairman as *ex officio* member.'

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"Your Excellency, up to now, the control over the hospitals has remained with the local bodies concerned. We find in the administration report relating to civil hospitals and dispensaries for 1916 that the following passage occurs at page 15, paragraph 53, sub-clause 4 :—"I am glad to note that at Bezvada a committee consisting of the Collector, District Surgeon, the Municipal Chairman and the Assistant Surgeon met and discussed the suggestions made by me at my last inspection. The District Surgeon, Chittoor, also reports the good work done by the hospital committees in this district. A very energetic ladies' committee is in existence at Palamcottah and Tinnevely which has done excellent work in collecting money for the Women's hospital at Vannarpet and in looking after the internal arrangements of the institution. I should like to see similar hospital committees organized all over the country and the members thereof taking a personal interest in their own local medical institutions." This was the report of the Surgeon-General to the Government in 1916.

"The first point that I wish to place before the Government is this : local bodies have, as a fact, exercised control over these hospitals; their bills have to be sanctioned by them. Mostly it was a matter of course and the Surgeon-General was occasionally instructing them also and inspecting them. Under the present arrangements, we find G.O. No. 54, dated 8th February 1918, which gives the cost to be paid by the several local bodies and says that one-third of the average expenditure of the previous three years should be contributed by these local bodies and the figures are given. It is found that Madura, for example, has to contribute Rs. 11,000, Anantapur Rs. 3,000, Cocanada Rs. 4,000, Vellore Rs. 4,000, Masulipatam Rs. 4,000, Guntur Rs. 6,000, etc. That is how it stands. The Government have stated in their order that the Collector of the district, the Executive Engineer and the Chairman of the Municipal Council shall be the persons who shall have anything to do with this: the wording runs as follows :—"The Government have agreed, in the cases of Madura and Bellary, to the constitution of advisory committees, consisting in each case of the Collector, the Chairman of the Municipal Council and the Executive Engineer, and they will be prepared to consider the question of appointing similar committees elsewhere." That is the wording of the order. For various reasons, I submit, my Lord, that the control which local bodies have been exercising ought not to be completely done away with. In fact, it will not be possible to expect the people to go to one of the three persons referred to in the Government order with any complaint.

"The officers concerned are all overworked officers and no one could certainly spare the time to attend to the wants of the various persons who resort to these hospitals. Supervision ought not to be transferred to my request to the Government. It is not that there shall be no supervision by Government. Practically Government exercise supervision even now in the matter of assistant surgeons under these district boards and district surgeons under these municipalities. As a fact, it is under the advice of the Hon'ble the Surgeon-General that transfers are made and the Surgeon-General is responsible for the efficient and proper upkeep of these hospitals. He asks the district surgeons concerned to go round the rural areas and he generally goes round and assistant surgeons and sub-assistant surgeons are transferred at the instance of the Surgeon-General. Practically it does not affect the control which the Government exercise over these hospitals. The real point that I want to place before the Government is that it ought not to be left solely to a highly centralised authority. Of course, the Government and the Surgeon-General will have to be the only persons that supervise and control these institutions. It is better that people nearer home are made to attend to what is to be done there. The Collector, no doubt, even now has got the authority to inspect these hospitals and represent to the Government also and write to the local bodies to do what is necessary in connexion with them. So the Collector being put on as one of the officers to be there to control is, in fact, nothing new. It is a fact that the Collector cannot spare time, nor can he be hearing complaints in respect of anything not done properly in these institutions.

"The next point that I want to urge is that the responsibility ought not to be taken away from the persons near the hospitals. It is in that connexion that the reference that I made to the paragraph in the report of civil hospitals comes in. They are taking some interest now. They have been feeling that these institutions are becoming more and more useful and therefore they also ought to contribute their mite in times of good and auspicious and inauspicious occasions in their houses in memory of some deceased relation or in memory of some festival occasion when they endow these hospitals. They are also taking some interest. Your Excellency might remember that, in connexion with a proposal some years back to transfer the existing Madura hospital to the other side of the river, at a public meeting at which the Hon'ble the Surgeon-General presided, we were able to have a subscription of Rs. 1,20,000 raised on the spot on a single occasion. In fact, it was expected to spend more than Rs. 5 lakhs on the new hospital. But the Hon'ble Sir Alexander Cardew has recently decided that the present spot might be continued and the municipality ought to hand over the spot with all the appliances to the Government. I do not want that bills should all be passed through the municipalities, but certainly they should have a voice in making representations to the Government that particular additions should be made to hospitals or that complaints and grievances should be redressed. If they are not persons who are vested with such authority they will lose touch with it altogether and it is very rarely that we are able to find in the mufassal that we can take any action in respect of grievances which exist. It is unnecessary for me to point out that it was found that in the case of some assistant surgeons in mufassal stations like Paramakudi and other places they behaved rather imperiously towards the people who attended the hospital and complaints were made, but it was with great difficulty that these complaints were heard and redressed. In big towns like this, where the

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population ranges from 80,000 to 130,000 or 140,000, it is only appropriate that there should be a feeling in the officer there that the people have a voice in the management and control over these institutions to have a common understanding that they are subject to any complaint that will be made by a local body of that type. In fact, it will be hard to cut away all the powers which these local bodies have been exercising. The Executive Engineer and the Collector cannot properly represent what could be done by the local body itself—I mean by the municipal council or by a sub-committee thereof elected by the municipal council for this business. If they are made responsible, to some extent, to attend to the convenience of patients and others, they will also take an interest in providing the necessary funds for aiding the institution. I do not say that the Government will mind any contribution that may be made or otherwise. But my submission is that if their sympathy is always there, there is nothing wrong in the people of the locality having some voice. It is not that they do not contribute anything. They contribute one-third of the cost of the previous three years and it is only proper that they should have some control. The control might consist in their making some references to Government and in their appealing to the authorities for proper grievances being redressed. It will react on the officer in charge of the hospital also in that he would not allow things to get into a bad condition. He will be on the alert to see that he does not give room for complaint. If nothing like that exists, it may be said that any complaint will be immediately heard and settled. We know the difficulties of the department work, my Lord. Our experience has been long and it will be very difficult to get proper persons to know the facts and it is only the common folk that find the difficulty and have grievances, and their words are not heeded at all. It is not the leading men that feel the difficulty. If there is a body elected by the municipality or the municipal body itself which can be communicated with, we can find that the rate-payers, the voters and others will be known to have touch with the corporation and in that case the officer himself without any further difficulty would behave as he ought to. If these committees do take interest, considerable good will follow in the shape of pecuniary contributions also.

“I do not think my request is unfounded. It is generally said that once the Government pay for it nobody ought to interfere. But here it is not a question of that kind. Instead of the Government making a contribution to the local body, it is a case of a local body making a contribution to the Government, and the Government taking up the institution and making it a model. It is for that reason that it is taken. It is only proper that in the spirit in which it is taken up it should be also properly controlled and a highly centralised control is not likely to have the effect needed. I, therefore, submit that in every view the local body is entitled to have the control and it will be to the interests of the institution itself that the local bodies should have control.

“One other point I will mention and it is this: at present the District Surgeon is the officer who is to help in supervising the other hospitals of the district board and the institutions in rural areas. If he is quite free from any control by these bodies, they cannot expect him to go round to the various parts and help them and instruct them. No doubt, he may do it himself, but it is possible he would refuse the request of the municipal chairman or the district board president; if they have no voice in it, he might not so readily comply with their request, but he might plead excuses. Whereas if these bodies had certain control, they could expect him at a fixed portion of the year to go round and do his duty. There the control of the district surgeon will exist to the extent of the control which the local bodies exercise over other medical institutions in the district and to that extent they will be right in exercising the control over him. There is no reason to go behind that order. Government say that they will be prepared to consider the question of the formation of similar committees elsewhere. I want it to be modified like that. The Government may be pleased to issue orders that in these cases either the municipal bodies or the select committees may have the control. Even the Decentralisation Commission recommended that Provincial Governments should take charge of the central hospitals in each district and provide the cost from Provincial funds. Here a contribution is levied from them very properly and it is only right that all these other conveniences are also provided.”

With these words, I submit, my Lord, that my resolution may be accepted.

The Hon'ble Mr. A. SURYANARAYANA RAO:—“Your Excellency, I second this resolution. When the resolution was proposed, I did not exactly know what the Honourable Member wanted, whether he wanted some control or a partial control or even a full control. Now, I understand that the Honourable Mover is satisfied if some control is given. If that is the object of the Honourable Mover, I have no objection. Because they contribute money, they should have some share of the control, in the way suggested by the Honourable Mover. I submit that it is only fair. I therefore second the resolution.”

The Hon'ble Sir ALEXANDER CARDEW:—“Your Excellency, I think that the Council will find that this resolution is somewhat of an academical question. Is it a fact that hitherto municipal councils have done all that the Hon'ble Mr. Rama Ayyangar supposes? Have they exercised control? As a matter of fact, in the management of a hospital it is very difficult for municipal councils to do more than to find money. The hospital is run by the District Medical and Sanitary Officer or the Civil Surgeon, and the staff are posted by the District Surgeon-General and the whole thing is carried on by the department and must be so carried on. The only thing for the municipal council to see to has been whether they have to vote a

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certain sum of money when there is a short supply. That is the only control. I have a very influential witness of that in one of our own Honourable Members who happens to be absent—the Hon'ble Mr. B. V. Narasimha Ayyar. He said, speaking a year ago:—“Incidentally I may remark that practically at present, the Government are really running the whole show. I am the Chairman of a municipality; I am supposed to be controlling the headquarter hospital, but all that I know of it is occasionally I see a few reports and the entire thing is controlled by experts. Precious little control there is over the hospital at present. The Honourable Mover may be taken to mean that the existing nominal control may be taken as Government control.” That is what the Hon'ble Mr. Narasimha Ayyar said and I think he is correct in the description he has given of the control exercised by the municipality. What this resolution asks is that nominal control should be continued. I do not think it is necessary to maintain this formal control. In Vizagapatam the Honourable Member who seconded the resolution knows that the control has been in the hands not of the municipality but of a committee consisting of the Chairman of the municipality, the Collector and the Executive Engineer.”

The Hon'ble Mr. A. SURYANARAYANA RAO:—“And one or two other members.”

The Hon'ble Sir ALEXANDER CARDEW:—“I know it is working very well there. As the Honourable Member has himself noticed, in the Government Order on the subject, the Government have expressed their willingness to create advisory committees and by that means hope to enable public opinion to be brought to bear upon the District Medical and Sanitary Officer. The Chairman of the municipality could act as a representative of his council and of public opinion. He would thereby be able if there were public complaints to bring them to the notice of the District Medical and Sanitary Officer and of the Collector, and I think the Honourable Member will find that that will furnish him really with all the necessary opportunities for the popular influence which he desires. On the other hand, the Government are going to find the great bulk of the money and therefore, they would exercise the bulk of the control. Without laying too much stress on what the Decentralization Commission said, it certainly contemplates that where a function like this is taken over the control over the hospital should go with the charges for it. I would suggest to the Honourable Member that it is unnecessary to press this point. The control hitherto exercised has been nominal. In future, if any Council wishes for the maintenance of the same amount of nominal control we shall provide for it by making the Chairman of the municipality, a member of the board, and everything substantial will be retained. Under these circumstances, I hope the Honourable Member will have gained what he wants and I cannot advise the Government to accept this resolution.”

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—“My Lord I regret that the Hon'ble Sir Alexander Cardew could not see his way to alter the position taken up in the Government Order. I must say that his description of the present control that the municipalities are now exercising is as nearly accurate as possible under the circumstances. There is no doubt that, at present, local authorities are under very great disadvantage in regard to medical institutions. But if the Hon'ble Sir Alexander Cardew intended to say that there is no desire on the part of municipal authorities or local authorities to have a little more control over medical subordinates, I am afraid he is mistaken. I have known various instances where, notwithstanding earnest appeals made by municipal chairmen, supported by resolutions in their councils, medical subordinates have been transferred to other stations and I know some instances and I am also aware of them where similar representations by presidents of local boards in regard to medical men under their charge have been made. It is true that some portion of this trouble arises from the fact that there is a central posting authority in Madras which has probably to keep things going all round and it is probably due to the exigencies of the constitution of the present medical subordinate service. My Lord there is a keen desire on the part of local bodies that they should be consulted in the posting of these officers and that their requests should be somewhat more considerably dealt with. There is a great desire that in the matter of medical relief and in the control of medical institutions local effort and local philanthropy should be enlisted in support of these institutions. I am afraid looking at the question from this broad standpoint, provincialization of district hospitals, however well-intentioned it may be, would decrease the interest, in the work of the hospitals, of the intelligent section of the community. It is impossible under the existing circumstances, it is not at all easy, to bring home complaints against medical subordinates and if the institution is entirely outside the control of the local authority and if they have merely to find the money as stated by the Hon'ble Sir Alexander Cardew, matters would be distinctly worse. On this ground alone, I am inclined very strongly to support the request of my Honourable Friend. My Lord, in some other places, these medical officers are partly responsible also to the municipal authorities in various matters. For example, in the matter of vaccination. All vaccinators are under the direct control of medical officers, whereas municipal chairmen and their councils are made responsible for the working of vaccination in these localities. They will have no hold upon them and as it sometimes happens, in the case of these gentlemen who are in charge of hospitals who do not exhibit much interest in general sanitation—do not make it any charge against them—who write at the end of the year very airy reports, matters will be distinctly worse, and the little hold that we have on behalf of the public over these medical men would be entirely lost.

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"The objection that has been urged on the last occasion when I moved this resolution was that the Government find the money. I do not see why in the matter of these institutions the Government should not trust local boards and municipalities and give the matter a trial to see, even after the institutions are provincialized, how the municipalities would be able to manage them. If, on the other hand, there are complaints of neglect or unnecessary interference, it will be time enough for the Government to relieve the municipalities of the control of hospitals. I should be very sorry to see that, in the matter of medical relief, local bodies should be deprived of their existing responsibilities, whatever it is, for medical relief; and I would also urge that if the position of local authorities is unsatisfactory it ought to be bettered and that should not be an argument at all for depriving them of the control which they now have."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, the remarks of the Hon'ble Sir Alexander Cardew in opposing this resolution are calculated to create a feeling of anxiety and alarm in the minds of some as to whether in the case of headquarter hospitals, the policy is to take over the management into the hands of the Government and to deprive municipalities of the little control that they now possess. The Hon'ble Sir Alexander Cardew quoted from the speech made by the Hon'ble Mr. Narasimha Ayyar where he described the nominal control exercised by municipal chairmen as a mere sham. It would have been a matter of satisfaction if all the circumstances of the case had been placed before us. What I would impress upon this Council is whether we would be justified in coming to the conclusion that things should be made worse on that account. The point is not whether municipal councils which have not been exercising any real control over medical institutions should be deprived even of that control, but the point is whether they ought not to be placed in a better position. Is it to be stated that these municipal councils which have been specifically entrusted with the function of medical relief should not have proper opportunities of doing so? If they had nominal control, what prevents the Government from giving them real control over these hospitals? Have there been any circumstances to justify the Government entertaining any apprehensions that these municipalities would not be able to manage the hospitals successfully? If want of funds is the only disadvantage, what is there to prevent the Government from making more liberal grants and contributions to finance these institutions and allowing them to manage their hospitals? No doubt the Government have taken over the financial responsibility of these institutions; but is it to be said on that account that because 'we pay for it, we should have complete control'? I hope the Hon'ble Sir Alexander Cardew will re-consider his decision and see that steps are taken that the municipalities or the sub-committees thereof exercise better control. If the control is nominal, there is no use of having such control. I want them to have real control. If the Government want to develop local self-government in that direction and give the municipalities some real control, they may try it in the case of some municipalities. They may entrust power to sub-committees of municipalities, if not to the whole municipal council, watch the working of that system, see if the result is satisfactory or unsatisfactory and then condemn it or approve of it, as they like. After watching the results of that experiment, we might proceed further. With these remarks, I support this resolution."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, when the Hon'ble Sir Alexander Cardew read that statement of the Hon'ble Mr. Narasimha Ayyar, I thought he had made up his mind to permit this little demand that I had made. In fact, the local bodies had exercised control all this time; but we were quite willing not to disturb the professional arrangements which were made and professional advice which was given under the guidance of the chief head of the department, not that they could not have interfered, but they knew that they would be lacking in the expert advice needed and they practically helped to see that the hospitals were conducted in the best manner possible. When that was read out, I thought it was a clear statement for the position that the other influences which I contended for which would arise by the association of local people with it, might easily be given as a necessary consequence under the circumstances. It would not have in any way interfered with the responsibility of the Government and with the control which the Government exercised, but there will be that wholesome relationship between civil surgeons and municipalities which would have on the one hand created an impression that they had to attend to all people and ought not to give room for complaints or grievances and on the other hand created also a feeling on the part of the local bodies that it was there only to see that things got on without any complaint from the people. That is the one point that I urged. The second point I urged was the interest that should be taken and the contributions that would be made; and the third point that I urged was that these officers will be useful to the boards."

"Nothing was said about what had to be done by these bodies as regards the supervision by them of the other hospitals in their charge, in which the help of the District Medical and Sanitary Officer was needed not only to supervise those institutions, but also in the matter of checking vaccination staff and other staff under the control of those local bodies. I think, my Lord, we are only fighting for a shadow. One thing is certain that the local bodies are not going to interfere very much but the question is, if the relationship should exist, whether it would not improve the situation. I do not think there can be any two opinions about it. I do not want to refer in detail to the treatment accorded by some medical officers to poor patients that I wanted to cast a slur on the department. I only say that because these people feel that if the local persons should exercise some control the position will come to some order under

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such arrangement. I know district surgeons telling chairmen to their faces that they were fools and knew nothing. They wrote out replies also in that spirit without using that language. All that will disappear and would not exist. It is not that the local bodies are not contributing, they are contributing one-third. It is not so much a question of contributing which is the essence, as the necessity of some such relationship. Let not the local bodies be ignored. The Hon'ble Sir Alexander Cardew said that the Government were prepared to consider proposals that might be made, but not in the face of the Government Order which absolutely takes over and asks these municipalities to hand over hospitals and write registered documents, if necessary, disconnecting themselves with all the properties connected with them. I do not think that that is the real spirit of the order. I do not know of it means that the local bodies would not be entitled to contribution from the Government, if they were managing the institutions hitherto. This kind of sharp distinction between the funds of the local bodies and the funds of the Provincial Government is unnecessary to be maintained. The point is that these chief officers must have something to do with the local bodies. That is the main point I urge. As an analogy, I might mention that in the Ceded districts the net cost of schools and colleges is borne by the Government, but yet their management is with the authorities who maintain the schools and colleges. It is not a question of that kind. It is a highly technical matter. The necessity exists to see that there is a wholesome feeling between the local bodies and the District Medical and Sanitary Officer, that each one is inter-dependent on the other and it would be better for the officer to know that they have some right to question his actions and that he must look to the interests of the people at large. With these observations, I hope that the matter will not be treated as a foregone matter. I request humbly that the feeling that I strive for may be allowed to continue to exist in these local bodies."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, I rather agree with the Hon'ble Mr. Rama Ayyangar that we are fighting about a shadow. He has forgotten the fact that the Councils concerned have been asked and have acquiesced in the arrangements come to. In every case, the councils were asked and they said that they were quite willing. Therefore, the Honourable Member is hardly right in saying that the Government take away the hospitals. The Government Order suggested a committee of the Municipal Chairman, the Collector and the Executive Engineer. I am quite prepared to add to that committee a couple or more members representing municipal councils and thus secure an increased share of municipal influence in the management of hospitals. I have no objection to that proposal. If the Honourable Member representing the southern group wishes that in regard, for instance, to the Madura headquarter hospitals, that should be done, there will be no objection on the part of the Government to accept the proposal if put forward by the municipality."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I take it that the same consideration will be given to communications from other bodies also."

The Hon'ble Sir ALEXANDER CARDEW:—"Yes."

With the permission of His Excellency the President, the resolution was then withdrawn.

RESOLUTION *RE* SCHOOLS TO BE OPENED WITH THE AID OF THE
IMPERIAL GRANT.

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, the resolution that I have the honour to move runs as follows:—

'III. This Council recommends to His Excellency the Governor in Council that a committee be appointed to consider and decide upon the schools to be opened with the Imperial grant of 5.50 lakhs and the supervision to be arranged for the efficient working of the schools in the rural areas.'

"Your Excellency, I come now to a resolution where the Government are generally taken aback when a proposal of this sort is placed before the Council—the proposal for the appointment of a committee. For my part, I have been trying to limit propositions of this kind; but under an impression that in a matter of this kind, a committee alone can work efficiently and properly, I have come forward with this resolution. In 1916-17, at the close of that year and the beginning of 1917-18, we had a four lakhs grant for distribution. Before that, after the 16.8 lakhs grant was got by us in two instalments from the Imperial Government for the spread of elementary education and other educational matters, we got Rs. 1.25 lakhs. That was only a small amount and we moved in this Council for that being distributed for the spread of elementary education and we practically got it. But when this four lakhs grant was got, I moved that a committee may be appointed and that the whole question of distribution to these elementary schools in the several areas may be considered by a body which will examine the places where they might be introduced and arrange for the committees or others that might be needed to see that they were efficiently started. In fact, the Government had this four lakhs not appropriated to anything but it was put under reserve and it was said that it could be distributed later on. We find that in the course of 1917-18 it had been distributed in various ways out of which about 1.15 lakhs was taken for the purpose of opening new elementary schools."

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Your Excellency might remember that in the budget for 1917-18, Your Excellency's Government were concerned with the opening of a lot of elementary schools, about 675 in number, with strengthening the staff of the existing schools, adding to the forms in existing schools as also opening higher standards. This was published in December last by G.O. No. 1585, dated 15th December 1917. Provincial funds contributed very largely and we have been expressing our thankfulness to the Government more than once for the large contribution that has been made towards education in the course of the present budget. Before we finished with this, my Lord, we had this additional grant of Rs. 5.50 lakhs, a recurring grant which is expected to be followed by many more grants of the kind according to the announcements made in the Imperial Legislative Council. The Rs. 4 lakhs grant which was given towards the close of 1916-17, it might now be seen, has been cut into so many parts that much could not be done in the matter of opening new elementary schools, but that was supplemented by a princely grant this year and I find that a recurring grant of Rs. 2.75 lakhs for new schools is given and now schools were opened to the tune of 675 and we find also other improvements have been made. Before I came to this Council, I thought I must make out a clear case if I ask for something like this being done. I sat to work with the figures that were available and I found that we have at present 32,244 schools for boys' elementary schools and 1,748 for girls. Of these 32,244 schools, 28,151 were public elementary schools and 4,093 were private institutions. In the case of the 1,748 girls' schools we had 1,611 public schools and 137 private schools. The total number of villages for the Province is about 54,000, out of which we had nearly 23,000 villages with a population of more than 500 and 31,000 with a population under 500; so that we had 32,244 schools for boys for about 23,000 villages with a population of over 500. It may be that schools exist in some places where you have a population of less than 500, and it may be that many villages with a population over 500 are without schools. In fact, I know, in the Madura district, in and about Madura, there are a number of villages with more than a thousand population without an elementary school. I should have thought, under these circumstances, my Lord, when a proposal was made for expending a recurring grant of about Rs. 2,65,000 in opening new elementary schools, when the proposal was first to start 675 new elementary schools, some principle would have been adopted in ascertaining how we can spread this education broadcast in proportion to the population and the area of the several portions and how work should have been done, so as to see that the backward localities were helped as much as possible. It is not that other localities should be forgotten or should be neglected, but certainly some principle of action should be capable of being discerned in the distribution.

"Therefore, when I examined some of the typical districts,—I took Vizagapatam, Nellore, Bellary, Chingleput, Coimbatore, Tanjore and Ramnad, one for each group,—I wanted to see how matters stood in these districts. I found in the Vizagapatam district with the Agency tracts, there were 1,442 villages with a population of over 500, we had 1,609 schools existing now and there it is proposed to add 43 new institutions. In Nellore, we have 610 villages with a population of over 500, and we have 1,331 elementary schools for boys and there it is proposed to introduce 47 schools more. In Bellary, there are 607 villages of that description, 831 schools existing and 18 schools are proposed to be added. In Chingleput, there are 892 villages of that description and 1,478 schools now exist and it is proposed to add 12 schools. In Coimbatore, there are 999 villages, 1,355 schools and 24 are proposed to be added. In Tanjore, there are 1,484 villages and 2,029 schools exist and 23 are proposed to be added. In Ramnad, there are 765 villages with 1,244 schools and 28 are proposed to be added.

"What I tried to find out from this was that some attention was paid to areas which had lesser education and more schools were sought to be opened there, that principle I cannot see worked out. I thought there was another principle, in some places there might be greater inclination for education and there it might have been easier for opening new schools. I found that that principle does not exist either. I have tried in various other ways to satisfy myself that this has gone on some principle, but I have not been able to come to any conclusion. I find in some districts only a few schools are sought to be opened,—whether a district is very backward or forward. In Tinnevely, very few schools are to be opened and there education is very forward. I only put it for this reason that it will not be possible for a set of officers who have their inspection business also to decide upon the villages which can be best chosen for opening these schools and it used to be said by the Hon'ble Mr. Stone on previous occasions, that there was no difficulty in arriving at conclusions in respect of these matters and that he and his staff were quite sufficient. It is for that reason that I examined these figures whole sale, but I find it does not give any satisfactory conclusion. More than all this, the point that I want to place before this Council is the fact that in the case of most of these schools I refer to, one particular locality, I refer to the Madura district, in the case of schools so opened, no steps have been taken to see that the boys gather about there and remain there for a number of hours and study there, because no sympathy is enlisted of the villagers and no interest is taken by them. The fact that a building is put up, that a teacher is paid is not enough; but he has to go and sit at the house of the father of the boy to prevent him from taking the boy to the plough-ground. There are not other men to advise. If I had taken it upon myself, I would have converted some of the villagers. On going to one or two villages, I found that these schools were shut up, a large portion of the day. My submission in this is this: There is a double work resting with the Government at this stage. We have added considerably to the number of public schools that we have opened and we have considerably added to the inspecting agency; but I do not know, and I would be glad to hear from the Hon'ble Mr. Stone, how many times in the year, an elementary school is visited. I have no doubt that the sub-assistant inspector does not inspect

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more than twice or thrice in the course of a half-year. It is not possible for him to do more; but arrangements must be made to see that what has been done is efficiently worked. The large question that I therefore raise is the question of a proper committee which will have power to add, at each locality, to its strength one or two members and will go round each area, and find out a committee which will work to see that the schools which were opened are worked properly and the inspecting staff should also join and co-operate and see that what has been done is efficiently worked. In the matter of the distribution of this Rs. 5.50 lakhs, the schools to be opened afresh may be determined upon by an officer who, with the help of the people in the locality, would decide upon the localities where they are to be opened. I should also make one more suggestion. There should be a Provincial service man with sufficient energy and capacity to go to these villages and so work the people up to see that these schools opened do thrive very well. He will be one of the committee. My Lord, unless some such work is done at this stage, it will be useless and go on adding to the number of schools; and there is no doubt that before the end of this year you will be adding another 1,000 or 2,000 schools, we must see that the work so far done is done very well and that non-official unpaid people are made to take an interest. There is no use of adding to the inspecting agency. Some system must be devised if this elementary education is to progress and to continue successfully, to enlist the sympathy of proper persons, to see that those schools that have been opened work properly and that the places chosen for new schools are also properly chosen.

"With these words, I beg to submit that the resolution may be accepted."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, I beg to formally second this resolution."

The Hon'ble Mr. J. H. STONE:—"Your Excellency, I must apologise for being out of the Council Chamber for a few minutes."

"The Honourable Member has divided his resolution into two portions. They may be taken independently. He wishes a committee to be appointed first, to go into the distribution of this Rs. 5.50 lakhs grant and secondly he wishes a committee to be appointed to supervise schools in rural areas.

"I think the Honourable Member has fallen into trifling inaccuracies in regard to his figures. He spoke of the Rs. 4 lakhs grant distributed last year and he mentioned that a sum of Rs. 1.21 lakhs was used out of it for opening new schools. The only inaccuracy is that the sum of Rs. 1.21 lakhs used for opening new schools was not a part of the Rs. 4 lakhs. The Rs. 4 lakhs was not used at all for opening new schools. The Government of India did not intend that it should be so utilized. They wanted it to be used mainly in improving the pay of teachers and those funds are, as a matter of fact, being so utilized. In regard to this sum of Rs. 1.21 lakhs which was given by the Madras Government and not by the Government of India, the Honourable Member criticised the way in which it was distributed. Our custom hitherto, when we have money to make use of, has been to invite local boards to say what their needs are in the way of new elementary schools and distribute the money in accordance with the statement of their needs. The result invariably has been that the needs in any one locality in fact, the needs of each local body are far in excess of the share of the money that might be distributed as the share to that local body. Last year, towards the end, we found ourselves with this Rs. 1.21 lakhs not used and it was thought that somewhat a new plan might be adopted. Instead of asking local boards to tell us their needs, which we knew would be enormously in excess of Rs. 1.21 lakhs, we simply took those requests, which had been made in the course of the year, and they came to a considerable number, for opening new elementary schools, and schools were opened to the extent of these requests. The Rs. 1.21 lakhs were used to pay for these schools for the last two months of the year, the Government undertaking at the same time, that in the budget of this year, there should be money to maintain these new schools during the current year, so that we find in the budget Rs. 4.50 lakhs for the maintenance of new elementary schools, those were schools which were opened on the strength of the Rs. 1.21 lakhs, so that the net result would be a very considerable increase in the number of elementary schools and a very considerable increase in the amount of money spent on them and on their maintenance. The Honourable Member complains that, as a result of this, some taluks have got less and others more; in other words, that the distribution has been inequitable. It so happens that we shall be able to rectify this inequality, which the Government of course recognise, this year, because, we have received this grant of Rs. 5.50 lakhs from the Government of India. In distributing that sum, we shall take into account all the new schools opened with of India. In distributing that sum, we shall take into account all the new schools opened with the Rs. 1.21 lakhs of last year, and the Rs. 4½ lakhs of this year, and as I said before, we shall be able to redress any inequality there may be. I do not think that for producing this equality of distribution which the Honourable Member has for years insisted upon, a committee is necessary. Nothing is simpler than to divide the money in proportion to the population or the population's wealth or according to some economic formula for the division of the money. I do not think we could construct a satisfactory economic formula although we could construct some kind of formula. We ask the various local bodies what their needs are and we try to satisfy those needs. A committee cannot meet these needs any more than ourselves; they cannot find money to meet the needs of all local bodies and the difficulty in meeting the needs of local bodies will not be diminished by the existence of this committee. Moreover, the committee, however good it may be, will not have equal knowledge of every locality of this Presidency. They would not be able to say whether village A or village B ought to have more schools. They would take merely population. So could I Honourable

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Members are well aware that in settling the distribution of schools we consult local bodies and the Education Department do not attempt to do it themselves; the local officers as well as the local bodies are consulted and their recommendations come up to my office from the local bodies and the thing is decided upon after consultation with the local officers. If local bodies cannot find, after consultation with the local officers, where schools are most needed, I think it is quite certain that a committee consisting of gentlemen, however eminent they may be, will not be able to do this.

"The Honourable Member then wants a committee to supervise the efficient working of schools in rural areas. I do not think he mentioned in the course of his speech the local bodies, district boards and taluk boards. He talked of these schools as though they existed in the air and as though they belonged to the sub-assistant inspectors. But these are local fund schools: they are not departmental schools. The local officers are only partly responsible for them. The department does all that it can with its staff of officers to supervise them. But surely these schools belong to local bodies; it is the local bodies that should do the supervision. But he wants an officer to see that the parents of the boys stop taking the boys to plough and to send their children to school instead of to herd cattle. Something of that kind is necessary. There is a great deal too much of children being withdrawn from school when they are far too young. I do not know what a committee in Madras can do in that direction. It is for Honourable Members in this Council and all other gentlemen who are interested in public affairs many of whom are members of local bodies, to stir up local boards and see that some kind of interest is taken in schools. Some of the members of the local boards may undertake some kind of honorary work and look to the attendance of boys at these schools. The schools belong to local bodies and it is the duty of the local bodies to look after these schools, helped so far as we can help them, by the officers of the Education Department.

"Again, the Honourable Member must be aware that even now we are finding the need of a large number of inspecting officers of one grade or another. I quite admit that we have not got enough number of officers even to supervise, so much as departmental supervision could do, the schools already opened; of course, the more schools are spread up and down the country, the more difficulty there will be to find proper supervision. I do not complain of the Honourable Member asking for more supervision but I only suggest that the appointment of a committee in Madras is not likely to help much in that direction."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, as regards the question of formula which the Hon'ble Mr. Stone was talking about, it ought not to be done as a matter of formula in the Director's office. It is, therefore, that I wanted a committee of the sort I referred to; but probably the Hon'ble Mr. Stone was not here when I referred to that committee. I did not want a committee in Madras. I knew the officers who were doing the thing in Madras were not doing it properly after reports were received. I said it ought not to be a committee at Madras. I wanted a committee which would go round the district and I wanted a Provincial Indian Officer also in that committee and I said they should co-opt members in the several districts and go round if necessary to the taluk areas and form suitable committees for the management of these schools and not leave it to the taluk boards, which consist of 13 or 14 members, who find it difficult to find time for going there. For an area of nearly 3,000 square miles, we have 14 members and 200 or 300 schools. I find provision is made in the Civil Budget Estimate at page 124 under the head of Education for 8 inspectors of the Indian Educational Service, 3 inspectors of the Provincial Educational Service, 3 inspectresses of girls' schools, 9 sub-assistant inspectors of the second grade, 20 of the third grade, 29 of the fourth grade, 39 of the fifth grade, 22 probationers and 238 supervisors of elementary education at a cost of Rs. 5,19,000. All that establishment was needed to see that the money spent on education was efficiently utilized. I do not think it would be proper to say with all that establishment that all the schools belong to local bodies and therefore the department have nothing to do with the really efficient working of these schools. The whole expenditure will come to Rs. 200 or 300 lakhs before we finish our elementary schools; if all the schools become schools of the taluk boards and district boards, and if they are to see to their proper management, I do not think we would be embarking upon a proper policy at all. I do not know that this Provincial programme or Imperial programme relating to the spread of elementary education, was ever conceived in that spirit. It may not be possible that these schools will become public schools managed by local bodies. If all the officers are handed over to local bodies, then the schools would be better managed, because these local bodies will give them specific instructions. I am not going to contend for the distribution of Provincial funds. The taluk boards are the bodies that stand between the Government and the people in the matter of giving advice. Even there I know that in the case of some districts the matter is placed before taluk boards or district boards and before the list of places is approved of, it is sent up to Government. In other districts, it is not so. The inspecting officer, the assistant inspector or the sub assistant inspector, recommends the localities, it passes through the hands of the assistant inspector and it goes to the Vice-President and then to the President of the taluk board and then to the president of the district board. I raised this question in one discussion on the local boards and I said that we had complete control over the selection of the schools and I was met by the plea that we had no control except to forward the list of places selected by the inspecting officer. Since then, I have been trying to do some little work in the matter of fighting for control. Very little has been done. The contention that I pray for is to see that these institutions are efficiently managed. The thing ought not to be left to the local boards, because they have

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really no funds to do it at all. The whole thing is in the hands of the Government, the Director of Public Instruction and the Educational Secretary guide and direct the whole state of affairs. The whole distribution is done by the department. I think the matter deserves close consideration. I do not propose at this stage to ask for a change of policy in the control of the establishment, to watch these schools, because that will require considerable thought and attention. But as it is, my Lord, the proper thing to do is to have a committee to go round and actually catch hold of the inspecting officers and familiarize them with the various men and appoint a committee and make them take charge of five or ten schools. They should go to these institutions and make remarks there in the visitors' book. Mere expenditure of money, I do not think, will advance the position any bit. My Lord, the proposition stands there and it cannot be contended that it has been met in any form by the Director of Public Instruction. I have been feeling that, if you are going to spend more money, it would be better that we come to some decision. Thirty-two thousand schools should not be allowed to increase to 60,000 schools before we begin to rectify our affairs and before we know how we are spending the money."

The resolution was then put and lost."

RESOLUTION RE OMISSION OF STANDING ORDER REGARDING REPRESENTATION OF DIFFERENT CLASSES IN THE SERVICE.

The next resolution standing in the name of the Hon'ble Rao Bahadur V. K. Ramanuja Achariyar was as follows:—

"IV. This Council recommends to His Excellency the Governor in Council that Standing Order No. 128, clause (2), be deleted from the published edition of the Board's Standing Orders."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I have got a communication from the Hon'ble Mr. Ramanuja Achariyar, who has lost his brother, asking me to move this resolution. I got it only this morning. I shall write to him or take instructions from him. I hope your Excellency will adjourn the resolution to the end."

The resolution was then postponed, to be taken up at the end.

RESOLUTION RE INQUIRY INTO THE RISE IN PRICES.

His Excellency the PRESIDENT:—"I propose that we take up the discussion on this and the following resolution * at the same time."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, the resolution that I have the honour to move runs as follows:—

'V. This Council recommends to His Excellency the Governor in Council that an immediate inquiry may be made into the high prices of food stuffs and other necessities of life prevailing in this Presidency and that urgent steps may be taken to regulate them.'

"Your Excellency, for some time past the prices of foodstuffs and other necessities of life have been abnormally high. This tendency towards the rise of prices has been observed since 1905 with the result that Mr. Datta was appointed by the Government of India to inquire into the high prices and after an elaborate inquiry which lasted for three years he sent in a huge report. He came to the conclusion that prices of foodstuffs and other commodities which formed the necessities of life had risen in consonance, as he found it, with the upward movement of prices all over the world. He stated that there were certain world factors which have been contributing towards the rise in prices in this country; but for the last four or five months, prices have gone up much higher and I am told that these prices are worse than the worst famine prices that ever prevailed. For instance, if we take the list of prices,—I take the prices that prevailed in the Bellary market—I believe it is almost the same in every other district,—we find cholam, which forms the staple food of the masses, is selling at 8½ to 9 seers a rupee, rice is selling at 5 to 5½ seers a rupee, korra at 15 seers a rupee, and sajja at 9 seers a rupee. I may say before going further that cholam had been selling at 14 or 15 seers four months before and the same may be said of the other two food-grains. Salt is now selling at 9 seers per rupee, kerosene oil is selling at Rs. 6 per tin whereas it was selling at Rs. 2-12-0 before. The rupee, that is the cloth which the masses wear, is selling at Rs. 4 to Rs. 6 per piece 'duppi' cloth, that is the cloth which the masses wear, is selling at Rs. 4 to Rs. 6 per piece whereas it was selling at Rs. 2 to Rs. 2½ before. Long cloth is now selling at 14 to 15 annas per yard whereas it was selling at 4 to 6 annas before. The price of cotton has gone up to an enormous extent, the latest quotation is Rs. 300 per naga consisting of 12 maunds. As regards fuel, in reply to a question put by me at the last meeting on the 12th of February, Government were pleased to give the price of fuel in the district headquarters and at page 37 of the Proceedings of the Legislative Council, dated 12th February 1918, this list will be found. I shall have to mention this in connexion with the ninth resolution which is in my name. I shall deal with that matter separately."

* The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—

"VI. This Council recommends to His Excellency the Governor in Council that an inquiry be held into the causes for the rise in prices of all articles of necessity including foodstuffs and such measures as may be found necessary to keep their prices under control be enforced."

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"The prices of these foodstuffs have risen considerably higher; whatever may be the reasons for this abnormal rise I do not pause to inquire. I have neither got the time nor the inclination to do it,—to take into account all the causes which contributed to the rise. It is a very complicated inquiry. But take it as a fact that there is an economic evil, prices have gone up most tremendously high; and in some places, especially in Bellary, there was a tendency to loot on behalf of the populace, and on one shandy-day there were serious attempts made to loot the grain shops. I am afraid, if things are allowed to drift as they are, we may have our own food riots, lootings and dacoities and robberies even in our own Presidency and the sooner the Government take some drastic steps in the matter the better it will be for the well-being of these districts, not to speak of the whole Presidency. In February this year, when these signs were becoming felt, I drew the attention of the Government by a communication and I asked permission to make an urgent motion in the Council dispensing with all the formalities about giving notice of a resolution and I got the reply that they would themselves make an inquiry in the matter though they were not willing to permit the motion to be entered on the agenda. Even at the meeting of the 12th February, in answer to a question put by my Honourable Friend Mr. Ramachandra Rao, the reply was elicited that the question of the general rise in prices was engaging the attention of the Government. In the case of salt, Government have been realizing the difficulty and they have made references to the local bodies whether they would be prepared to open depots to purchase salt at fixed rates and sell it at fixed prices, plus transmission cost. They were also ready to impose their own rate with some margin of profit. Something has been done in the matter of salt and I believe similar steps will be taken in regard to the other articles. I have not suggested any remedies in my resolution; I leave it to the Government to take any steps after considering the causes for this abnormal rise. One of these remedies may be to appoint a controller of prices or to encourage local bodies or merchants to open grain-banks or grain-depots, to allow facilities for free transport and it may be necessary also to fix the rate of prices in some districts and to appoint ward-committees for regulating them. It might also be necessary to prohibit the export in some localities to see that the grain is not carried away to distant parts of the Presidency, while it is required in the locality itself. Government have got enormous powers under the Defence of India Act; and to cope with this extraordinary evil, an extraordinary remedy should be applied. That is the state of things. I may tell Honourable Members of this Council that this rise of prices is keenly felt even in Bangalore and Mysore and meetings have been held under official auspices and committees appointed to report upon the question and suggest ways and means to palliate this evil. I may also state that in some cases it may be necessary for Government to inaugurate a sort of relief on the lines of the famine relief. Cholan is selling at eight seers; unless Government are prepared to grant relief, it may not be possible for the masses to live on. On the 31st of January the Bombay Government decided on the appointment of a controller of prices and they appointed Mr. P. R. Cadell; they appointed some central committee to assist him in his work and some ward-committees. About the 23rd of March, the Bombay Government passed another Government Order that all owners or agents of country-made goods who had in their possession piece-goods in excess of 30 bales shall at once furnish full particulars to the controller of prices. That is the control which they are exercising over piece-goods. A cotton prices committee is now sitting in Bombay with Mr. Cadell presiding. In regard to cotton, the cotton committee have also decided that all dealers in cotton in Bombay should furnish to the controller of prices a statement of all open contracts for every description of cotton bought or sold, for delivery on the 26th April next and all future months. They have also suggested that grain-depots may be opened and they have made arrangements for the opening of them. Your Excellency, the Bombay Government have been doing all this and I do not see any reason why something should not be done on the same lines in this Presidency also. I assure Honourable Members of this Council that the situation is very acute and the evil is highly impending and that something must be done at once. In the case of fuel also—"

His Excellency the President:—"I shall take up that resolution immediately, and if it will suit the convenience of the Honourable Member to deal with that matter also now, I have no objection."

The Hon'ble Mr. P. SIVA RAO:—"That forms the subject-matter of a separate resolution. I shall rather have it separately. I merely refer to it here and leave it. I propose the formation of Government depots for fuel. These are the few observations which I wish to make before I commend the resolution to the acceptance of the Council. The matter is very urgent and I expect your Excellency's Government will do something towards removing this evil."

The Hon'ble Mr. K. R. V. KRISHNA RAO:—"My Lord, for some months past, the prices of foodstuffs and other articles of necessity, for instance, kerosene oil, cotton cloth and so forth, have increased enormously. It is necessary that some effective steps should be taken to regulate the price of these foodstuffs and other articles of necessity. For instance, the price of rice has gone up enormously in the northern part of this Presidency while the price of paddy and rice is very low in some parts of this Presidency. Whereas in places like Cocanada, the price of paddy and rice is very high. If proper transport facilities are given and can be established price of rice can be brought down to a certain extent. A few days back, about two weeks ago, some 70,000 bags were imported into the Gōdāvari district from Rangoon and the price of paddy and rice has fallen by six annas. So it appears to be necessary that transport facilities will have to be established between places where there are stocks in abundance and places where stocks are scanty and prices are high. That is one point which I suggest for the consideration of the Government."

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"With regard to salt, the prices increased, but I am glad the Government have already taken some steps with regard to the control of the price of this most useful commodity. I think, Sir, that in places where the municipal councils or the local bodies cannot take up the sale of salt and open depots, Government may open small depots, in places for instance, like the Agency tracts where the price of salt is enormous and sell that salt at a reasonable price. With regard to the manufacture of salt, further facilities should be afforded to private individuals by acquiring land for the manufacture of salt and letting it out to private individuals and encouraging manufacture of salt. I think it will be also advisable that salt is purchased at a maximum rate from all private manufacturers by the Government and sold at a uniformly low price for the advantage of the public."

"With regard to kerosene oil, prices have gone up very enormously. I think it is not entirely due to the scarcity of supply of the oil or of the action of the agents. I am sure that it is the action of the sub-agents that has forced up the prices of kerosene oil to a great extent. The sub-agents have been doing a great deal of traffic in forcing up the price of kerosene oil and I think some sort of control for keeping the price of kerosene oil at a reasonable rate will have to be exercised by Government. The agents of the Burmah Oil Company and the Asiatic Petroleum Company and the Standard Oil Company have fixed the prices very reasonably and they are not at all to be blamed. I think and I reasonably suspect that it is the action of the sub-agents that is responsible for the high price of this most useful article."

"Again, Sir, with regard to fuel, the price has also increased considerably. I think it is necessary that a few depots should be opened by Government and the quantity of fuel given to parties should be restricted and fuel not given to factory owners and fuel-vendors in large quantities; with that restriction, if Government fuel depots are opened in select and suitable areas it is possible that the price of this article can also be kept under control."

"The prices of cereals and pulses also have increased enormously. It is mostly due to want of facilities in transport between places where these are grown in large quantities such as Lucknow, United Provinces and other places, and this part of the Presidency. I suggest that in arranging and giving transport facilities, this matter of the abundance of these articles and the prices of these articles in various places may be noted and transport facilities may be arranged to suit the convenience of people and also to keep the prices in their proper level. My Lord, between November and January, for which I could get reliable statistics from the *Fort St. George Gazette*, the price of ragi ranged between 20 and 10·9 seers in this Presidency alone. In one part of the Presidency, in November the price was 20 seers and it came down in another part of the Presidency to 10·9 seers. Again, with regard to rice of the second sort, between November and January in one part of the Presidency it was 9·3 seers, in November and in another part of the Presidency it was 6·7 seers. With regard to cholam, it was 11·2 seers in one part of the Presidency and 10·2 seers in another part of the Presidency. Cumtū was in one part of the Presidency sold at 18·4 seers and in another part it was sold at 9·6 seers. With regard to salt, in one part of the Presidency it was 17·2 seers and in another 10 seers. So, we find considerable difference in the price of these articles between one part of the Presidency and another part of the Presidency. This is no doubt due to the want of proper transport facilities and I am aware that certain restrictions in railway traffic had to be inevitably placed on account of war conditions; but whatever that may be, if the Government will kindly note the price in the various districts and parts of this country and arrange to give transport facilities so as to keep prices in some sort of level it is possible to get prices under control. My Lord, in this connexion, I would like to suggest that measures similar to those adopted by the Bombay Government may be adopted here. From a telegram published in the *Hindu* it would appear that a Controller of Prices was appointed about the 31st of January. It stated—'In view of high prices prevalent in the city and suburbs of Bombay, the Governor in Council has decided to create a controllership of prices and to appoint the Hon'ble Mr. P. R. Cadell, C.E., to the post as a temporary measure. The Controller will be assisted by a central committee and by committees for special branches as well as by ward-committees. The names of gentlemen who have agreed to serve on these committees will be published shortly. Assistant Controllers will also be appointed. The office of Controller will be in the Secretariat, but meetings of the central and special committees will be held at places to be subsequently announced.'

"The same Controller presiding over a meeting at the Deccan College, attended by the Mahratta labouring classes, said that he had been taking all the necessary measures to keep the prices of foodstuffs and other articles of necessity under control and asked the public to give their co-operation in the matter. With regard to the price of cloth, the Controller in Bombay appears to have already taken some effective measures. The price of cloth, as has been already brought before this Council by the Honourable Mover of this resolution, has gone up enormously. And here also, Sir, it is possible though not the price of imported piece-goods at any rate, the price of cotton cloth manufactured in the country may be regulated by some control being placed on the price. For looking into this matter, and placing as much control as possible upon the price of these articles of necessity, I think the appointment of a Controller and also the formation of committees both in Madras and other districts will go a great way in bringing the prices under some sort of control. I, therefore, suggest that measures similar to those adopted by the Bombay Government, with some modifications to suit the conditions of this Presidency, may be adopted and the price of all these articles may be controlled as far as possible. Almost all people and especially poorer classes who have been thrown out of employment mostly on account of war conditions, and also on account of lack of trade, are being put to a great deal of misery, and as has been noticed by the Honourable Mover of this resolution if these conditions are

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allowed to grow unrestricted and if these middlemen are allowed to take advantage of these times for making high profits, there may be considerable trouble in the near future. To avoid all those consequences and to place some sort of restriction over the prices of these articles of necessity, I suggest that some measures which the Government may consider proper or similar to those adopted by the Bombay Government may be adopted in this Presidency. With these remarks, I second this resolution."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, the question dealt with in these two resolutions is undoubtedly very important, and I am not at all surprised that two Honourable Members of this Council have thought it well on this occasion to bring before the Council resolutions on the subject of the recent rise in prices. Both Honourable Members who have spoken have, in dealing with this resolution, maintained the moderate tone which usually characterizes speakers in this Council, and I can assure them that their resolutions are by no means unwelcome to the Government, because it enables the Government to make a statement of the facts of the matter so far as they are known and of the Government's present views on the matter."

"I would begin by saying that Government are far from being indifferent to the actual rise in prices, which has occurred, and that the subject has engaged and is engaging their most careful attention. Government are well aware that a rise in prices generally presses most hardly on the poorest classes of the community and I would like to emphasize the fact that the Government sympathize with these people who are suffering from this rise of prices and assure this Council that Government are anxious to take whatever steps are calculated to produce a real and satisfactory improvement in the position. At the same time, the matter of prices is so complicated and difficult that it is essential to proceed with the greatest caution in dealing with the matter as any hasty and ill-considered intervention might make matters worse than they are at present."

"It is hardly necessary for me to refer—it has been referred to by the Hon'ble Mr. Siva Rao—to the great and continuous rise in prices which has occurred in almost every country in Europe for a series of years and especially since the commencement of the war. That is fairly well-known to everybody and it is unnecessary for me to deal with the causes, whether it is due to the inflation in the currency or due to other causes. There is no doubt that, in England, it has produced great hardship and the prices there have doubled since the commencement of the war and people with small incomes have suffered to an extent that no one here could realize. In other countries, in Italy, for instance, the hardship has been even greater and the population has had the greatest difficulty in obtaining even the barest necessities of life. This, however, is hardly an Indian matter. India has been extraordinarily little affected by the terrible losses and sufferings of the war hitherto, thanks to the fact that she has been in the main self-supporting and independent of foreign supplies in regard to the great staple articles constituting the food of her people. She has been able, to a very great extent, to escape from the influences of the war unlike other countries. In a few exceptional cases, notably that of sugar, the interruption of trade which the war produced at once caused a heavy increase of price, but on the whole India has ultimately felt the growth of prices but little and in regard only comparatively to unimportant imported articles. Lately, however, there has been a change in the position. In the first place, the continued reduction in the amount of tonnage available for Indian trade has at last begun seriously to affect the supply of the class of goods upon which the masses of the people have been hitherto dependent, that is, cotton clothing. The 220 millions of yards in 1913-14 fell to 90 millions and odd of yards in 1916-17. As there are not enough steamers to carry adequate supplies of these goods, the stocks in India are falling and naturally their price is beginning to rise. The shortage of steamers is acting just as a heavy protective duty would act, and is raising prices which have in some cases doubled in the last year. To those politicians who have so long been exhorting India to eschew the use of foreign clothing and to wear nothing but Indian made goods, this state of things must be heartily welcome, but to the unfortunate consumer the result is different. He finds himself obliged to an involuntary trial of the swadeshi doctrines so long recommended to him and it is not surprising that he does not like it. Unfortunately it is beyond the power of this Government to give him much relief. They could deal with local profiteering but nothing more. In so far as the rise in the price of the cotton piece-goods is a result of German submarineism, it is a consequence of the war and even the Government of India cannot help much. That Government have appointed a committee which is now sitting in Bombay to consider what palliatives are possible and we may hope that something may result from its deliberations; but, in the main, the rise in the price of cotton piece-goods is, I fear, due to causes which do not admit of any immediate remedy."

"The second direction in which a change for the worse has occurred in regard to prices is in regard to the movement of traffic by rail. This also is a result of the war and is connected with the gradual reduction in railway facilities. Fortunately, it is at present not of great extent, but the public should be warned that they will probably have to face a gradually increasing inconvenience due to this cause and that economy in the use of the railways will probably become more and more necessary as time goes on. At present, the effect of this cause has mainly been confined to local areas where local conditions have been unfavourable. On the whole, grain prices generally do not appear to have risen to any great extent within the last six months; but in certain localities, there is no doubt, there has been an advance even within the last few months. This has been the case especially in the districts of Bellary, Kurnool and Anantapur. The causes of these advances in the prices of grain in those districts are, it is believed, special to the localities concerned. The rise in the price of food-grains has been most apparent in cholam."

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There has been comparatively small increase in price. The cholam harvests are unsatisfactory and failure of crops in Hyderabad has led to some movement of grain towards that State. This cause has operated in the cholam-containing tracts of Bellary, Anantapur and Kurnool. While in Bellary and Kurnool the position has been aggravated by the prevalence of the plague, which has rendered traffic very discouraging; in Kurnool it has been discouraged by the destruction of the bridge over the Hindri river and heavy rains have affected the rates. These are, the Council will observe, local causes and do not throw much light on the general position."

"I should like now to refer to the action which the Government can take in order to prevent the undue inflation of prices. There are, in the first place, the local causes, which have been at work in the Ceded districts. The Government are most anxious to do all that can be done to remove the special difficulties which exist in these localities. In regard to plague, the problem is a most complicated one and cannot be remedied by any one remedy or in any one locality, but with a view to concert measures for dealing with it, the Government have arranged a conference which will take place next week and the Sanitary Commissioner of the Government of India has also kindly consented to attend it, which we hope would thresh out the best measures that can be taken to deal with plague. Then, as regards roads, the Council are aware that special grants are made to the boards which happen to be affected by the prevailing high rates, Bellary, Anantapur, Kurnool, etc., so that some help has been given to enable them to improve their district roads and to put them in order. A grant of 1 lakh of rupees from Provincial funds has been entered in the budget estimates for the bridge at Kurnool and work there has been commenced. There remains the question of railway transport. This is not merely a local matter, but it affects the whole Presidency and indeed the whole of India, and it has to be considered in conjunction with many other matters, possibly in conjunction with transport by sea and the revival of coast trade. A few days ago, Government entrusted the task of making inquiries on these matters to Mr. R. B. Wood, formerly Collector of Tanjore, who is at present on special duty in the Munitions Board, examining the question of tanning materials, regarding the supply of hides and whom we have asked to take up this question of traffic and transport facilities. We hope in this way to obtain such control over transport and traffic as will enable the Government to exercise a somewhat moderating influence upon prices and as has been pointed out by the previous speakers on the resolution we recognise that this is one of the most important aspects of the question."

"It will probably be asked whether it is intended to go further to deal with the prices of such articles as cotton-goods and kerosene-oil which are specially high. The Honourable Mover and Seconder of the resolution, both of them referred to this possibility. They spoke of the drastic action by Government and they referred to the appointment of a controller and the fixing of prices. I should like Honourable Members as practical men to consider a little more closely what these proposals mean and involve. Let us take, in the first instance, articles imported from outside the country such as piece-goods. We may take the annual consumption of piece-goods in Madras is about 150 to 200 millions of yards. We might assume that there is supply in this country sufficient for a year's consumption which is constantly dwindling, and unless additions to that supply can be made and unless the dwindling is prevented, the stocks in the country must get totally exhausted. The wholesale dealer, when he finds his stocks falling, and no means of immediately replacing them, sets to work to check this depletion by raising the price. If he doubles his price, he checks consumption. Numbers of people who will otherwise buy will be deterred by having to pay more and will go on with their old clothes and put off buying new clothes. The merchant, therefore, acts as an un-official regulator of prices. Though the rise of prices benefits him, he acts as just in accordance with the state of the market. When the supplies come in, he lowers the rate; and if railway facilities are still more restricted and there is less produce, the prices are raised. It has many advantages. Suppose the Government came in and ordered the merchant to sell at pre-war rates or some rate which is reasonable. First of all, the holder may refuse to sell at our rates and then we would be compelled to take over stocks and undertake the task of a piece-goods merchant throughout the length and breadth of the country. That, the Council will agree, will be a serious responsibility to undertake. Secondly, the reduction in selling prices removes the incentive to larger import and it also checks the incentive to increase in the local production and it is an effective weakening of confidence. No one knows when Government begin to interfere, where it would stop and private enterprise would suffer, once it is weakened. Lastly, it takes off the automatic check on consumption which it is the function of the merchant to apply and so brings the country more rapidly to the day when all stocks will be exhausted. I think the Council will agree that any attempt to fix prices should be only adopted as the last resort and with the greatest possible caution. Those remarks apply not only to the case of piece-goods, but to other articles such as kerosene-oil, petrol, etc., which are all imported and of which the supply cannot be immediately increased. The rise of prices is, no doubt, a great hardship, but in so far as it enforces economy, it has its useful effect. Although Government interference has been resorted to in Bombay it has yet to be proved that such active interference with the ordinary course of trade would be a wise step here even if it be wise there. Personally, I should like to adhere as long as possible to the ordinary operations of private trade."

"The case as regards food-grains, salt and probably fuel is somewhat different. As regards these articles, it is absolutely necessary that prices should not rise beyond certain levels or there will be danger of actual famine and the Government may therefore be forced to interfere in certain eventualities. We hope there will be no necessity for it, and we rely upon railway traffic. There is no doubt that a point will be reached when something might be necessary. We have accordingly asked the Government of India to enable us under the Defence of

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India Act to empower our district officers to obtain exact information regarding the stocks of all articles of common use. That power is an essential preliminary to any further measure. We believe that the very fact that our officers would have power to call upon dealers to declare stocks would have a tendency to check profiteering and at any rate the possession of accurate information on that subject is a necessary preliminary before we can decide whether anything further is necessary. We wish to proceed mainly by indirect means and avoid direct interference with trade. At the same time, in order to be prepared for all eventualities, we wish to arm ourselves with the power, so that, should the trouble occur, we might be prepared. I should like the Council to clearly understand that the Government do not at present believe that any serious trouble is likely to occur. The rise of prices which has occurred and which has been referred to in this resolution is serious enough locally, but the Government have reason to think that it is anything more. It is very easy to exaggerate what has occurred. In regard to grain prices, the price of ragi and the price of rice in the month of January 1918 were actually lower in eight districts than they were in January 1911, that is, before the war began. These local rates are due to local causes and on the whole there is no serious ground for alarm. Government have every confidence that these and other local increases can be successfully dealt with, and while certain articles of an imported nature may and must continue to go up in price, if the war lasts, the general supplies of the country will continue to be sufficiently adequately maintained. "It cannot, however, be wrong while I am on this point for me to tender one suggestion to the Council and through the Council to the public, and that is the general need for economy. I think it will be generally recognized that the time has come when everyone in India must economise his individual expenditure wherever possible in every direction. It cannot be supposed, for a moment, that a suggestion of this sort is meant for the poorest classes whose expenses are limited to the barest necessities, but there is a large population which could economise. I have seen most extraordinary figures in the expenditure proposed to be incurred in wealthy families on marriages which involve an enormous amount of railway traffic and purchase of cloth. That is only an illustration. There is a margin for economy and I address all the well-to-do classes, both Indian and European, whose outlay is susceptible of economy in many ways. I hope that all such classes will economise in cloth, petrol, kerosene-oil, etc., will reduce the consumption and will thereby assist the Empire really by making the existing stocks go further.

"I fear I only dealt imperfectly with the main subject of prices, but it will take much too long to attempt to deal with it completely and I want to deal with it only to say that the Government have got the subject before them and have resolved to take whatever action that may be necessary in order to deal with any emergency, and that, at present, they do not consider that there is any room for alarm or for any heroic measures and they hope that, in dealing with this position, they will be assisted by the well-to-do classes, who will, I trust, preach to their friends and themselves practise the virtue of economy. I hope this statement will satisfy the Honourable Movers of the resolution. They will see that the Government are inquiring and will continue to inquire into the causes of the rise of prices and are considering what action is necessary with reference thereto and specially in the matter of transport facilities, and with this assurance, I hope they may be content to withdraw the resolutions which they have very naturally and rightly put forward before the Council."

The Hon'ble Mr. A. T. G. M. AHMAD TAMBİ MARAKKAYAR:—"Your Excellency, this is a very important question to which the attention of the Government must be drawn immediately. The action of the Bombay Government is very necessary and, unless our Government take similar steps, the rise in prices of foodstuffs will not be sufficiently put down even after the war is over. It will take many many years for the prices to go down. The people of this Presidency have taken undue advantage of the war by increasing the prices, even of the local produce, such as vegetables, fish, bricks and chunnam. There are so many important buildings and other constructions which are still pending, owing to the high prices of material. Even the wood that is grown in India, for example, teakwood from Malabar, which is not imported from England or any other place, which does not come from any distant places, is sold at high prices. It is all well and good for the goods that are imported from foreign countries that their prices should go up, because of freight and other reasons. But I do not see any reason why, for the produce grown in India itself, prices should go up. I agree for one reason that the railway transport of even the stuff grown in Madras itself has contributed to the rise in prices. But it is all undue advantage which the people of this Presidency have taken. A few people are making a good profit and becoming rich, but this tells very seriously upon the large population. I do not believe that there is any remedy that will minimize the difficulties, unless and until such a committee as was established in Bombay is appointed in this Presidency and unless we get them to deal with the matter. So I strongly support the resolution moved by my Honourable Friend and I only hope that the Government will take immediate steps to minimize the difficulties felt by large number of the people."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I have heard with great interest the full, and I should consider, satisfactory statement of the whole situation which has been made by the Hon'ble Sir Alexander Cardew. It seems unnecessary to deal with the world factors of trade, currency and commerce and I am certain most Honourable Members would agree with me that a great deal of our difficulties is really, at present, due to tonnage and railway transport in India. There is absolutely no doubt that a great portion of the present rise in prices is due to these two main causes as regards the articles imported into this country

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(Mr. M. Ramachandra Rao.)

But, my Lord, there are three or four matters to which I would like to invite the attention of the Honourable Member. I have some information that in the districts that produce paddy, stocks are being held up by merchants. The Honourable Member who replied to this resolution stated that all that can be done is to remove local causes as far as it is possible to do so, and in that conclusion I generally agree. My Lord, as regards grain, I have been told from the inquiries that I made in the districts to which I belong that merchants are storing up produce such as that which is available; and though there are difficulties of transport, some portion of the present rise in prices is due to this present tendency of storing up grain against their probability of realizing better prices later on. I am certain that the information which the Hon'ble Sir Alexander Cardew would obtain through the Collectors about the stocks would probably enable your Excellency's Government to deal much more effectively with this question of holding up stocks. I must say that even in my part of the country where we are very much better off than in the Ceded districts, I have heard from the lower classes many complaints about the dearth of food, and it has been suggested in the neighbourhood of Ellore that some of those Pandhams are hard hit and have more than once entertained the idea of looting the bazaars. I, therefore, think that, as soon as information is available, if any action can be taken locally in localities, where this tendency to store up against better prices is seen, to minimize it, I think it would be a step in the right direction.

"As regards salt, we are all aware that municipalities have been permitted to purchase it and authorize its sale on favourable terms to consumers. I venture to suggest that, at present, we have no authority to spend municipal funds on the purchase of salt. As soon as this order was received I asked two or three merchants to make deposits of their own money in order to enable me to purchase some salt from the factories. I am glad that my suggestion was carried out and they were good enough to deposit some amount of money in the municipal office, about Rs. 800 or Rs. 900 to start with. I would respectfully suggest to your Excellency's Government that you may immediately authorize the municipalities to incur from municipal funds any expenditure which may be needed for the purchase of salt. Salt is a monopoly and the Government have every right to regulate prices and there should be no difficulty at all so far as kasha towns and headquarter stations are concerned, where with some kind of organization the municipality can get the necessary quantity of salt and sell it at practically the cost price, and even if the municipalities should go to the length of incurring some loss, I am certain that the municipalities would be only too glad to do so in the case of the poorer classes, if necessary.

"On the subject of kerosene-oil, I was told before I came here that some of these companies have requested the divisional officers to watch their sub-agents. I do not know how far it is true. I have had the information from the Divisional Officer of Ellore. I endorse everything that was said on this matter by my Honourable Friend Mr. A. R. V. Krishna Rao as regards the sub-agents. From the information that I have, these sub-agents seem to transfer all the stocks that they get from Madras to some middlemen and then sell it at extortionate rates. I was told that some company has asked the divisional officer whether he could assist it in seeing that their sub-agents do not resort to this expedient. Perhaps, my Honourable friend Mr. Gordon Fraser would enlighten me on this matter. I think it would be a right step if these companies in Madras would invite municipalities and municipal authorities also to co-operate with them and see that their sub-agents' accounts as regards their sales are subjected to some kind of scrutiny. I have no doubt that there is considerable fraud in the matter and I have no hesitation in making this statement.

"As regards clothing, I am entirely with the Hon'ble Sir Alexander Cardew that the difficulties are insuperable. We do not know what the existing stocks are in the country and unless we have information I do not think it would be possible to take any action. At the same time, I know that the middlemen have had a very roaring trade for the last one or two years. In some cases merchants in Madras have sent round to the mufassal, agents to purchase in advance what is available in the mufassal and vice versa. There is considerable room for some palliative action in these three matters, namely, salt, grain and clothing, independently of the larger questions of tonnage and transport. If your Excellency's Government can do something with regard to these three things, it will be a great relief to the poorer classes. Finally, I should like to make another suggestion and that is, in most of these towns where the pinch of poverty has been pressing very hard upon the poor, it is necessary to establish some kind of agency to sell these commodities in small quantities. I think I would make a suggestion for what it is worth—if the Hon'ble the Finance Member would relax his stringency and place about Rs. 25,000 at the disposal of each municipality, to see what they can do in purchasing small quantities of grain and small quantities of necessities and dispose of these only to the poorer classes in small quantities, I think a great deal might be done in that respect. I do not know whether it is feasible. We have about Rs. 196 lakhs as our provincial balance. If your Excellency's Government have any power to relax the rules, or take power to relax the rules and allow local bodies to draw to the extent of Rs. 25,000 for the purchase of these necessities of life, for being re-sold without the middleman's profit, it will be a great boon to the poor people. There were some private organizations when difficulties like this occurred. My Honourable Friend Mr. Suryanarayana Murthi Nayudu of Cocanada and other friends have with some amount of capital purchased day after day some quantity of grain and sold it in small quantities to the poorer classes without the middleman's profit. It is quite possible to do so in most places. It will be simpler, if your Excellency's Government can see your way to relax the rules and place some amount of money at the disposal of the municipalities, to be returned by them, of course; I do not think it will be a bad bargain.

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"We have had numerous complaints about all these three or four articles. As regards the price of clothing, it is actually three or four times pre-war rates. I submit with all respect that while with regard to the general situation arising from transport difficulty and want of tonnage that portion of the statement made by the Hon'ble Sir Alexander Cardew is unanswerable, it seems to me that it is quite possible to take some palliative steps and I suppose as soon as the permission of the Government of India is obtained, if it is possible to evolve some kind of scheme it would save these poorer classes from their present hardships.

The Hon'ble Mr. GORDON FRASER :—"Your Excellency, while I do not exactly support this resolution, I have considerable sympathy with these two resolutions before the Council. As regards the inquiry by the Hon'ble Mr. Ramachandra Rao, regarding profiteering in kerosene-oil, I do not think it is the sub-agents' fault, as in any of these towns in which sub-agents are located, it is possible for any consumer to go to the sub-agents and purchase the oil at the actual recognized price. We do our best to stop profiteering by constant rounds of visits by inspectors who visit all these sub-agencies. You get black sheep however in every fold. Where the trouble comes in is in the scarcity of the supplies of oil available. The amount available has been far below the demand. In such cases, there is room for profiteering. The dealer comes along and purchases oil from the sub-agent and he takes it to the up-country villages and makes the price pretty well what he likes. In Ootacamund the municipality asked us to do what we could to assist them to keep the prices down. The municipality have now opened a small depot themselves and oil is retailed there to any one who wants to buy. It is not possible to get further supplies than we are getting at present. I expect supplies would still remain scarce. But it is possible to get the price down to a fixed limit. Any purchaser can purchase from the sub-agents at the rates recorded on the sub-agents' board. If not, a complaint to one of the head offices would very soon settle matters. I quite agree with the Hon'ble Sir Alexander Cardew as to the difficulties in dealing with this question. It is most complicated and there are many pitfalls ahead. In the inquiry they are having in Bombay now, principally directed to the control of the price of cloth, four main questions were put forward :—(1) Would it be possible to fix the basis for weaving charges.

(2) If it be possible, what that basis should be?

(3) If the Government propose to control the price of cloth, would this also entail the control of the price of raw cotton?

These are easy to answer; you can fix the basis in regard to the first two. If you want to control the price of cloth, you must certainly control the price of raw cotton also.

(4) What control is feasible?

I should like to know what the committee is going to do. I am watching it with interest. There is no doubt that Indian cotton has gone up three or four times its previous value. But a large percentage of the cotton crop is exported and if you control prices and if you tell the cotton grower that the price is not to exceed so much, you then give the profit to the foreign buyer to the detriment of the Indian ryot in this country, which I do not think any one wants for one moment. Then, in regard to the cloths from England, prices have gone up. Even, at the present time, the prices at which they are selling are below the price at which manufacturers can make them. Merchants are selling their stocks which they got six months ago. One thing strikes one about these high prices. In times like this, India must be self-supporting. There is no reason why the poorer classes should buy one single yard of imported manufactured cloth. They have cloths from local Indian mills which are well woven and which are quite durable. They are not quite so finely finished, but for durability they surpass anything else. Practically all the foodstuffs are indigenous which the poorer people take. The crux of the whole question, as the Hon'ble Sir Alexander Cardew pointed out, is the lack of transport. At the present moment, there is a shortage of wagons and lack of transport on railways. We find excessive supplies in one place and shortage in another. With districts, selling for double the price to the local people, to what they sell at in the larger markets, to which they are despatched. This is profiteering. I think there are probably many cases where interference by the Government would have a good effect and I hope it will be possible for the Government to look further into the matter. As I said before, I think the principal trouble is the lack of transport and this is inevitable; but is it likely to get better?"

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU :—"Your Excellency, I have two remarks to offer on this question. With regard to the remedies, I would at once submit that instead of having a separate Controller for foodstuffs, the Collector of each district and the divisional officer might be constituted ex-officio controllers of foodstuffs because they can control the local conditions in each district. The Collector can see what the prices are, and how far he can regulate prices. Instead of one officer trying to regulate the prices for the whole Presidency, the Collector of each district will be in a better position to control the local prices for each district. I would limit it to the divisional officer to carry it through.

"Then, with regard to the assistance that the Government can directly render, I think the Government can render assistance with regard to fuel and salt. Government can open fuel depots and direct that fuel should be sold at particular rates; they can ask zamindars, where they cannot directly do it, to sell it at particular prices. For instance, in my district, there is a Government depot and the Maharaja of Vizianagram and the Maharaja of Jeypore have also got depots and they can be directed to sell at particular rates in which case there will not be much difficulty.

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"With regard to salt also, the Government may be pleased to fix a particular price and open depots, so that salt might be easily available to all people, poor and rich alike. The Hon'ble Mr. Siva Rao said that there might be a danger hereafter and that there might be looting. Might I submit for the information of the Council that even four months ago there was actually looting in the Pandur bazaar, because certain commodities were not sold at the ordinary rates. There was that big riot and about 70 or 80 people took part and when it came up to the sessions, the case had to be thrown out, because in that mob, who actually hit could not of course be found out and identified. It is no wonder that there should be looting; and when there was looting four months ago, I should not be surprised if there should be further riots of that sort.

"Even in regard to local articles, it is rather surprising that prices are rising like anything. The Hon'ble Mr. Ahmad Tambi Marakkayar mentioned chunam. It is now selling at Rs. 30 to Rs. 33 a garce whereas it was selling at Rs. 12 a garce. Even with regard to vegetables—there are some things where, in spite of the Hon'ble Sir Alexander Cardew's advice, it is impossible to observe economy—which we want every day, the vegetable-dealer brings a single brinjal and asks 3 pies for it and says that the high price is on account of war. What is the meaning of it, what has war to do with him and how does it affect him? The fact is that people are making enormous profits. It is regular profiteering and not making profit. Everybody is taking advantage of the present circumstances. That is why I suggested at the outset that probably the Collector of the district would be able to control prices with the help of the divisional officer or with the help of the municipal chairman or presidents of taluk boards and district boards and union chairmen in the respective taluks.

"With regard to cloth, one thing might be done. The Collector might be empowered to purchase some of these mill cloths and to sell them, so that prices may not be very high. No doubt, we can observe economy on marriage occasions, but how are we to avoid the daily necessities of life. How can we fail to provide people at home with ordinary clothing and with the ordinary necessities of life? Even with regard to them, we are asked to pay very high prices 150 or 200 per cent over the old prices. I think the Government may come to our rescue and get some of these mill cloths prepared in Indian mills and offer them for sale or some capitalists might be encouraged to buy these things and sell them at a reasonable profit. I submit that the help of the Government is absolutely wanted and nothing can be done without the help of the Government. These are some of my humble suggestions in this matter."

The Hon'ble Mr. P. SIVA RAO :—"Your Excellency, I have listened to the full, frank and sympathetic statement of the Hon'ble Sir Alexander Cardew in regard to this matter. It shows a sincere desire on the part of the Government not merely to inquire into the evil but also to try to cope with it. But, my Lord, I am not quite satisfied that in the action proposed to be taken by the Government, they have gone to the full length that they ought to go. In this matter, I may say that when I proposed the Controller of Prices, I did not want that officer to take drastic steps and fix prices all at once. Even in Bombay they have not done that. In the order published in the *Hindu* of the 16th February we find: 'The Bombay Government have issued a press note indicating the arrangements made for the regulation of prices. The Controller of Prices will be assisted by committees of assistant collectors. The duties of one assistant collector will be to ascertain stocks, prevailing prices and probable arrival and departure of goods. One will maintain statistics and another will look after foodstuff supplies. Ward-committees have been constituted who will be in immediate touch with the people and receive their complaints. They will establish grain-shops and sell household necessities in common varieties of cloth—mill-owners have undertaken to open shops for the sale of food-grains to their employees. They will also sell cloths at wholesale prices.' But even here, it is not proposed to take steps to fix the price of articles."

The Hon'ble Sir ALEXANDER CARDEW :—"Does this refer to the town of Bombay only?"

The Hon'ble Mr. P. SIVA RAO :—"I think to the suburbs also. I quite agree with the Hon'ble Sir Alexander Cardew that it is a very complicated matter, because some world factors operate in bringing about this result. I do not think we, sitting here, can control or shape the course of events happening elsewhere throughout the world. In the case of grain, much may be done if a Controller is appointed. But I do not want to divide the Council as the Government are very anxious to do something in the matter. A Controller may be appointed for the whole Presidency and he may visit the various parts and consult the Collectors, form ward-committees and ask them what they will undertake to do to open grain depots, to get stocks from places where they are grown in plenty, arrange for transport facilities, start grain-depots under the auspices of the Government or of the local bodies and ask them to sell these at stated prices or get big grain merchants to sell them at fixed prices.

"In the case of kerosene oil, we can approach big companies and we can ask the local bodies to purchase the oil wholesale from them and open a kerosene depot.

"In the case of fuel, most of it comes from Government forests. They can regulate prices as a temporary measure as they have done in the case of salt. Improvement is possible on these lines. I do not see any reason why we should not appoint a Controller; even if he cannot keep down prices by other means, let him recommend to Government to fix the prices under the Defence of India Act. I do not think that that extreme step would be necessary; but if any trouble should arise, we should be prepared to take that step. There is no reason why Government should not make this arrangement and ask this officer to go round and form committees in consultation with Collectors and take some practical steps to bring these prices down."

(Mr. K. R. V. Krishna Rao; the President.) [3RD APRIL 1918.]

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"The rise of prices—"

His Excellency the PRESIDENT (interrupting):—"Does the Honourable Gentleman propose to add anything to the reply made?"

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"I have got a right of reply."

His Excellency the PRESIDENT:—"If the Council wish to hear you, it is alright."

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"I shall not take up the time of the Council, I shall only make one or two remarks. I made it clear in my seconding this resolution that the price of some of these articles of necessity varies in different parts of the country and in different parts of the Presidency very much; for instance, the price of one article of necessity in the north of this Presidency is half the price of the article in another half of the Presidency and these prices can be regulated very well by arranging for a supply of wagons where these articles are in abundance, or where they are sold cheap, and those places where they are scanty and where they are sold at high prices. This is one of the suggestions I made and this I think can be done without much inconvenience. If prices are on the same high level throughout India, nothing can be done at present under these war conditions. As regards the prices prevailing in the country with regard to articles of indigenous supply and growth, the prices might be regulated by the regulation of transport facilities and also by opening up transport between places according to the prices prevailing in those localities.

"As regards the price of kerosene oil, I should like to say one word in reply to the remark made by the Hon'ble Mr. Fraser. No doubt, sub-agents are given instructions to give deliveries of oil to those that apply to them for oil, but these sub-agents have not been in fact doing that. They sell it to one or two individuals and when other people go for small quantities of oil, they say that the quantity of oil which they were allowed to sell for the week was already sold away and exhausted. That is how the mischief is done. That mischief must be counteracted by either the municipality taking up and selling kerosene oil or by the agents of these kerosene oil companies giving stricter instructions to sub-agents asking them to give small quantities to private persons that may apply for oil. I am only suggesting that measures may be adopted with regard to such articles of necessity as are produced in this country and whose prices can by some interference or other, of Government agency, be regulated.

"As regards imported cotton cloth, I know the difficulties and I do not think it is possible to regulate the price. But as regards the cotton cloth manufactured in the country I think some sort of control may be placed on prices and I also suggest that when measures are taken for controlling the price of cloth, the consumption and also the sale and also purchase of cloth might be regulated. In that way, it is possible to do something towards counteracting and checking the growth of prices of these articles of necessity."

His Excellency the PRESIDENT:—"Does the Honourable Gentleman wish to press the resolution to a division?"

With the permission of His Excellency the President, the resolutions were then withdrawn.

The Council then rose for the day to re-assemble on Thursday the 4th April 1918.

R. A. GRAHAM,

Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Thursday the 4th day of April 1918.

PRESENT:

His Excellency the Right Hon'ble JOHN, Baron PENLAND of Lyth, P.C., G.C.I.E., Governor of Madras—*Presiding*.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O.

The Hon'ble Mr. L. E. BUCKLEY.

The Hon'ble Mr. A. BUTTERWORTH, C.S.I.

The Hon'ble Mr. M. E. COUCHMAN.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble Lieut.-Col. G. G. GIFFARD, C.S.I., I.M.S.

The Hon'ble Mr. R. A. GRAHAM.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. A. R. KNAPP.

The Hon'ble Mr. S. B. MURRAY.

The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).

The Hon'ble Mr. J. H. STONE, C.I.E.

The Hon'ble Diwan Bahadur L. D. SWAMIKANNU PILLAI Avargal, I.S.O.

The Hon'ble Mr. C. G. TODHUNTER.

The Hon'ble Mr. T. RANGA ACHARIYAR.

The Hon'ble the Rev. G. PITTENDRIGH.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU Garu.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

The Hon'ble Mr. P. SIVA RAO.

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.

The Hon'ble Mr. K. SADASIYA BHAT.

The Hon'ble Mr. K. RAMA AYYANGAR.

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU.

The Hon'ble B. RAJA RAJESWARA SETUPATI *alias* MUTTUBAMALINGA SETUPATI Avargal, Raja of Ramnad.

The Hon'ble Mr. B. VENKATAPATI RAJU.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.

The Hon'ble Mr. K. KUMARAN RAMAN KAVALAPPARA MUPPIL NAYAR.

The Hon'ble YAQUB HASAN SAHIB Bahadur.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBHI MARAKKAYAR SAHIB Bahadur.

The Hon'ble Mr. GORDON FRASER.

The Hon'ble Mr. C. H. HIGGINBOTHAM.

The Hon'ble Sir FAIRLESS BARBER, *Kt.*

The Hon'ble Sir GHULAM MUHAMMAD ALI SAHIB Bahadur, Khan Bahadur, G.C.I.E., Amir-i-Arcot or Prince of Arcot.

The Hon'ble the Most Rev. JOHN AELEN, D.D.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.

The Hon'ble Mr. T. RICHMOND.

The Hon'ble Sir FRANCIS SPRING, K.C.I.E.

The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.

The Hon'ble Sri SOBHA CHANDRA SINGH DEO, Zamindar of Serugada.

The Hon'ble Raja, RAJA SRI RAYU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Bobbili.

596 RESOLUTIONS *RE* PROVINCIAL FUNDS AND PROGRAMME OF ROAD
CONSTRUCTION IN CERTAIN AREAS AND INCREASED POWERS
TO LOCAL BODIES.

(*The President; Mr. Rama Ayyangar; Mr. Siva Rao.*) [4TH APRIL 1918.

His Excellency the PRESIDENT:—"What about resolution No. IV?"
The Hon'ble Mr. K. RAMA AYYANGAR:—"I will take it up at the end."

PROVINCIAL FUNDS AND PROGRAMME OF ROAD CONSTRUCTION IN
CERTAIN AREAS.

The Hon'ble Mr. K. RAMA AYYANGAR:—"I do not propose to move resolution No. VII now. I shall take it up at some other meeting."

With the permission of His Excellency the President, the following resolution, of which notice had been given, was not moved:—

'VII. This Council recommends to His Excellency the Governor in Council that a programme showing the total mileage of roads expected to be constructed in the places noted hereunder and the total expenditure proposed to be incurred by the contributions of Provincial finances by allotments made year after year may be prepared and laid on the table:—

(1) The total mileage of roads yet to be opened in Malabar and South Kanara districts with the cost thereof.

(2) The total mileage of roads yet to be opened in all the Agency tracts with its costs.'

INCREASED POWERS TO LOCAL BODIES.

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, the resolution that I propose to move runs thus:—

'VIII. This Council recommends to His Excellency the Governor in Council that increased powers may be vested in the local bodies on the lines laid down by the Decentralization Commission in respect of the following matters:—

- (1) the framing of their budgets,
- (2) the control of their services,
- (3) the alteration or revision of taxation within the limits imposed by law,
- (4) the starting and execution of their works, and
- (5) the general exercise of their functions.'

"Your Excellency, the municipalities and local boards, in other words, the local bodies were constituted on their present basis in 1884, when the Local Boards Act and the District Municipalities Act were passed. Since then, in spite of the good intentions of Lord Ripon, matters have remained where they were. Nearly 35 years have elapsed and there has been no marked improvement in the matter of these local bodies. The same official control to which they were subjected to in former days prevails even now. Your Excellency, before I proceed further, I may just remind Honourable Members of this Council what Lord Morley stated in his reform Despatch of 1908 when he inaugurated the constitutional reforms. Speaking of local self-government he said:—"If local self-government has so far been no marked success as a training ground, it is mainly for the reason that the constitution of the local bodies departed from what was affirmed in the resolution to be 'the true principle' that the control should be exercised from without rather than from within. The Government should revise and check the acts of local bodies, but not dictate to them. I have no doubt that the Government of India to-day will affirm and actively shape their policy upon the principle authoritatively set forth by their predecessors in 1882—"it would be hopeless to expect any real development of self-government if the local bodies were subject to check and interference in matters of detail and the respective power of Government and of the various local bodies should be clearly and distinctly defined by Statute, so that there may be as little risk of friction and misunderstanding as possible within the limits to be laid down in each case. However, the Governor-General in Council is anxious that the fullest possible liberty of action should be given to local bodies." In spite of the elaborate wording of the resolution, the essence of the resolution comes to this: it asks that these local bodies should be freed from official tutelage, under which they have been labouring so long. A complete and larger measure of autonomy should be granted to these local bodies in the general exercise of their powers.

"Then, I will take the Honourable Members of this Council to the recommendations of the Decentralization Commission which was appointed in the year 1908. They made elaborate inquiries and recorded evidence and their conclusions are embodied in a report. The main conclusions they arrived at, I wish to draw the attention of this Council to. In paragraph 818,

RESOLUTION *RE* INCREASED POWERS TO LOCAL BODIES.

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they say:—"The principle that should be observed is that if a local body has to pay for a service, it should control it, and that where it is expedient, that the control should be largely in the hands of Government, the service should be made a Provincial one."

"I may just illustrate this recommendation with reference to practical instances. We may take, for instance, the plague service, with which I have been dealing so long. The plague service is paid for mostly by the local bodies and yet they have no control whatever over it and their recommendation is that if the Government hold it expedient, that the control of plague-policy should be in their hands, the service should be a Provincial one. Then, in the case of the medical service, if the local bodies pay for it, their recommendation is that the control also should be with them.

"In paragraph 819 of their report they recommend:—"Like rural boards, municipal councils should be at free liberty to obtain the advice of a Government Engineer, in regard to the inspection of works; or in respect of estimates for construction or upkeep, but the existing restrictions which require outside sanction for works estimated to cost more than a certain amount should be done away with."

"Then, with regard to education, in paragraph 822 they recommend:—"Our recommendation that rural boards should have the management of their educational institutions applies with still greater force to municipalities and they too should be relieved from the hard and fast restrictions of the Provincial Educational Codes and departmental rules. The present restrictions are calculated to weaken the responsibilities of municipalities for educational work."

"With regard to medical work and vaccination, paragraph 823 lays down their recommendations:—"As in the case of rural boards, the council should be able to recruit its own hospital staff, subject to the possession of general qualifications to be laid down by Government, but with liberty to borrow Government officers in case it cannot otherwise obtain competent men."

"I may say something in regard to the Medical Service. For the present, the District Medical and Sanitary Officer dictates to the municipalities. I may say, my Lord, that the District Medical and Sanitary Officer is a very powerful being and he always stands on his dignity in his dealings with these local bodies and he imposes his own views upon them. I may instance one actual instance which happened recently in the case of a dispensary which is exclusively under the management of the municipality. The District Medical and Sanitary Officer had to appoint a sub-assistant surgeon to take charge of it. The rules require that the municipal chairman has to appoint the sub-assistant surgeon on the recommendation of the District Medical and Sanitary Officer. They are all right. There is absolutely nothing wrong with the rules, but the way in which they are carried into effect is that the District Medical and Sanitary Officer appoints a man, without even the courtesy of consulting the chairman in the matter, and then transmits the appointment to the chairman for its being noted. The poor chairman finds fault with it, but the District Medical and Sanitary Officer does not give any reply to it. But when the pay-bill comes, the chairman has no option but to pay. When an institution is in charge of a municipality, the chairman should have sole power of appointment. No doubt he is bound to take the advice of the District Medical and Sanitary Officer, but this officer should not be all-in-all. It is unnecessary to multiply instances in a matter like this. There have been differences over midwives carrying a salary of Rs. 15 and Rs. 16; we had taken them at our expense and we have taken a two years' agreement from them but the District Medical and Sanitary Officer transfers them. We protest against the transfer, but he does not heed our protests. When we appoint a midwife, he gives instruction to the sub-assistant surgeon not to entertain her. Such instances ought to be put an end to. We should have the sole power to appoint sub-assistant surgeons, of course, on the recommendation of the District Medical and Sanitary Officer.

"As regards sanitation, the Commission say in paragraph 829:—"Municipalities have in most Provinces to obtain sanction from the local Government or from a representative of Government such as a Commissioner in the case of sanitary works of any appreciable importance. As in the case of rural boards, we recommend the removal of these restrictions, it being understood that municipalities shall have full right to the advice of Government experts for this as for other services."

"As regards rules that the local bodies should devote specific percentages of their income to specific purposes, the Commission are of opinion that there should not be any hard-and-fast rule in the matter. Lastly, with regard to the budget which is a most important affair, they say that the local bodies should have a free hand in regard to their budgets though these should go through the Collector to the Commissioner for information and that the only check required is that each municipality should maintain a minimum standing balance to be prescribed by the local Government. Then they also suggest that in the case of particular services, like Sanitation, Education and Medical Service, information regarding these particular heads may be sent to the heads of the department but they will have nothing to scrutinize, and they also observe:

"The full powers here proposed will, no doubt, occasionally lead to mistakes and mismanagement, but we consider that municipalities can attain adequate financial responsibility only by the exercise of such powers and by having to bear the consequences of their errors. They cannot make real progress if constantly kept in financial leading strings, nor can local self-government become a reality if local bodies are habitually protected against themselves."

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"I may also draw the attention of the Honourable Members of this Council to an old Government Order passed in the year 1912, G.O. No. 696, Revenue, dated 7th March 1912, wherein they say: 'The Government cannot accept unreservedly the Board's view that the supply of fuel might be left to be controlled altogether by the laws of supply and demand. The Forest department must, in the opinion of the Government, remain subject to the obligation to control general fuel supply of the Presidency. In order to attain this end, it will perhaps even be necessary to retain departmental depots in the larger towns, just as the Government retained a large number of Government salt factories to prevent a monopoly being established in salt.' My Lord, there is reference to the view throughout the Committee's report and the review of the Government on it that the Forest Department are the trustees for the people and they must serve their convenience. If that view is to prevail, in a case like this when prices have risen to an extraordinary extent, Government ought to interfere. They have done so in the case of salt. There is an analogy. Government have a monopoly of salt and they have interfered. They have started depots or at any rate they propose to start depots, and they have already induced local bodies to purchase salt and sell it at reasonable rates. I wish, Your Excellency, that the same policy or the same course should be adopted in the case of fuel also. In fuel, as I stated, they have got a sole supply of it in the Presidency, at any rate, in most of these districts, and the Forest Department ought to regulate it according to the Government Order. Once more, I state that there is absolutely nothing in what I propose which goes against the proposals of the Forest Committee. They make a provision that in exceptional circumstances, should the Government regulate prices, and I put it to the Government that such a contingency has arisen now, and that the Government ought to interfere. This will be only a temporary measure until prices are brought down. I think these circumstances are due to war conditions and they are not going to remain for a long time."

The Hon'ble Mr. K. SADASIVA BHAT:—"Your Excellency, I formally beg to second this resolution."

The Hon'ble Mr. M. E. COUCHMAN:—"Your Excellency, I was awaiting with much interest to hear how the Hon'ble Mr. Siva Rao would reconcile his motion with the findings of the Forest Committee. At a meeting which we had in February, I ventured to criticise the conclusions of the Forest Committee in one small point and Honourable Members were jumping down on my throat at the idea of my criticising the findings of this Committee which have been universally accepted by the Government and the public. I was given to understand that the findings of the Committee were all verbally inspired and that it was nothing short of sacrilege to question any of them. Now, this question of fuel supply is gone into at great length by the Forest Committee and they devote eight very long and elaborate paragraphs to the subject. Their conclusion is most emphatic, that the Government should have nothing to do with the fuel supply. The Hon'ble Mr. Siva Rao agreed with the conclusions of the Forest Committee, but he tries to evade the difficulty by saying that the Forest Committee make a provision that in the case of a combination of dealers to the injury of the consumer or of any other breakdown of the contract system, the Government should however, take such measures as may be indicated by the circumstances in each case and make the produce of the forests available direct to the consumer at a fair market rate. It was surely incumbent on the Hon'ble Mr. Siva Rao to show me a list of prices of fuel in the different headquarter towns of the Presidency. He has quoted Trichinopoly, Anantapur, Madura and Madras to show that prices are higher. Taking the whole Presidency, I think the average is rather below Rs. 15 a ton. In Coimbatore it is Rs. 13, in Vellore Rs. 14, in Tanjore between Rs. 11 and Rs. 15, in Cuddapah between Rs. 13 and Rs. 15, in Calicut between Rs. 12 and Rs. 13, in Ganjam between Rs. 7 and Rs. 8, in Ootacamund Rs. 6, in Nellore Rs. 9, in Mangalore Rs. 6, and in Masulipatam between Rs. 10 and Rs. 12. All these are very moderate rates and I think it is impossible to maintain in the face of these figures that there has been anything like a breakdown of the contract system. It seems to me that anything under Rs. 30 is extremely moderate. We manufacture hay on a large scale for the Army Department and the army are paying Rs. 30 a ton for hay. It is far easier to collect and manufacture hay than to carry fuel from distant forests and supply it to customers. Therefore, as a general rule, when the price of fuel is anything under Rs. 30, no such breakdown of the contract system has occurred as the Hon'ble Mr. Siva Rao would give us to understand."

"He quoted an old Government Order in which the reopening of depots was contemplated under certain circumstances, but surely that Government Order must be regarded as having been superseded by the Government Order passed on the report of the Forest Committee in which they emphatically accepted all the findings of the Forest Committee. That Government Order says:—

"The contract system has already received the approval of Government and its general introduction in all parts of the Presidency is only retarded by local difficulties, which the Government trust will soon be surmounted."

"All our depots have been abolished and private enterprise has taken its place. In these war times, the price of fuel in most headquarter towns has remained on moderate scales. For the benefit of those Honourable Members who have not made a study of this I might recapitulate the arguments for condemning the depot system. That was never intended to be anything but a transitory stage from the permit system to the contract system. Immediately after the permit

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system was introduced innumerable difficulties cropped up. It was found that it was impossible to prevent an extensive fraud because when fuel is cut and stored—fuel is measured in measurement and sold by weights—enormous discrepancies arose in the accounts of the department and the most intelligent availed themselves of this opportunity and huge frauds occurred in many districts. To remedy it, the Board at one time proposed to entertain a large staff of itinerant fuel inspectors and accountants to try and check the fraud which was flourishing all over the Presidency, in consequence of the depot system. This proposal was negatived and it was decided that the true solution was to abolish the depot system altogether and encourage private enterprise. Another evil effect of the depot system was that time was wasted in attempting to carry on retail trade instead of attending to the legitimate duties of preserving and improving the forests. It was found, as soon as depots were closed, there was a considerable rise in prices all over the Presidency and an outcry arose from several towns that depots should be reopened on account of the rise in prices. But when each particular case was examined it was shown conclusively that the department was selling far below the proper prices. In South Kanara, the Forest Department, which was supplying fuel to Mangalore, would cart it in bullock carts and ship it to Mangalore by sea. It was found that no proper allowance was made for depreciation of the bullocks or of the boats when they became old and worn out; we had to incur a large expenditure to renew them and we found that we had not been selling fuel at proper prices but far below them. The same thing happened in Salem. In Salem the District Forest Officer was selling fuel at Rs. 6-4-0 a ton and on looking into the matter he found that he had not been charging the cost of making roads in the forest, demarcating and measuring coupes and five years' special protection after the coupes are felled. He had not been charging to fuel account any portion of the permanent staff of the district, which supervised all these operations. The District Forest Officer brought together all the contractors and asked them to reduce the price to the old level of Rs. 6-4-0 and they succeeded in convincing him that it was absolutely impossible to carry on business at Government rates and they said that the lowest rate was Rs. 9-1-0, an enhancement of 50 per cent of the original prices. Circumstances showed that these prices were very low prices. Prices now have risen a good deal and at the present time it varies between Rs. 12-8-0 and Rs. 13-12-0. Ten years ago, we were just selling at half the price, at a loss to Government. The loss that we incurred must be made good by some one; it is made good by the general taxpayer, but it is only a small portion of the population which is interested in the question of fuel at all. These constitute a very small proportion of the whole population of the Presidency. If you want us to open Government depots and sell fuel below cost price, you are asking 80 per cent of the population to pay a tax for the benefit of the small proportion of 20 per cent who live in towns. I think it is clear injustice and I shall not be in favour of it."

"The Hon'ble Mr. Siva Rao might say that without going so far as to sell fuel at the old prices, we might sell fuel at fair remunerative prices. I am doubtful even of that. I think that Government management is much more expensive than private management. If we charge the cost price to the customer, our prices should be at least as high as, if not higher than, those prevailing under private enterprise. Even supposing that we can supply fuel at a lower rate in a few cases than those now prevailing without incurring serious loss to Government, I do not think it would be advisable to try it. When the Government enter the market, private enterprise is discouraged and withdrawn from the market. The contractor ceases to bring fuel from distant places. Suppose in Anantapur the price is Rs. 31, suppose Government open a depot and sell fuel at Rs. 15 what will be the result? We shall have an enormous rush on our depots, all fuel will be sold out and in the meantime private contractors will cease to bring any fuel. In a few weeks there will be no fuel in the town. Private supply would cease. Government supply would be inadequate and the position will be worse than before, because it is far better to have dear fuel than no fuel at all. Even supposing that we could sell without serious loss, it is not advisable for us to attempt to do it."

"The Hon'ble Mr. Siva Rao said that we might do what the Government did with regard to salt to keep stocks. It is much easier to stock salt than it is to stock fuel. In the case of fuel the loss would be enormous. Unless we stock fuel on a large scale, it could not have any effect on the market. The fact is that fuel has risen in price, because everything else has risen in price. Fuel in Bellary is charged Rs. 15 a ton because the coolie who cuts it in the forests and brings it to the town has to pay a much higher price for maintaining himself and his family. A few years ago, they were getting 15 seers of cholam for a rupee. But the Hon'ble Mr. Siva Rao says that it is only 8 seers now. You cannot expect them to work at the same rates. The same thing is true of the bullocks. The maintenance of the bullocks costs more. Transport and labour which are the two chief items in the cost of fuel have risen considerably and it is unreasonable to suppose that the cost of fuel would remain stationary. I do not think that fuel has risen at all disproportionately to the general rise in prices in the Presidency. There is no breakdown of the contract system and therefore I think that the circumstances anticipated by the Forest Committee have not yet arisen and therefore I cannot recommend the Council to accept this resolution."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I am really very sorry that the Hon'ble Mr. Couchman has opposed the resolution now before the Council. He has not considered the resolution at all. The question raised is that fuel depots should be started in particular localities. The Hon'ble Mr. Couchman was referring to localities where fuel was

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selling very cheap, and all the arguments that he advanced would not apply to the proposition that has been placed before this Council. I will take, for example, one instance. He took Bellary, I will take Madura. Prices are same in both cases. Madura is abounding in forests and probably supplies the largest quantity of fuel to the various parts of this province. Ayyalur is a tract which was specially inspected by the Forest Committee and there is considerable reference in their report to what they saw in the forests in that place and in a place like that, where there is a lot of firewood available, it sells at Rs. 24 in accordance with the reply given at the last meeting, and when I left Madura I learnt it was selling at Rs. 25 to Rs. 26 and every day the price of fuel goes up. The question that in South Kanara it sells at Rs. 6 or in other places it sells at Rs. 7 is not relevant to the proposition before this Council. If that is so, it is a greater argument why in these particular localities Government must come in to see that the combination amongst the contractors is broken. If it is a fact that there is no combination among the contractors, the ordinary result should be that from the localities where at Rs. 6 per ton or Rs. 7 firewood is available, it must be transported to other places, subject to the difficulties of transport that we now feel. Whatever may be the difficulties, it will not be impossible to have firewood transhipped to places where the price is almost Rs. 20 or Rs. 21 extra per ton. I submit therefore that the argument of the Hon'ble Mr. Couchman does not hold good at all. It begins with false premises. On the other hand, the real fact is this. I did make inquiries some time back about 1915 when I placed my views before this Council. It was found that Government contractors were actually purchasing firewood at a cost of about Rs. 3 or Rs. 3-8-0 per ton, of course, in the uncut stage. That, it was found, came to Rs. 6½ or Rs. 7 per ton for the contractor to cut coupes and store firewood and bring it to the railway station. That was the calculation. I dare say, the Hon'ble Mr. Couchman will find that my statement is verified when he goes into the details of the inquiry. From Rs. 6½ or Rs. 7 per ton, they should be able to sell at Rs. 10 or Rs. 12 a ton; but it is actually sold at Rs. 25 per ton. Any extra charge for profit may run from Rs. 3 to Rs. 4. Ordinarily therefore it must be capable of being sold at present in Madura whatever may be the case in other places, at Rs. 14 or Rs. 15 per ton. We find it is not possible to get fuel at less than Rs. 25 or Rs. 26. The only conclusion that we can come to is that the Government having sold all the firewood to these contractors they find it possible to rush up the prices in the market and people have no other go but to buy at those rates.

“One argument was advanced that private dealers would not bring fuel and the consequence will be that the Government fuel would be exhausted in a very short time and there would be no more fuel available. I really do not know if it is an opinion on an economic investigation or if the opinion of the Hon'ble Mr. Couchman comes from his knowledge of the world. I think it is a most strange conclusion that it should be enunciated in this Council that fuel would cease to be supplied if the Government sell fuel at Rs. 15 or Rs. 16 per ton. We find actually that in most portions of the Presidency in the principal towns it is charged Rs. 6 to Rs. 9 per ton. If the Government sell at Rs. 15, is it not likely that trade will always assert itself and tranship the fuel available in those places where it sells very low to places where it sells higher? Why should it be, when there is a Government depot provided, that the private forest owner should stop bringing his fuel to the town? He was selling ordinarily till this contract system was adopted by the Government at Rs. 10 or Rs. 12 per ton. The Forest Committee has gone into it in detail. The Government were selling at Madura depot at Rs. 8 previously and subsequently they sold it at Rs. 10 per ton at the time of the visit of the Forest Committee. Since then, it was selling at Rs. 12 and during the last few years it has been possible for all these contractors source available for a town like Madura is the forests of the Government—the greater portion of the district is being reserved and it is cruel that the people there should not have the benefit of the forests all round. The Forest Committee has taken special note of this condition, but, however, in their anxiety to give Government the chance of trying the contract system, they would not make a distinction in the case of Madura from other districts: ‘It is true that Madura is larger than the other towns mentioned, but if Madura is to be provided with fuel below the market rate, it is difficult to see why Madras should be deprived of this privilege. If the Forest Department are to be prepared to open a Government depot at a month's notice they must keep up a walled-in site for a depot at a considerable cost and must hold back a very considerable portion of the standing crop to stock the Government depot in case of need. . . . The Committee are therefore strongly of opinion that the contract system should be given a fair trial in the Madura district as in all other districts of the Presidency.’

“Therefore, my Lord, it is almost pertinent and clear if the Hon'ble Mr. Couchman is willing to respect the opinions of the Forest Committee he must accept the resolution and ask the Council to accept it. The very spirit of the recommendations of the Forest Committee is that when such circumstances arise, the localities which are affected so seriously should be immediately relieved of the distress by the Government. The extraordinary view that the Forest Committee took not to help Madura was because they did not expect such conditions to arise in Madura, because they say in another paragraph that it was selling at Rs. 12-8-0 per ton on the day of investigation. That shows that they felt that there was not a clear case made out at that time for this kind of interference. But now, my Lord, the whole thing arises and the particular resolution only asks that in places where it has gone up very high fuel depots should be opened. It was suggested, my Lord, that unless it goes above Rs. 30 there would not be a case for opening a depot. I do not know whether Rs. 30 is a fixed limit. Supposing it is Rs. 35 it may be said that unless it goes to Rs. 40 depots should not be opened. This kind of argument may go on.

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“In the case of the other argument that in many centres in the Presidency it is less than Rs. 10 or Rs. 15, it is a clear case that when there are some places affected like that especially places where you have abundance of forests you must give them relief, near at hand. In fact, the wild animals of the forest, the fires of the forest and so many other inconveniences caused by the forests surrounding their places are borne by the people of the locality and there is no reason why Government who have a monopoly and who have reserved the whole area should not help the people. It was said that the old Government Order must be deemed to have been exploded by the Forest Committee. I dare say my Honourable friend Mr. Ramachandra Rao who was one of the leading members of the Forest Committee would be able to say that the Forest Committee never meant to explode that theory. What they wanted to press was that they ought to give the contract system a trial. They did not want Government to carry on as traders a trade in fuel. If it did not really create any difficulties, if the consumers were not affected they did not want that the rules should be specially framed for the Forest Department. All the arguments that they advanced in their report are only to show that no specific circumstances existed to get away from that general principle. All the arguments advanced by the Hon'ble Mr. Couchman go to prove that specific localities have been given a decrease and therefore every sentence of the Forest Committee's report will support the plea asked for in this resolution. I must mention that this kind of getting out of the point at issue and actually raising a question which looks plausible should, as much as possible, be avoided in a discussion in this Council.”

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—“Your Excellency, I am afraid my Honourable friend Mr. Siva Rao has given a good deal of point to my Honourable friend Mr. Couchman by the way in which he has framed the resolution. Honourable Members will notice that the resolution says that Government should start fuel depots in Anantapur, Bellary and other districts where high prices are now prevailing. The resolution is indefinite in that it does not specifically limit the action which he proposed to take to the places where there may be room for complaints. I was always apprehensive as regards the working of this portion of the Forest Committee's report and occasionally once a year or so, I have been putting an interpellation in this Council to find out the price of fuel in a district, and last February I asked a question in this Council as regards the rise of prices in the various districts. It will be seen from the answer given that there is no complaint as far as I can see as regards the price of fuel in most districts in the Presidency. My Honourable friend Mr. Siva Rao has already read the figures. Except in Anantapur, where the price is Rs. 31 and Trichinopoly where it is Rs. 22, and Madura where it is Rs. 24, I do not think that the present price of fuel is anything that calls for the intervention of Government.

“My Lord, independently of this preliminary observation, I am sorry that the Hon'ble Mr. Couchman should have stated that he would contemplate with equanimity the price of fuel being at Rs. 30 per ton. The main argument was that the army paid a high price per ton of hay. The army pays out of the pockets of the general taxpayer and it does not matter to those who purchase it whether they pay Rs. 30 or Rs. 40 because it is purely a question of transfer of funds from one department of Government to another. There is no doubt that it is a hardship if the price of fuel is anything more than Rs. 15 or Rs. 16 a ton. I wish my Honourable friend were a clerk on Rs. 50 in Madura with half a dozen children, three of whom have to be educated and three of whom have to be married. He would certainly have then seen the great difficulty in making both ends meet. But as it is, he is a Member of the Board of Revenue and it does not matter to him even if the price of fuel is Rs. 60 per ton, so far as with a fat pay and it does not matter to him even if the price of fuel is Rs. 60 per ton, so far as he is personally concerned. But the ordinary dweller in the town has a grievance in this matter. From the fact which I know, from the inquiry at Madura, Madura is particularly hard-hit in this matter. I am generally in agreement with all that the Hon'ble Mr. Couchman has stated as regards the inadvisability of the abandonment of the contract system except where it is absolutely necessary. My Lord, some of these difficulties, one of them which he has not mentioned, is the question of transport. Taking the case of Madura, so far as I know, most of the fuel in Madura comes from Ayyalur about 22 miles off and there is always the question of getting trucks. In one of the districts that we visited we made very careful inquiries as to why Government depots were unsatisfactory. It was found in that district that it was not possible to maintain stocks in the depots and consequently there was a great outcry against the way in which Government depots were worked. Going deeper into the question, we found that the fuel had to be transported from the neighbouring forests and on further scrutiny it was found that during the time of some of these forest subordinates they were not above giving illegal gratification to the railway officials and getting their trucks as ordinary merchants now do. It appeared under the Government accounts for it under a euphemistic name of terminals. However that is a small matter. Honourable Members will see that the private contractor has a better hold over railway administration in the matter of trucks than anybody connected with the Forest Department, of course, unless they resort to exactly the same practices as a contractor might do. Apart from it, it is also difficult to control the market by any of these Government depots. In several places, we found that the actual stocks or actual quantity of fuel that might be put on the market from the forests on the departmental system were so small that it could not really have any effect upon the prices. It was found that the consumption of the whole town was about 50,000 tons and the average supply from the nearest forest was about 3,000 to 4,000 tons. It means that a certain number of people got fuel from Government depots at the ordinary rates, but others had to go without it. I do not think, therefore, that the reasons mentioned in that report have in any way been shaken by subsequent experience;

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but I was struck, I must confess, that in these two places, namely Madura and Anantapur, the prices should be so high and I regret that the Hon'ble Mr. Couchman has not mentioned that any inquiries have been made with reference to these two stations as to why the price of fuel should be so extraordinarily high as Rs. 31 at Anantapur and Rs. 26 at Madura. There should be no particular difficulty. Probably on further investigation it might be found that there were some local causes which kept up prices either by a ring amongst the contractors or some other reason as to why the supply of fuel has been inadequate. As regards Madura, there has always been a good supply so far as my knowledge went and at that time when we went closely into the matter, we found that there was a good supply from the zamindari forests and from Ayyalur. But there was a tendency even there to make complaints about shortage of these trucks. The wholesale contractors brought fuel and kept it at the station and all the smaller contractors formed a ring and purchased the whole lot and rushed up prices. There was one statement made at our sitting at Madura which I may venture to put forward and that is that departmental felling should be resumed and that the whole lot should be sold to the co-operative stores to be sold at a price fixed by the Government. Mr. Srinivasa Rao, who was the President of the Co-operative Stores, which is a very huge concern, whose turnover is very great, undertook to sell fuel as much of it as was given to him at the price named and dispose of it to the poorer classes at the price fixed by the Forest Department. I would suggest to the Hon'ble Mr. Couchman that this suggestion might be taken up and, if possible, the departmental felling may be renewed and such fuel as might be available might be sold in the Co-operative Stores at Madura. A trial might be made in that direction to eliminate the middleman and the ring usually formed by these smaller contractors.

"I do not think there is much in the suggestion of the Hon'ble Mr. Couchman that the cost of supervision, the cost of management and the cost of demarcation of forests, all these are expected to be included in the price of fuel. Coupes are sold by auction and if prices are examined, a portion of this expenditure is not recovered from the price of fuel. It might be that in the long run the department is showing a profit. Coupes are sold by auction to a contractor and all that we may legitimately expect is that the average cost of production with a margin of profit to the contractors would be the market rate. Suggestion was also made that coupes might be sold subject to prices being fixed by the department. I do not know if it will work in practice. I am very sceptical whether such a condition would not drive away such of those contractors as are now engaged in this trade. I venture to suggest to the Hon'ble Mr. Couchman that in regard to these two stations detailed inquiries may be made and such action as may be necessary may be taken to see that this rise in the price of fuel is dealt with adequately so as not to cause any hardship to the people."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I am very sorry that the old controversy has been raked up again, the old controversy of the permit system *versus* contract system. I purposely steered clear of that ground and I based my resolution upon the extraordinary circumstances now prevailing and the consequent extraordinary rise of prices, especially in three districts where it has gone up to Rs. 22, Rs. 24 and Rs. 31 in the maximum price per ton. Then, I quoted the Government Order of 1912. It is interesting to note how the Hon'ble Mr. Couchman brushes aside the Government Order by saying that it should be deemed to have been considered dissented from by the Forest Committee in their recommendations. There is absolutely no evidence of that Government Order having been dissented from or the policy laid down therein deviated in the recommendations of the Forest Committee. I may tell this for the information of the Hon'ble Mr. Couchman that even in 1912, when that Government Order which he chooses to call obsolete and exploded by the latter position which the Forest Committee have taken, at the time when that Government Order was passed, Government have decided to drop the old Government fuel depot system on the recommendations of the Board of Revenue. The Board recommended even in 1912 that the old fuel depot system should cease and then they laid down in most unreserved terms that the law of supply and demand must take its own course, that trade must go on its own lines, and all those economic doctrines they laid down in most unreserved terms. Government said: 'We are not prepared to concur entirely in the most unreserved manner with the expression of these views,' but they said that the Government must always be subject to the obligation of controlling these prices whenever any extraordinary rise takes place. I draw the attention of the Hon'ble Mr. Couchman to paragraphs 66 and 67 of the Forest Committee's report where they consider whether the rise of prices has any bearing on this question. They recognized that after the fuel depots were abolished, there has been a tendency for prices to rise, but they noted that the highest price then noted was Rs. 12-8-0. They considered the case of Madura also and then they stated: 'If the people of Madura are to have the right to have a Government depot opened, if the local price of fuel is 25 per cent higher than that at Trichinopoly or Tanjore, it will be impossible to resist the inevitable demands of the people of those towns to have a Government depot established in corresponding circumstances.'

"That means, to my mind, that the Forest Committee contemplated the opening of fuel depots under extraordinary circumstances and in the case of extraordinary rise in prices. They said that, in the case of Madura, because there was a rise of 25 per cent there was no reason. My Lord, I am very glad that the Forest Committee has secured such an able exponent of their views in the person of the Hon'ble Mr. Couchman. On the last occasion he showed a disposition to belittle the recommendations of the Forest Committee. I may assure him that my respect for the recommendations of the Forest Committee has not either waned or diminished."

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since then. It continues to be as full as it was. Nobody would have thought of entrusting the sale of salt to local bodies, but the Government have done it. When we were discussing the question of regulation of prices, we drew attention to the appointment of a controller, etc., but nobody would think of doing all these things under the ordinary state of circumstances. When I listened to the Hon'ble Mr. Couchman, I had not heard him clearly, until my Hon'ble Friend Mr. Ramachandra Rao told me that he put the maximum price at Rs. 30 per ton. I heard he put it at Rs. 13. But now, I understand it is Rs. 30. Why should it be fixed at Rs. 30? Why not at Rs. 50 per ton? Let him sit with complacency and look upon with equanimity the rise of prices to Rs. 50 or Rs. 60 per ton. There is no objection to Government purchasing things at fancy prices, but that is no guide to the ordinary poor man. I would seriously ask him that supposing it has reached Rs. 31 as it has done in Anantapur, would he reopen Government depots? It is more than what he himself called the maximum price. I do not say what should be precisely done. There are so many things which may be done. Either Government may reopen depots or a maximum price may be imposed upon the contractor; but something ought to be done in a matter like this.

"I do not think any attempt has been made in this case to ascertain what has been the real cause of the rise of price to Rs. 31 in a town like Anantapur. The good old grounds that have been sited in the Forest Committee's report, transport, labour, wages, and so forth were mentioned as if they were fresh grounds which the Hon'ble Mr. Couchman got from further inquiries. When a matter comes up like this, he will do well to make an inquiry whether there is anything in the circumstances of Madura and Anantapur which should have contributed to the rise of prices. And I do not see any sign of that having been done. I would ask what is the breakdown of the contract system to which the Forest Committee referred? What are the circumstances, in the view of the Hon'ble Mr. Couchman, which would justify an interference on the part of Government? There has been a break-down in the contract system because there is no fuel available at reasonable terms. I will call it a breakdown. I stick to the resolution of 1912. I take it that that sums up the whole situation. Most of the fuel comes from the Government and they are the trustees of the people. That is the status that they have assumed themselves throughout that Government order and they say that they must supply fuel to the public at reasonable rates. Then something ought to be done by the interference of Government at least in places where prices have gone beyond Rs. 20; either prices have to be fixed or Government depots should be established."

His Excellency the PRESIDENT:—"Does the Honourable Gentleman wish to have a division taken on this resolution?"

The Hon'ble Mr. P. SIVA RAO:—"Yes."

The Hon'ble Mr. M. E. COUCHMAN:—"Your Excellency, the chief point that I have to reply to is the special circumstance existing in the case of Madura. The price of fuel is high. It is said to be Rs. 24. My information is that it was Rs. 18 or Rs. 20 in January. I may tell the Council that it is about Rs. 20 now. The circumstances of Madura are quite peculiar. For a long time past, the destruction of zamindari forests has been going on and they have been ruthlessly cut and destroyed and the fuel supplied by those forests no longer comes to the markets. That is one circumstance. Another circumstance is that a great deal of fuel comes from Ayyalur. It is not anything like 15 or 16 miles, but it is nearly 50 or 60 miles. There is enormous stock of fuel lying at the Ayyalur railway station to the extent of nearly 2,000 or 3,000 tons and we have been doing our best to induce the Railway Company to give us trucks to Madura. They allowed us two trucks a day to remove this enormous quantity of fuel, it will take months and months, but I think two trucks are quite as much as they could afford at the present time. I suggested in January the sale of some coupes near enough Madura and this has been done and fairly satisfactory prices have been obtained. Some relief will be obtained when coupes near the town are felled and firewood is carted to Madura. At the present time, I do not know what more we could do. The whole question in the case of Madura is one of transport and the Railway Company cannot do more. Only yesterday the Hon'ble Sir Alexander Cardew told us that an officer had been placed on special duty to see if anything more could be done to make more trucks available for the necessary transit; and if anything is found feasible, no doubt the question of supplying fuel to large towns like Madura would receive early attention."

"The Hon'ble Mr. Rama Ayyangar in referring to the cost of fuel operations said that it came to Rs. 6 per ton in 1915. Circumstances have altered a great deal now and I cannot say that it bears any ratio at all to what exists now. There has been a great rise of prices. You must remember that the contractor would not work without a considerable prospect of profit. If they have a certain amount of ability and money and time they will employ this in whatever sphere which would bring them most profit. If they get small profit in fuel operations, then they would not come in for it at all. I should like to read the remarks in paragraph 65 of the Forest Committee's report. It says: 'In Madura, since the contract system has been working, Forest Committee's report. It says: 'In Madura, since the contract system has been working, not only has the amount brought in from the forests of the Madura district increased but there has been the large additional quantity of 500 tons a month imported from the Trichinopoly district.'

"The Hon'ble Mr. Ramachandra Rao suggested that the resolution was wrongly worded, that instead of asking for depots, for all places, where prices are high, the Hon'ble Mr. Siva Rao could have asked for special inquiries in the case of Madura and Anantapur. If that had

96. RESOLUTIONS RE OPENING OF GOVERNMENT FUEL DEPOTS; BILL FOR COMPULSORY ELEMENTARY EDUCATION AND LOCAL BODIES AND AYURVEDIC AND UNANI MEDICAL SCHOOLS AND DISPENSARIES.

(Mr. Couchman; the President; Mr. Venkatapathi Razu; [4TH APRIL 1918.] Mr. K. R. V. Krishna Rao.)

been done, we might have agreed to make a special inquiry. But we cannot, on the strength of that suggestion accept the Hon'ble Mr. Siva Rao's resolution. So far as I know, Anantapur depends entirely on railway-borne fuel. There is no forest close by. All fuel comes from distant forests. There, again, the shortage of trucks would be the real explanation. Rupees 31 is not a normal price. It is the maximum; probably the average price is much below Rs. 31.

"I think the Hon'ble Mr. Siva Rao quite misunderstood paragraph 67 of Forest Committee's report:—'If the people of Madura are to have the right to a Government depot opened if the local price of fuel is 25 per cent higher than that at Trichinopoly or Tanjore, it will be impossible to visit the inevitable demands of the people of those towns to have a Government depot established in corresponding circumstances.'

"It was not intended to justify the opening of depots in Madura. The Committee was trying to prove that you cannot grant it to Madura without granting it to a number of other towns and therefore the proposal to open depots is impracticable. The question really at issue between myself and the Hon'ble Mr. Siva Rao is: what is it that constitutes a breakdown of the contract system? I hold that there is no breakdown in the contract system, even when the price of fuel is high, so long as it is available. There is no complaint that it is not available. My argument is that the price of fuel is not high in proportion to the price of other commodities and unless there is clear evidence of combination among dealers, there is no breakdown, as contemplated in the Forest Committee's report. The Hon'ble Mr. Siva Rao suggested that Government should control prices by selling coupes subject to a condition that they should not be retailed over a certain price. This is altogether outside the scope of the resolution, but I must point out that very great difficulties exist in fixing the price like that. My Honourable Friend Mr. Todhunter tells me that in Bengal, the Government fixed the price at As. 1-8 of salt, whereas the price at which it was actually sold was five annas. You cannot fix prices in that way. Suppose a rule was made that the Hon'ble Mr. Siva Rao should not accept more than the regulation fee in any case and supposing I were to go to him with a complicated civil case, the face value of which was very small, he would not decline to take it up—he is too polite to do so—but he would say that there was some domestic inconvenience which prevented him from accepting it. The same thing would happen if we fix prices for fuel.

"Yesterday, the Hon'ble Mr. K. R. V. Krishna Rao was telling us that in the case of kerosine oil, the big companies do their best to control the prices, but the sub-agents said that there was none available. All that you will do by controlling prices is that you will prevent people from selling at all. That is why I do not believe in any attempt to control the prices of fuel.

"The general conclusion I arrive at on this question is that the high price of fuel is merely a very slight offshoot of the immense trouble of the present situation. It is due to the shortage of trucks and shortage of trucks is due to the shortage of rolling stock which is due again to the war. The rolling stock is needed for more vital purposes. I think that, if the people of this presidency have no more inconvenience to suffer on account of the war than a slight increase in prices, they may consider that they are well off.

"The resolution was then put to vote and lost.

RESOLUTION RE BILL FOR COMPULSORY ELEMENTARY EDUCATION.

The next resolution on the agenda was one asking for introduction of a Bill for compulsory elementary education.

His Excellency the PRESIDENT:—"I am not at all for initiating a discussion on the subject. Information has reached me that if the Honourable Gentleman receives an assurance from the Government which I can give him, he does not wish to move his resolution. It is a fact that it has been privately communicated to the Honourable Gentleman that the Government are engaged in framing a scheme for the reorganisation of elementary education, which will include a provision for compulsion. We have for some time been rather closely engaged in endeavouring to frame a scheme for a reorganization of that character. In that case, I understand the Honourable Gentleman would prefer not to move his resolution."

The Hon'ble Mr. VENKATAPATHI RAZU:—"I do not move the resolution."

With the permission of His Excellency the President, the following resolution of which notice had been given, was not moved:—

'X. This Council recommends to the Governor in Council that steps be taken for an early introduction of a Bill for the compulsory elementary education in municipal towns and other selected areas.'

RESOLUTIONS RE LOCAL BODIES AND AYURVEDIC AND UNANI MEDICAL SCHOOLS AND DISPENSARIES.

His Excellency the PRESIDENT:—"I understand that resolutions XI and XII will not be moved."

The Hon'ble Mr. K. R. V. KRISHNA RAO:—"I do not propose to move resolution No. XI."

RESOLUTIONS RE LOCAL BODIES AND AYURVEDIC AND UNANI MEDICAL SCHOOLS AND DISPENSARIES; QUALIFICATIONS OF THE ASSISTANT TO THE DIRECTOR OF INDUSTRIES AND INQUIRY INTO THE ECONOMIC CONDITION OF THE AGRICULTURISTS. 607

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With the permission of His Excellency the President, the following resolution was not moved:—

"XI. This Council recommends to His Excellency the Governor in Council that the district boards and municipalities be permitted to open and contribute for the maintenance and upkeep of Ayurvedic and Unani medical schools along with such dispensaries as an experiment at least at district headquarters where hospitals have been taken or are going to be taken over by Government."

The Hon'ble Mr. B. VENKATAPATHI RAZU:—"I do not propose to move resolution No. XII."

With the permission of His Excellency the President, the following resolution of which notice had been given was not moved:—

"XII. This Council recommends to the Governor in Council that the Government will be pleased to permit the local boards to open Unani or Ayurvedic dispensaries under such conditions as may be imposed by Government in such rural areas wherein the existing facilities for medical relief are inadequate."

RESOLUTION RE QUALIFICATIONS OF THE ASSISTANT TO THE DIRECTOR OF INDUSTRIES.

The Hon'ble Mr. K. R. V. KRISHNA RAO:—"Your Excellency, in view of the reply given to my interpellation, I do not propose to move resolution No. XIII at present."

With the permission of His Excellency the President, the following resolution of which notice had been given by the Hon'ble Mr. K. R. V. Krishna Rao Pantulu was not moved:—

"XIII. This Council recommends to His Excellency the Governor in Council that a thorough and intimate knowledge of mechanical engineering be made the primary qualification for the appointment of the Assistant to the Director of Industries."

RESOLUTIONS RE INQUIRY INTO THE ECONOMIC CONDITION OF THE AGRICULTURISTS.

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, the next resolution which stands in my name runs as follows:—

'XIV. This Council recommends that the Governor in Council be pleased to direct a public inquiry as to the economic condition of the agriculturists in some typical villages of the Presidency, at least in those districts which are likely to be resettled during the next five years.'

His Excellency the PRESIDENT:—"I think we had better discuss the next resolution * also at the same time, if that is agreeable to the Honourable Gentleman."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, so far as this resolution of mine is concerned, it formed the subject of discussion at a meeting of the Council held last year on the 6th of February. After a discussion extending over some hours, after it was supported by several non-official members of this Council, after we even found our Honourable Friend Mr. Gordon Fraser giving the blessing of his support to this resolution and after we heard the Hon'ble Mr. Barber expressing his sympathy with the object of the resolution, though he doubted whether it served a useful purpose, my Honourable Friend Mr. Richmond came forward with an application that we should pass on to the business next in order on the agenda and the Government accepted that proposal with the result that the discussion was closed. I mention it to show that very properly and very reasonably the Council thought it fit and proper not to reject that important resolution, but has given it time for mature consideration. I view it from that standpoint, because the Hon'ble Mr. Richmond himself who moved that proposition did not say a word against it but suggested that later on when a proper case was made out the Government might embark on that inquiry. I, therefore, propose to take it from that point and

* The Hon'ble Mr. B. VENKATAPATHI RAZU:—

"XV. This Council recommends to the Governor in Council to be pleased to appoint a committee of officials and non-officials to inquire into the economic condition of the agriculturists in areas where irrigation facilities are not adequate."

(Mr. A. S. Krishna Rao.)

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satisfy, as best as I can, the Honourable Members of this Council that there is a case for inquiry. There are several facts which have been before the public, even subsequently, which can reasonably induce this Council to come to that conclusion. Before I deal with some of those facts, let me inform the Hon'ble Sir Alexander Cardew that he need not, in the consideration of this question, entertain any fears, I would say imaginary or groundless fears, as he did on the last occasion, that probably behind this resolution, there is a political aspect attached to it. That was the fear he expressed on the former occasion. Let me assure him that it is with the mere object of ascertaining the correct facts regarding the condition of the poorer agriculturist and with no other object that this is brought forward. It is suggested as to why the resolution should not be confined to the case of the poorer agriculturists, though I have myself no objection or difficulty whatever. But it is impossible to come to an understanding as to who are poor and who are not poor, unless an inquiry is started about the condition of the agriculturists. I would point out where this resolution slightly differs from the last resolution. On the last occasion, I specified that the villages should be Government villages and zamindari villages and inam villages. I did not then restrict it even as an alternative that it is to be in the case of those districts which are proposed to be resettled in five years. With these modifications, this resolution is practically the same as that of last year. In view of the fears expressed on the last occasion, let me also assure the Hon'ble Sir Alexander Cardew that it is not proposed by this resolution to bring into issue the fact whether there has been a material progress in the condition of India and in the condition of this province after the advent of British rule. That is not the point before us. It is not therefore necessary for us to consider either the returns of trade or the deposits in the post office savings bank or other banks to come to the conclusion as to the general material progress. I would therefore request him to confine his attention to the question of the agriculturists forming the subject matter of this resolution.

"It cannot be doubted that this question, limited as it is to the agriculturists, is a very important one when it is remembered that 70 per cent of the people are supported and depend upon agriculture. There was a question raised on the former occasion as to whether under this term 'agriculturists' I would include or exclude the cultivating or the non-cultivating landowners; and some one asked whether it would include agricultural labourers. Let me assure you that within this definition of agriculturists, even as was contemplated at the time of the census inquiry, it includes cultivating and non-cultivating landowners, cultivating and non-cultivating tenants, and agricultural labourers. These are the five classes which we can proceed to consider to see how they stand and whether they have a fair amount of prosperity. The request embodied in this resolution is, to my mind, and I believe to the minds of several, a very modest and reasonable one; though we find it difficult to understand for what reasons and under what circumstances and through what fears this is being strenuously opposed by the Government. I will take this Council through the early history of this question. I will take up the period twenty years ago, and I shall start with a discussion about it in the House of Commons on the 26th of January 1897. The late Sir William Wedderburn who throughout his life identified himself with the best interests of India moved an amendment, at the budget discussion, asking for an addition to the address in the following terms:—

'And we humbly pray that your Majesty will be graciously pleased to direct that a full and independent inquiry shall forthwith be made into the condition of the masses of the Indian people, with a view to ascertain the causes by reason of which they are helpless to resist the first attacks of famine and pestilence.'

"In the course of his remarks upon that amendment, he asked for an inquiry similar to the one which I am now asking twenty years later. He said that what he desired was a village inquiry, practical and definite in order to ascertain in detail the condition of the ryot, to learn the causes of his poverty and to apply remedies to the evils from which he was suffering. The inquiry he wanted was a village inquiry, because in the rural villages were included 80 per cent of the population, and because the village community was the microcosm of all India; and if they could discover the means to make one village prosperous, they held the clue to make all India prosperous. It will be remembered that subsequently in the year 1902 a memorial signed by some of the most eminent statesmen who had charge of the administration of Indian affairs was presented to the Secretary of State asking for a detailed inquiry as to the economic condition of the people and suggested that Local Governments should select typical villages and should have an inquiry conducted by suitable persons, official and non-official, European and Indian, to arrive at a satisfactory conclusion in that respect. Persons like the Marquis of Ripon, and several others signed that memorial and presented it. Even then, they were not successful to the extent they desired. It will be remembered that at a meeting of this Council, held in February last, our friend the Hon'ble Sir Francis Spring asked a question which I place before this Council for information. This is the question:—

'Has Government read a book published in 1916 by the Clarendon Press, Oxford, by Mr. J. C. Jack, of the Indian Civil Service, entitled, "The Economic Life of Bengal District"? If so, will they consider whether it is desirable and practicable to institute in one or more typical Madras districts an economic inquiry similar to that dealt with in the book referred to?'

"I shall now read the answer and I shall leave it to you to judge whether the answer is a satisfactory answer—

'The Government have seen the book mentioned in the question. It is not an official publication, but the product of private inquiries made in his leisure hours by a district officer in

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Bengal who was employed in an official capacity in making a record-of-rights and who obtained the assistance of some of his official subordinates. There is at present no record-of-rights in this Presidency, but if it is decided to introduce one and if any district officer in Madras wishes to undertake similar inquiries, the Government will be prepared to give him any suitable aid and encouragement.'

"The question raised by the Hon'ble Sir Francis Spring was whether it was desirable or practicable to hold such an inquiry. The answer does not suggest whether it is desirable or practicable or not desirable or not practicable. It proceeds to state the circumstances under which Mr. Jack made his inquiry and suggest that in exactly similar circumstances, if any inquiry is made, they will give suitable encouragement. But having had the benefit of Mr. Jack's publication, I would refer to it to satisfy this Council about the importance of making such inquiries; about the necessity for doing so and about the practicability of the proposal. It will be found that, so far as Mr. Jack is concerned, he took considerable trouble to collect figures for information, between 1906 and 1910, while investigating the question of the preparation of a record-of-rights. Though his conclusions are liable to criticism and liable to question, though in the discussion of this question, I am afraid, he gave place to some pre-conceived ideas, still I will read to you some extracts to show that it is of the utmost importance to have such an inquiry even from the standpoint of the Government. No doubt, in giving instructions to his circle officers for collecting information, he gave a very proper caution and he cautioned them in these terms:—'No Kanungo or Circle Officer is of the slightest value in economic inquiries unless he strips his mind entirely of pre-conceived notions and fills it solely with zeal for scientific truth.' I shall now read one or two extracts from his observations and I would leave it to you to consider whether he himself entered into it without any pre-conceived notions; but, even as it is, he has made out a case for an economic inquiry; and that is why I refer to it. He stated:—'I venture to hope'—referring to the information collected by him and the statistics prepared by him—that they are a contribution of some little value to aid judgment of British rule in India. That rule has been much attacked of late on the economic side. Its most powerful defence must lie in statistics such as these, which reveal in detail and yet comprehensively the resources of the people and the burden which taxation lays upon them.' He stated that from that standpoint even of the Government, it is necessary to compile that information. Later on, while considering the system of taxation prevailing here and while pointing out that agriculturists are more heavily taxed than others, this is what he states:—'There can be no question that a universal income-tax, which embraces every income and varies with the size of the family, is the ideal form of taxation for any country. It has two supreme fiscal merits in that it is certain in its demand and in its yield and that it keeps pace with every change in the value of money. When prices are rising, its yield automatically increases, thus avoiding the necessity of disturbing the peace by changes in the method or the rate of existing taxation. It has also one great political merit, in that it exhibits the taxable capacity of the country in the most accurate and unmistakable way. It reveals the national income and converts a calculation of the burden of taxation into a simple sum in proportion. In a country like India which is ruled by an alien Government, whose fiscal policy dare not admit an error and whose every action is scrutinized by cold and critical eyes, these merits have an altogether exceptional value. The most pressing need of Indian administration in these days, is accurate economic information in such a form that while it will enable all measures to be framed on a basis of ascertained fact, it will also be available to rob the critic of his sentimental stock-in-trade.' I would leave it to you to judge whether it does not savour of any pre-conceived notions. 'Such information is best supplied by the universal income-tax.'

"Leaving the report of Mr. Jack, let me remind the Council of some inquiry conducted under the instructions of Your Excellency's Government by Mr. Gray. It is in the year 1916 that he was deputed to ascertain about the wages of agricultural wage-earners in four districts of this Presidency, South Arcot, Chingleput, Tanjore and Malabar; and he was called upon to report about the condition of those agricultural classes. His report was sent on the 22nd of November 1916 and a perusal of that report will also make out a strong case for a detailed economic inquiry like the one suggested by me. He pointed out some defects therein, and stated that it was not possible to get better information; and after doing all that, he stated as follows:—'Although I am doubtful—'

The Hon'ble Sir ALEXANDER CARDEW:—"What paragraph?"

The Hon'ble Mr. A. S. KRISHNA RAO:—"Paragraph 17. He says:—'Although I am very doubtful whether a wage census conducted on the present lines, however it may be modified in detail, can ever be of much value as an economic record, I am unable to suggest any practicable alternative scheme which would attain the object in view. A detailed study of the economic position throughout the period of a whole year, of several typical families selected from the lowest classes of agricultural labourers conducted at intervals of five years in two or three selected villages in each revenue inspector's fika would be of the greatest value. Account would have to be taken of the total earnings of all working members of the family throughout the year whether in cash, grain, or kind. Extras such as the gifts in grain, clothes, etc., which the farm servant receives on the occasion of his own marriage, or of a marriage in his master's house, would be excluded but gifts or perquisites which he receives from his master at regularly recurring times such as Deepavali, Pongal, harvest, etc., would be included. The extent which

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the family is dependent on wage earning as distinct from any income it may derive from the cultivation of its own private lands or lands held on lease or for varam would have to be ascertained and recorded.' No doubt, the inquiry would not be simple, but would be stupendous.

"It is also now a settled principle accepted generally that an economic inquiry would not be satisfactory unless it is mainly conducted in villages, unless family budgets are examined, unless typical families are examined, in a large number of cases, and unless the circumstances of those families are ascertained. It may be asked what is the necessity for this inquiry? It may be taken as admitted that there is a wide divergence of opinion as to the condition of the agriculturists. There are some who hold the view that agriculturists are in a poor condition and that notwithstanding the rise in prices they have not been benefited. Others hold the contrary opinion. How is that to be settled unless a proper inquiry is conducted? This question affects the question of assessment of revenue at the time of resettlement and therefore the importance of this statement cannot be ignored or neglected.

"Having stated so much about the necessity for this inquiry, the Hon'ble Sir Alexander Cardew would ask me, as a lawyer, to make out a prima facie case, showing that there was some necessity for an inquiry about the condition of the agriculturists and suggest that, unless a prima facie case was made out, no inquiry need be made. Having foreseen such an objection, I have collected certain facts tending to show that the condition of the agriculturists is miserable and poor and that further inquiry is necessary. I shall first take the Council through certain figures about the annual income of people in this country. It will be found that inquiries have been made, time after time, about the annual income per head of the population in this country and this is the result as far as I have been able to gather. So far as the average income is concerned, the late Mr. Digby calculated it at Rs. 15 per head and the late Mr. Dadhabhai Naoroji at Rs. 20 per head. In the early eighties, Lord Cromer with the assistance of some of the ablest financiers put it at Rs. 27 per head and Lord Curzon put it at Rs. 30 per head. We find that the late Mr. Srinivasa Raghava Ayyangar in his book on 'Material progress in the Madras Presidency' dealt with this question also and found with reference to calculations made by famine commissioners—the book was published in 1893—that it would come to Rs. 23, but he suggested that it might be either Rs. 25 or Rs. 30. I find again that another ablest statistician Mr. Edgar Crammond, put the annual income in India at £2.5, that is, Rs. 37-8 per head. These are the figures so far as the average income in India is taken into consideration. Against it, kindly notice that, so far as the United Kingdom is concerned, Mr. Srinivasa Raghava Ayyangar in his book points out that about 25 years ago it was £35 per head; in 1901-02 it was put at £40 and Mr. Jack in his book puts it at £45 per head and Mr. Crammond at £47. Similarly you find that in France Mr. Srinivasa Raghava Ayyangar calculated that the income was £25.7 per head and later £30. These figures, showing the average income per head of the population, must convince every one that the people generally are in a very unsatisfactory and poor condition. I know that, so far as this province is concerned, Dr. Gilbert Slater has been now publishing some figures tending to push up the average income from Rs. 30, which was generally admitted to be the income per head in India in the time of Lord Curzon, to between Rs. 72 and Rs. 80, as judged from some of his letters on this subject. But it would be found, at the same time, that his figures cannot be accepted and that they have been controverted in the press and some defects pointed out. They are at any rate in conflict even with the result of the inquiry made by Mr. Crammond whose inquiry was only between 1912 and 1914. It is apparent from the figures given by Dr. Gilbert Slater that he did not take proper account of the decrease in the value of the rupee, but took into consideration only the figures of season and crop report of one year, that he did not take into account the net income realised by agriculturists and non-agriculturists, that he did not make due allowance for cultivation expenses and other incidental expenses, and that, after all these items are taken into consideration, the income even upon the basis furnished by him will come to Rs. 35 or Rs. 36 per head. I have calculated it and if the position is controverted, I will state the reasons in my reply.

"It will also be found that some inquiry was made about the cost of living in the Madras city by Mr. Leith and by Dr. Slater. Mr. Leith says that the cost of living of a family, consisting of a husband and wife and two children, is Rs. 17 a month. These are figures for Madras city and everyone knows that, with the means of communication and transport, so far as the average labourers are concerned, there would not be much difference between this place and others. They put it at Rs. 5 for the man, Rs. 4 for the wife and Rs. 5 for the two children, rent Re. 1, clothes Re. 1, fuel Re. 1 and other miscellaneous items As. 8. Those were the figures furnished in the beginning of last year. We had a discussion yesterday on the rise of prices in foodstuffs recently; and, therefore, if these figures are checked with reference to the rise of prices, they must be higher. If you take the average net income of the people and if you also take the average cost of living of the people into consideration, it will be clear that there is very little margin left for these poorer classes to keep their body and soul together. That is how the matter stands, with regard to the average income and the cost of living.

"Another fact which cannot be controverted is that there has been an increase of population during the decade 1901-11, but there has been no proportionate increase in cultivation. There is an increase in the density of the population, and people have been moving more towards towns, in all probability owing to the fact that they could not eke out their livelihood in villages. For an increase in population of 8 per cent, the increase in towns is 15 per cent, whereas in villages

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there is a slight decrease. It is also clear that during these ten years there has been a decrease in the number of cultivating land-owners as also farm labourers. These facts would prima facie show the need of an inquiry, though a fuller inquiry may lead us to different conclusions; but at present I cannot be called upon to make out more than a prima facie case. There are other facts also pointing to the same conclusion. It is clear that 67.5 per cent of the total number of pattas have revenue liability of Rs. 10 and under and 90 per cent of pattas have revenue liabilities of Rs. 30 and under. It may also be remembered that most of the land covered by these pattas is dry land. It is no doubt remarked that these pattas are not individual pattas. It is likely that one man may own several pattas, but let us make allowance for that circumstance. We have no figures available tending to show for the Presidency in how many cases persons own several pattas, and in how many cases they own individual pattas. But we may take it that, in by far the major number of cases, separate persons own separate pattas. Even according to the figures given for some isolated areas, 50 per cent of persons own very small extent of lands in their possession. An inquiry was held in the Province of Bombay and the Director of Agriculture remarked that the economic holding of dry land must be 10 to 15 acres for the ryot's standard of life. At the last Agricultural Conference held at Poona, the Hon'ble Mr. C. Hill made a reference to this and suggested some improvement as necessary. It will be remembered that at the Agricultural Conference held at Poona in December last a resolution was also passed that improvement in the economic condition of the agricultural classes is of the most fundamental and urgent importance to the country. In the face of all these facts, can it be contended that there is no necessity for an inquiry and that every thing is very satisfactory? Let us all try to ascertain facts. Any other thing is an unreasonable position to take.

"Even if we consider the figures relating to emigration during these years, it will lead to the same conclusion. It will be found that even from the inquiry conducted by Mr. Marjoribanks and the Hon'ble Mr. Ahmad Tambi Marakkayar, the excess of emigrants over immigrants in the case of Ceylon comes to 194,396 from 1911-16 and in the case of Malay States to 206,133 in the years 1911 to 1916. It may be suggested that they went to those places because they got better wages, but further examination will show that that position cannot be sustained. It is given even in that report which has not been accepted by the public and the facts of which have been controverted, that a man's average wage, so far as Ceylon is concerned, varies from Rs. 10-8 to Rs. 8-4."

His Excellency the PRESIDENT (*interrupting*).—"The Honourable Gentleman has already exhausted his time."

The Hon'ble Mr. A. S. KRISHNA RAO :—"They put the cost of living at Rs. 6 per head. And they say that so far as Ceylon is concerned 'their impression was that while the average labourer and his family make enough to feed and clothe themselves quite as well as if not better than in India, they do not accumulate appreciable sums as savings.'

"Those figures were not accepted on behalf of the public and Honourable Members of this Council would have noticed that a further investigation was held and it was pointed out that the average expenditure is much more than that, at least Rs. 125 per year. These emigrants are admittedly not in a better position and are not in a position to save money; and therefore what is the conclusion to be drawn except that they were not getting on properly, while here. It is no doubt suggested that, so far as Malay is concerned, things are better. But they themselves say it is not possible to distinguish between the incomes of the kanganis and other labourers. In the absence of that information it is difficult to come to any definite conclusion. It has been suggested that at the time of the resettlement we have an economic inquiry; and it might be asked—is that not a sufficient inquiry. But as has already been pointed out, an inquiry into the family budget is essential. All the debates which have taken place in this Council for the last four or five years must have convinced the Council that such an inquiry is of a perfunctory character and does not satisfy the requirements of the case.

"Another objection which might be suggested is that it is very difficult to hold an inquiry because persons are not willing to give any information nor willing to disclose their income; but as against these remarks on a former occasion, I can only refer to what Mr. Jack says. He says: 'I have no hesitation in saying that investigations into income are very easy to conduct in the simple circumstances of an Indian village. The value of the results depends chiefly upon the fairness of the investigator. It is essential that officers of superior position should be employed who would be certain to combine the requisite knowledge and intelligence with the requisite freedom from local influences. It is the single mind, which is most needed to make an accurate estimation, as it is in truth impossible for a man of ordinary intelligence to make any serious error in estimating the income of the ordinary family. In 9 out of every 10 families the intelligent observer can, in a very short time, make a guess which will be nearly accurate of the income of each family.' He does not stop there, but states again: 'In the towns of Western countries, where no one knows anything about his neighbour's business, such a system of taxation would probably be impossible; but in an Indian village, where every man knows the affairs of his neighbours almost as well as his own, so little can be hidden that an intelligent officer employing the system could, without any great difficulty, assess the proportions of the tax so that it would impose an equal burden upon every family in the village.'

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"Therefore we cannot accept that statement that it is difficult and that villagers are unwilling. There is only one other factor to be referred to at present and that is the publication of Mr. Datta's report wherein he makes certain statements that the position of the agriculturists has not deteriorated. I am prepared to show that, even on the figures furnished by that gentleman, it is impossible to come to the conclusion that there has been any material advance so far as the general body of agriculturists is concerned. It is true that some have grown richer; but I am not taking into consideration things of that sort. What is the condition of a large number or of the majority of the agriculturists? Has there been any improvement in the case of those persons? That is the point that I wish to put to the Council. If the Hon'ble Sir Alexander Cardew wishes to insist upon his testimony being accepted, I shall deal with it in my reply and convince him that even according to them an inquiry is necessary.

"With these words, I commend the resolution to the acceptance of the Council."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"Your Excellency, in formally seconding the proposition moved by the Hon'ble Mr. Krishna Rao and also moving my proposition at the same time, I think it necessary to bring into prominence why there was a difference in the wording of these two resolutions. The Hon'ble Mr. A. S. Krishna Rao suggested that there should be a public inquiry as to the economic condition of the agriculturists in some typical villages of the Presidency, at least in those districts which are likely to be resettled during the next five years. I am not satisfied with that form of inquiry for, with reference to that portion in the year 1916, we had an answer from Government that settlement officers are holding inquiries which are open to the public, that any person can send any information that he wants and they further stated that in all cases of resettlement the economic condition of some villages would necessarily be inquired into and there is no necessity to inquire specially some years before the actual resettlement. To avoid these two pitfalls, I suggest not a public inquiry by Government officials, but by a committee of officials and non-officials to go into the economic condition of the agriculturists, irrespective of the question whether there is to be a resettlement or not amongst the agriculturists, and I mention localities where irrigation facilities are not adequate, because we notice in several localities where there are adequate irrigation facilities the ryot population are in a better condition than in other places where there are no such irrigation facilities. Therefore, so far as my request is concerned, it is that there should be a public inquiry to be held by a committee of officials and non-officials into the economic condition of agriculturists. This question, as was pointed out by the Hon'ble Mr. Krishna Rao, was often brought in this Council; and on all those occasions, the Government fought shy of the matter. I do not understand why the Government should be so chary as not to let light be thrown into the actual condition of the agriculturists. On the one side, the peoples' representatives state that the ryots are in a miserable and poor condition, that most of them are starving and many of them are heavily indebted, and on the other hand, the rosy colour given by the officials is that they are happily living, amassing wealth, that they are in a prosperous condition and that nothing need be done in the matter. When there is so much of diametrically opposite views entertained—honestly, I must say, on both sides—there is a necessity for an inquiry into that condition. I can quote the authority of the highest official in the land for my purpose, because His Excellency the Viceroy, Lord Chelmsford, said that cultivators in India are enterprising and intelligent, but they are hampered by shortage of capital and lack of scientific knowledge. I do not at present discuss why they are not in possession of scientific knowledge, because that is a different matter which might be discussed on a separate occasion, but the reason why there is a shortage of capital, is that they have not got sufficient to save. For want of capital, there will necessarily be a deficiency in cattle, in seed and in manures which, in their turn year after year pauperises those people. His Excellency the Viceroy admits that there is a shortage of capital. Why should there be shortage of capital if the people are industrious and intelligent? The only answer is that the Government are ignorant of their true condition or heedless of their present state. Otherwise, history does not furnish a parallel of millions of people, who are otherwise intelligent, capable of doing work and very economical, living from day to day being satisfied with one meal a day."

The Hon'ble Sir ALEXANDER CARDEW :—"Does the Honourable Gentleman say capital or cattle?"

The Hon'ble Mr. B. VENKATAPATI RAJU :—"Capital which means cattle also. In most cases, the ryot cannot command food for himself and his family. If the Government understand that it is one of their duties to see that the poorest section of the nation is not left in the a paradise to the rich and purgatory to the poor, it is absolutely necessary first of all to find out the true state of things. Why should there be any opposition to find out the true state of things? If the Government are already in possession of sufficient materials to come to that conclusion, they can be placed for public examination, and we can easily find out for ourselves whether the inferences they draw are borne out by the records before us. In order to find out the economic condition, I do not propose to mix up this subject with the question of settlement at all, because a settlement officer is interested in seeing that the increased assessment is borne by these people and therefore naturally with that view he will look to the prosperous condition of the ryots. Apart from assessment, whether you want to increase the assessment.

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or not, we want the Government to undertake an inquiry into the economic condition. Are not the Government bound to look after the welfare of the people? They must find out whether they are living properly. It ought not to be taken merely because, as a matter of fact, some millions of people are living miserably that the administration should be condemned on that ground and that is the reason why we should have an inquiry. Mistakes may be made by one Government or another; and the only question is whether it is a mistake or not to arrive. People will not be satisfied unless a thorough and impartial inquiry is held not by officials only, but by officials and non-officials into the actual state of things.

"With these few words, I commend both the resolutions to the acceptance of the Council."

The Hon'ble Sir ALEXANDER CARDEW :—"Your Excellency, the Hon'ble Mr. Krishna Rao's resolution which refers specially to districts in which re-settlement is about to be carried out carries with it the objection which has been pointed out by the Hon'ble Mr. Venkatapati Raju, namely, that, under the rules, an economic inquiry is undertaken in each case by the settlement officer. It is only three years ago, that at Ootacamund, as my Honourable Friend will remember, he moved a resolution for a public economic inquiry at re-settlement. Government then met him and suggested that it is not suitable to have a public inquiry which meant a quasi-judicial inquiry, but in place of that, offered that the settlement officer should give notice to all persons and invite and consider representations from all classes of the people who are affected.

"The difficulty about the other resolution goes further than that. As regards districts which are about to be resettled I say that an inquiry as suggested is particularly unnecessary because an inquiry is going to be held by the settlement officer. But the Hon'ble Mr. Venkatapati Raju's resolution does not refer to that. What he wants is an inquiry conducted by a committee of officials and non-officials in areas where irrigation facilities are not adequate. It is still, however, to be a public inquiry. I do not know whether Honourable Members have focussed their ideas as to what is meant by a public inquiry, whether they contemplate something in the nature of the Forest Committee in which a body of officials and non-officials travelled from district to district, met in the town hall, and received witnesses and examined them in public, cross-examined them, etc. I do not know if that is the idea of the Honourable Member. If it is, it will be obviously a very cumbersome sort of tribunal in which truth is not likely to be elicited by asking witnesses to come forward and give their opinions in this way. I suggest that conclusions arrived at will be of very little value. The Hon'ble Mr. Krishna Rao in support of his resolution for a public inquiry has made reference to a number of inquiries which were of an entirely different type. He referred to Mr. Jack who published a book on the results he obtained in Eastern Bengal. Mr. Jack did not hold in any sense a public inquiry. It was not a Government inquiry even though Mr Jack was an official; he employed his leisure hours to collecting a large number of important and interesting economic facts, and, afterwards, when he was on leave, he published those facts which he had thus collected. That, the Council will observe, is something very different from what the Hon'ble Mr. Krishna Rao or the Hon'ble Mr. Venkatapati Raju contemplates. There might be officials working out of office hours, making private investigation into the real facts of the position and attempting, as far as possible, without the formality of a public court-house and witnesses and possibly vakils and cross examination, without all these formalities to try and get at the truth by collecting facts bearing upon the condition of the people. That is a most excellent thing and Government have no desire whatever to conceal any facts or to prevent any amount of inquiry of that kind which will be of a fruitful nature. Government will be very glad to encourage it, if any of those gentlemen in this Presidency who are employed on settlement work would take up work as Mr. Jack has done; we will gladly give all the help we can. That is not what the resolution contemplates. If the Honourable Member only meant that such an economic inquiry as that should be made and if he will drop out the word 'public' I do not suppose there is any very great difficulty in meeting him. He wants a quasi-judicial inquiry and Mr. P. Kesava Pillai, speaking in 1916 was quite frank about it. If he wants a quasi-judicial inquiry, I am quite sure that it will not lead us anywhere near the truth. I think the Hon'ble Mr. Couchman in his report last year showed how impossible it would be to get at the truth by cross-examining witnesses. Even a single officer cross-examining witnesses will never get at the truth. On the other hand, the sort of inquiry which the Government will be glad to see conducted is one like that of Mr. Jack. When the Honourable Member who moved the resolution quoted extracts from Mr. Jack's book, he is making out an unfair case. Mr Jack did not hold any public inquiry of the kind which the Honourable Member advocates. There are not hold any public inquiry of the kind which the Honourable Member advocates. There are two gentlemen in this Presidency who have made some attempt to make a bona fide inquiry, one is Mr. Patro of Ganjam, and I believe Mr. Patro is doing quite a genuine work in this matter. He tried to make inquiries, he visited villages and he asked the ryots a number of questions; and in doing so, he proved the truth of a great deal of what the Hon'ble Mr. Couchman said. The villagers whom Mr. Patro examined gave him fabulous stories of what they required. I have not got at present the papers, but they told him in some villages that they wanted three pounds of grain per head per diem. The average consumption of a man per head is about one pound and taking women and children, it is obvious that they would not want three pounds per pound and taking women and children, it is obvious that they would not want three pounds per diem. That shows one of the pitfalls that an honest inquirer will find himself in, and that it is extremely difficult to get at the truth. The other gentleman who has made an inquiry and who seems to be admirably fitted to make that inquiry is Dr. Slater. He is not an official; he is the

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Professor of Economics under the University. He is exactly the man required. If Dr. Slater would do what is suggested here and make a scientific investigation, Government would be delighted to assist him and I should like that it would be done. When he did make an investigation into the average income of the Presidency, when he published his results, he was immediately attacked because it did not fit in with the views of the politicians who wanted to make use of the ancient figure of Rs. 30. That is the reason why I said that these inquiries are dangerous and are likely to be misused by politicians. Dr. Slater was attacked simply because he pointed out that the income has increased since 1901 when Lord Curzon made his estimate of Rs. 30. Dr. Slater is the sort of person who might make an inquiry and Government would be delighted if Dr. Slater would take it up. I hope no Honourable Member will take it that we want to conceal the truth. What we do want is to get at the truth. The Hon'ble Mr. Venkatapati Raju says 'why should there be any objection to find out truth?' If he adopts a method likely to find out the truth, then Government have no objection to it.

"Similarly the Hon'ble Mr. Krishna Rao quoted Mr. Gray and Mr. Gray said rightly—I quite agree with him—'a detailed study of the economic position throughout the period of a whole year of several typical families selected from the lowest classes of agricultural labourers conducted at intervals of five years in two or three selected villages in each revenue inspector's firkā would be of the greatest value.' Government would be quite ready to do that and if that would satisfy the Honourable Member, we are ready. That is not a public inquiry by officials and non-officials. I submit that the inquiry by a body of officials and non-officials travelling about the country would be at present extremely inopportune. We do not want to add to the amount spent on travelling; we have not got officials to carry out an inquiry of this kind. Our Civil Service could not find men to take up this travelling job, even if it was desirable, for it is with the greatest difficulty that we can find men to carry out the ordinary work of the country. Even if the method were a good one, which it is not, it would be difficult to get men. While we shall be delighted to have an economic inquiry under proper conditions in select villages and under really scientific conditions, what we want to avoid is the sort of public inquiry which the resolution asks for; while we are prepared to approve of our settlement officers making a proper scientific inquiry, or of Dr. Gilbert Slater undertaking or Mr. Patro carrying on the inquiry—I believe Mr. Patro is quite a genuine inquirer—we cannot agree to the resolution. I am avoiding going into the controversial points—Mr. Datta's evidence of increasing wealth. I am avoiding there is an increase in wealth. I do not want to raise that issue. We should be glad to have an economic inquiry if it were carried on under conditions which would really find out the truth and lead to any fruitful results. I hope the Honourable Member will believe that the Government are quite sincere. They have no wish to stifle an inquiry or to prevent anybody who is suitable from carrying on a suitable inquiry. I cannot accept the resolution because it will lead to misleading results especially at this inopportune time."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"My Lord, I should, in the first place, like to point out the scope and the circumstances under which Mr. Jack conducted his inquiry in Bengal. The Hon'ble Sir Alexander Cardew gave me an impression that Mr. Jack's inquiry was more or less a private affair undertaken in moments of leisure by Mr. Jack himself with the aid of some persons who were not in the employment of Government."

The Hon'ble Sir ALEXANDER CARDEW :—"I did not say that."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"Whatever the statement that the Hon'ble Sir Alexander Cardew made may be, I would like to bring to the notice of Honourable Members the fact that Mr. Jack was himself a settlement officer."

The Hon'ble Sir ALEXANDER CARDEW :—"I said that particularly."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"He was asked to prepare a record of rights, but in carrying on his duties in regard to this work Mr. Jack went further and utilized the same staff to undertake, at the same time, an economic inquiry in the district of Faridpur. Honourable Members will see from the introduction and foreword which Mr. Jack has written that this investigation was carried on under circumstances just mentioned by me; but it is a fact that he was not ordered by Government in the sense in which he was asked to compile it, but he utilized his opportunities as a settlement officer in compiling the record of rights to simultaneously conduct an investigation into the economic condition of the district of Faridpur. He says, My Lord, that his assistants who were all engaged in this investigation were officers who had without doubt secured the confidence of these villagers and he says: 'Each of these young graduates spent several months at one spot in the course of the duties which engaged him in inquiries into the holdings of all the cultivators, into the capability of the soil and into the relation of tenants, both legal and customary, with their landlords. He obtained a vast amount of information concerning all the families of the village and frequently saw all the villagers and made many visits to their homesteads; he could collect the villagers together and without offending them discuss with them each the amount of his income and the way in which he spent it.' They were all personally known to every family. He also says: 'The basis of the investigation was the family, because the unit of economic life in India is the family and not the individual.' He also appends to his book the instructions which he issued to his officers who were employed to assist him in compiling the record of rights and simultaneously the economic

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inquiry which he undertook on his own initiative. Therefore, My Lord, it would be seen that, so far as this particular inquiry in Bengal is concerned, it was conducted by Government officers trained to sift facts and trained to compile statistics and who were in close touch with the agricultural population and who carried with them, as Mr. Jack points out, the prestige of Government which also means a great deal in this matter.

"The Hon'ble Sir Alexander Cardew made some reference to the Forest Committee and then stated that they had to examine witnesses and cross-examine witnesses if there was anybody to cross-examine them and he apparently intended to state that an inquiry such as that would not elicit the truth. I venture to differ from him in that matter, though I am quite willing to fall in with his idea of an inquiry much simpler than the recording of evidence in a matter of this kind, but I believe, My Lord, there is absolutely no doubt, so far as I can see, that neither Mr. Patro nor Dr. Gilbert Slater, can, though they be genuine and disinterested investigators of the economic condition in this Presidency, undertake a satisfactory inquiry such as that which both my Honourable Friends have at heart. Honourable Members have noticed that in this Bengal inquiry the chief point of interest was the indebtedness of each agricultural family and the statistics which have been compiled not with reference to any particular individual family but with reference to the whole tract have been compiled after anxious examination not of one or two individual villages, but of a considerable portion of the tract of the country which was under investigation by Mr. Jack. Mr. Jack gave a general summary of this indebtedness of the population, the total debt of the cultivators, the total earnings and also the percentages of those who were above starvation, below starvation, and the debt incurred by those families who were in comfort, by families who were not in comfort, etc., with a view to really ascertain to what extent and what proportion of the population are living below comfort. I submit that unless Doctor Slater or Mr. Patro is assisted by a large settlement party such as that which is under the command of one of these settlement officers, I am afraid that the compilation of the information, which is necessary on which to base any satisfactory results, would be absolutely useless. I know, My Lord, that Doctor Slater has been contributing some articles to the press in which he gave some figures about poverty. His figures and his conclusions have been challenged by some investigators in Madras and by others also; and the Hon'ble Sir Alexander Cardew need not, on that account, put it down to the tendency of politicians to pervert facts or to distort the truth or exaggerate the defects of British administration. There is absolutely no ground as far as I see—"

The Hon'ble Sir ALEXANDER CARDEW (interrupting) :—"I did not say that."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"Whether the Hon'ble Sir Alexander Cardew did or did not say that, the unfortunate fact remains that the politician seems to figure not only in this resolution, but in a number of resolutions nowadays. The politician must be mentioned and he seems to be quite in evidence in the discussions in this Council. However, that is quite a different matter. I would suggest for the consideration of the Hon'ble Sir Alexander Cardew that in regard to re-settlements which may be impending in one of those districts he may instruct one of his settlement officers and also his party whether they would be willing to undertake an inquiry on the lines on which the inquiry was conducted by Mr. Jack. I do not believe, whatever may be the anxiety of Government to have this inquiry conducted, that any satisfactory results can be achieved by asking Mr. Patro to pursue his own inquiries or by saying that Doctor Slater may also simultaneously pursue his own inquiries. I do not think anything would be gained by examining the conditions of a few families in Ganjam or in Madras during the leisure hours of these two gentlemen. What is required is and what is of the greatest interest in this is, the question of the indebtedness of the people. Mr. Jack says that if the question of indebtedness is to be solved in this country, Government have really to see the extent to which the money-lender now figures in the transactions of the village; and he incidentally expresses the opinion that it is impossible—he puts it so far as Faridpur is concerned—it will be 1,000 years before the present co-operative movement can have any appreciable effect upon reducing the amount of the indebtedness of the ryot. His observations as regards the way of solving the question of indebtedness are of the utmost value. If Your Excellency's Government are to have facts and figures before you, it seems to be absolutely necessary to do much more than to say that Your Excellency's Government would welcome either Mr. Patro or Doctor Slater conducting their inquiries."

"My Lord, in closing these few observations, I must again assure Your Excellency's Government that the question of the economic condition of the ryot has been constantly urged in this Council for a long time and that it is time it is taken up and put upon some workable basis and that in the interests of sound administration and in the interests of solving agricultural indebtedness, it seems necessary that we must have facts. Mr. Gray's report which throws a flood of light on the present condition of agricultural labourers shows the extent to which an inquiry by a Government officer, assisted as he was by a number of other officers, has resulted in placing before the Government a mass of facts upon which it will be possible to take action. After all, supposing Doctor Slater or Mr. Patro compile some statistics of facts and places them before the Government what guarantee is there that those figures or statistics of facts would be accepted by Government? On those grounds, I am perfectly willing that whatever may be the nature of the inquiry undertaken, whether it is public or semi-public or private, it is one which should sift facts thoroughly and I am perfectly willing whether it is

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in this form or in any other form that an inquiry should be undertaken. On this matter, I would also appeal to Your Excellency's Government that the official experience of many official members of this Council may be made available on the present occasion. The question is one of very great importance and, as Your Excellency will observe, His Excellency the Viceroy, in his closing speech in the Imperial Legislative Council, has introduced a new departure and has permitted official Members to place their experience before Government in important discussions in the Imperial Council. I request Your Excellency's Government, in order that this matter may be thoroughly sifted, to make a departure on the present occasion and permit other official Members of this Council to place their views as to the lines on which this inquiry might be usefully and satisfactorily conducted. I therefore think that a more satisfactory statement is needed from the Hon'ble Sir Alexander Cardew."

At this stage, the Council adjourned for a short interval.

The Council re-assembled at 3 p.m. when the discussion on the resolution was resumed.

The Hon'ble the Rev. GEORGE PITTENDRIGH :—"Your Excellency, I simply wish to say that a number of us feel a good deal of sympathy with the efforts of the Hon'ble Mr. Krishna Rao and others to get at the true condition of the villagers in the Presidency. At the same time, we feel the difficulty of it and I am sure that a public inquiry, whether of the nature proposed by the Hon'ble Mr. Krishna Rao or the Hon'ble Mr. Venkatapathi Raju, will not enable us to get at the truth. I therefore wish to propose an amendment which Your Excellency will kindly permit me to move. It is to omit the word 'public' before 'inquiry' and the words 'at least in those districts which are likely to be re-settled during the next five years'. The resolution would in that case simply read thus:—'This Council recommends that the Governor in Council be pleased to direct an inquiry as to the economic condition of the agriculturists in some typical villages of the Presidency.'"

His Excellency the PRESIDENT :—"I do not suppose that that will restrict the discussion very much. I do not know whether others wish to speak. I do not want to restrict discussion at an early stage. I do not know if the Council would be prepared to limit the discussion."

The Hon'ble Mr. P. SIVA RAO :—"I wish to speak on the original resolution."

His Excellency the PRESIDENT :—"You cannot do that if this is moved. The Council must decide. I wish to consult the convenience of the Council. If the Council wishes to discuss the original proposition, it would be better to defer till a later stage the moving of the amendment."

The Hon'ble Mr. K. RAMA AYYANGAR :—"I should like to discuss the original resolution and then consider this amendment."

His Excellency the PRESIDENT :—"There must be a limit. We must not go over the same ground. We will see how the discussion proceeds."

The Hon'ble Mr. P. SIVA RAO :—"Your Excellency, I represent what are known as the Ceded districts and whatever doubts there might be as to the agricultural or the economic condition of the ryots in the other parts of the Presidency, there need not be any doubt whatever, that the condition of the ryots of the Ceded districts is the poorest. If any evidence is required in support of my position, I would only refer Honourable Members of this Council to what has been stated in the several district gazetteers for those districts. Just I may be permitted to quote one extract from one of the district gazetteers."

The Hon'ble Sir ALEXANDER CARDEW :—"Your Excellency, I venture to interrupt the Honourable Member. The question is not whether one particular district is in a bad state, or even whether the economic condition of your Presidency is bad, but whether an economic inquiry is needed. The Honourable Member would not I hope further our discussion by going into the backward state of the Ceded districts."

The Hon'ble Mr. P. SIVA RAO :—"I do not wish to detain the Council very long by dealing with the several characteristics of the Ceded districts. The first resolution speaks about an economic inquiry in some typical villages at least in the five districts where settlement operations have to be conducted. Bellary seems to be one of those districts. So, I wanted to refer to the state of that district, and the other resolution refers to districts where irrigation facilities do not exist and the districts that I represent satisfy both these characteristics; firstly, they are wanting in irrigation facilities and secondly in one of these districts, Bellary, settlement operations have already commenced. It is for that reason that I started with the state of my districts. I did not wish to detain the Council with the condition of my districts. I wish to quote one extract from the district gazetteer, where it is stated in describing the condition of Bellary :—"As long as a man can barely keep the wolf from the door, he has neither the means nor the leisure to improve his lot and in this district the wolf is never far away." It is also stated 'the rainfall is light, capricious and often unseasonable. Owing to the nature of the country, tanks are few in number and nearly all rainfed, while channels are still fewer. The proportion of the district which is protected from famine in all seasons is therefore as low as 2 per cent. The situation is summed up by saying 'the result is that the average ryot of Bellary is poor.' Speaking of Anantapur, it is said that it is 'the poorest district and the most backward of all districts whether as regards agriculture or as regards other industries.'

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"Now that I have dealt with the economic condition of the ryots in the Ceded districts, the only question that arises for consideration is whether we should have any inquiry at all. If we could have an inquiry what is the sort of inquiry that we wish to have? The Hon'ble Sir Alexander Cardew proposed some sort of inquiry, but stated that the Government were all too willing to undertake an inquiry either through the settlement officers or through an officer like Dr. Gilbert Slater or through a gentleman like Mr. Patro or something like that. But he fought shy of an inquiry, of a public inquiry and he defined public inquiry as the one which we had in the case of the Forest Committee—some officials and non-officials going about the country and collecting evidence, cross-examining witnesses and openly inquiring into these matters. For some reason or another, the Hon'ble Sir Alexander Cardew felt shy of such an inquiry. He also stated that provided this inquiry is for eliciting truth, Government would be very happy to have it. He vaguely hinted that this inquiry by a mixed committee of officials and non-officials going about the country is not one likely to lead to the revelation of truth. If that is what is meant, I am sorry that any reference should have been made to it at all. If we are satisfied with a mere inquiry according to the amendment of the Hon'ble Mr. Pittendrigh, it only means an inquiry, the settlement officer will be asked to conduct it and that sort of inquiry we have had all these years, preliminary to settlement operations. For my part, I would say if we are to have an inquiry worth having, let us by all means have a public inquiry. Let us not be startled by the examination and cross-examination of witnesses. We might have some dissenting minutes also. It might cost us something, but we have been spending on so many useful objects and there is absolutely no reason why we should not spend some money in ascertaining the actual condition of these ryots. I assure Your Excellency that there is nothing like a political move underlying this resolution. It only means that the economic condition has to be ascertained firstly as a necessary preliminary to settlement operations and secondly, with a view to start some remedial measures intended to ameliorate the condition of the people. One of these measures may be the starting of protective works, affording irrigation facilities, repairing of tanks which are now in a state of disrepair, starting agricultural banks, and co-operative societies, etc. I may suggest many other measures which would improve the economic condition of the ryots."

"With these words, I give my strong support to this resolution. Let us by all means have an inquiry, let it not be a shadowy inquiry, let it be a substantial inquiry beyond all doubt, so that nobody can take exception to the findings of such a committee. If it be said that politicians object to Mr. Slater's recommendations and findings because it did not suit them, it is open to the other side to say that they found favour with the Government, because it coincided with their views. There is no use making these observations and these criticisms, one way or the other. We shall have an inquiry, an independent and impartial inquiry which will put these matters beyond all doubt."

The Hon'ble Sir FAIRLESS BARBER :—"Your Excellency, so far as this debate goes, I am entirely in favour of the resolution, but I believe there are other reasons for Government not accepting it as it stands. Possibly, it would be because by such an inquiry, it would be very difficult to get any adequate or accurate results; but if it should be possible to do so, I think it would prove to bring to notice the facts of the case."

"I think also the acceptance of this resolution will go far to meet the resolution discussed yesterday as regards the rise in prices. I do not wish to say very much on the resolution which has been put forward very ably by the Hon'ble Mr. Krishna Rao; but if there is anything against the resolution being accepted by the Council, I will ask the Government to state the reasons more clearly than they had done hitherto. As far as I can see, the only objection taken by the Hon'ble Sir Alexander Cardew to the resolution is to the word 'public'."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Your Excellency, my difficulty so far as the amendment of the Hon'ble Mr. Pittendrigh goes, was that practically when we expect to start with an inquiry like this, it ought not to be challenged easily. It is not often that an inquiry of this kind is undertaken and it is one which, considering the future of the Government of this Province, will have to be taken as the standard for proceeding on lines which will be necessary for the proper administration of the Province. If an inquiry is started at all, it must be that all the information available to Government is before the body that conducts the inquiry. Any amount of work that might be done by individual officers or individual non-official gentlemen may not at all be acceptable to the people or to the Government, whatever may be the amount of trouble they may take in the matter. It was said, my Lord, that Mr. Patro's statement of the quantity that will be consumed by each individual in the locality which he examined looked almost a patent mistake. Of course, I know that in some villages where they work hard from morning till evening, there are classes of persons who consume—I would not say 3 lb.—but much more than what we think is the average consumption. I have seen such cases and hundreds of poor persons eat abnormally and in fact they fast for four or five days, when they do not find anything. I have known males and females who have looked to me to take an abnormal amount of food. In respect of particular localities, it may be true or it may not be true. That is so on the one hand. On the other hand, we have got Mr. Slater who seems to be true. That is so on the one hand. In the Province almost happy and prosperous, a fact unknown to us. We say that we are moving with the masses, we see them almost every day, we go to the villages and we know how about 75 per cent of the people have not got a meal for the day and have to start work in the morning if they have to get a meal in the day. Excepting the harvest season or the cultivation season, we know that about 65 per cent of the agriculturists, not land-

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owners, but people who rely on agriculture for their sustenance are without a proper meal. Under these circumstances, it will be very difficult to make the public believe or even the non-official Members on this side of the Council, believe that Dr. Slater's investigations are complete; not that he has placed before us any extraordinary facts, he might have had extraordinary theories; but they do not go very far in the matter of the application of the theories to the facts. Facts cannot err, however much theories may err.

"Under these circumstances, an inquiry by Dr. Slater or Mr. Patro or by any other individual for the matter of that, who is a member of any economic association of which kind we have very many in very many centres just now—that may not at all satisfy either the Government or the public. The question is what objection there is for the words, 'public inquiry.' I do not want to quarrel with the word 'public' if it has any odium attached to it; if it is a judicial inquiry in which evidence has to be taken and if the rules of the Evidence Act were to be followed, no body I suppose in this Council wants that any such thing should be done. But I do not know if it is proper to exclude in an inquiry of this kind such cross questions and answers which alone will help us to arrive at the truth. It must be public in one sense, in this sense, that a party going to a particular locality must be as widely known as possible; and there cannot be any objection to all the circumstances of the village being sifted by persons previously and this body will have an opportunity to thoroughly examine the collection of materials that have been so collected; for example, during the course of the Forest Committee's inquiry it might have been seen by the members of that Committee—of whom we have the Hon'ble Mr. Ramachandra Rao here—that previous intimation enabling people in the locality to go about places where they could collect practically the receipts for the fines levied and penalties also was given. They were unerring facts. Nothing could have been mentioned against the collection of evidence placed before that body, nor could it be suggested that there was too much anxiety for the collection of such evidence. The collection of such evidence will have to give way when the documents are before that body and when they find the evidence incontrovertible. Under these circumstances, whatever may be the objection taken to the word 'public' if the word 'open' will satisfy the purpose, I do not mind the word 'public' being omitted and the word 'open' substituted. But my suggestion is that an inquiry like this must be as thorough as possible.

"One objection was taken by the Hon'ble Sir Alexander Cardew that, at this time, under the present circumstances, it may not be advisable to have a party going about and taking evidence and coming to conclusions. I do not know that the ordinary administration of the Province does not require that to be done. It is not any extraordinary action that is sought to be taken.

"It is not likely to create any amount of commotion. On the other hand, it would create the greatest satisfaction, especially under the present conditions, when prices are rising and when there is no knowing how people will behave if they think that Government are indifferent to the present conditions. In the course of the statement made by the Hon'ble Sir Alexander Cardew which is a weighty statement, it was stated yesterday that the Government were anxious to see that everything would be attended to properly. It was extremely satisfactory to notice that they felt that any action that should be taken must be taken after considerable thought and that ordinary interference may interfere with the legitimate gains of persons who, otherwise, would lose their gains, without actually benefiting others. Those conditions are very important; and it is under those circumstances that we have had information from the Hon'ble Mr. Ramachandra Rao, the Hon'ble Mr. Siva Rao and the Hon'ble Mr. A. Suryanarayana Rao that people were prepared to loot grain shops and other places and that something must be done to allay the feeling that might be caused that the Government are making an inquiry and it must be widely known so that there may be no kind of dissatisfaction, among the people. This will not cause any disturbance. On the one hand, it will create that satisfaction among the people and on the other hand it will enable the Government to do a duty which we on this side have been, almost combined, feeling that it should have been taken up long long ago especially in the case of the agriculturists, in a country where 68 per cent of the population are pure agriculturists. Therefore, my Lord, there could be no objection to the word 'public' except it be sentimental. Let it be an 'open' inquiry.

"As regards the second point, I should say that the question of any individual officer or a non-official taking up the inquiry must be completely discouraged. It ought to be a Government inquiry in which there should be one officer of the standing of a member of the Board of Revenue or some one of that kind who will be able to command all the confidential papers of the Government to satisfy himself that there shall be no injustice done in the matter. We have got the greatest respect for members who have sat at such committees. We have got very great respect for Mr. Horne who at the close of his inquiry was able to show that he had a heart which the people admired. Similarly some such Government officer who will be respected both by the people and by Government must be placed at the head. One or two persons may be put on with him, one or two persons may be of the kind of Dr. Slater, or the Hon'ble Mr. Couchman who are able to compile statistics as to the methods of inquiry and who are also able to give advice in the course of the operations. After a committee like that of three or four is constituted in the central place, I should very much like that before the committee begins operation, Collectors must have a notification that they may select particular villages, typical of each district, where this body may go and make a thorough investigation, of the cultivators, of the landowners and other non-agriculturists, into every method of income available to the village, every kind of expenditure, the conditions in which they are, their debts,

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their prosperous condition, the necessity for emigration and all other circumstances which must all be observed completely, so that it may not be said that the records did not contain any information that any expert in economic inquiries will expect from an inquiry of that kind. The Collector must notify the villages where such an inquiry will be made and these officers when they go to the district may take with them one or two people of the district who will be able to command the confidence of the people and who at the same time will be acceptable to Government. I do not want people who are simply agitating for what may not be necessary. Government have been able to find very respectable people who have been willing to co-operate and help Government in such investigations. They will be commanding the respect of the localities and with such persons consisting of the Madras Committee and the co-opted members of the locality, when they go to any village, it must be open to any one to place before them documents and materials from which they can find out what the family conditions in all respects referred to by the Hon'ble Mr. Krishna Rao are, and that may be supplemented by references to all available books. After that committee finishes its labours in one district, it must go to another and that record which is so prepared must be perfect. I do not say that there will not be arguments for both sides; we shall have facts; let there be no contention about facts, and on those facts, the committee that is constituted will be able to draw its inferences upon which we will certainly have the Government passing orders. The inquiry, as I said, is quite opportune in moments like this, and it will create great confidence and at the same time, it would supply to the Government a document which will be absolutely satisfactory for the future of the Government of this Presidency. My Lord, I hope that these remarks will be taken in the spirit in which they are offered. I do not want in this matter that the Hon'ble Mr. Pittendrigh should restrict the inquiry. We have Mr. Gray's report, and that will do for the matter of that. But that is not the inquiry that is required. This inquiry will be of a quite different sort. I do not think the Government should shirk a question of that kind. On the other hand, Government have been repeatedly mentioning that they are alive to the importance of such an inquiry and if the facts are before the Government, I have no doubt that it would not in any way weaken one party or another, but it would enable us to arrive at correct conclusions about the proper condition of this province.

The Hon'ble Mr. GORDON FRASER :—"Your Excellency, I desire to express my sympathy with the objects aimed at in this resolution, but I do not support the request for a public inquiry, as I think as the Hon'ble Sir Alexander Cardew pointed out clearly, there are difficulties and almost impossibilities in conducting one satisfactorily. I would welcome an inquiry into the economic condition of the agricultural labourers, possibly not entirely from the same standpoint as that put forward by the Honourable Mover of the resolution. I think it would probably show up clearly those who are responsible for the alleged poor economic condition of the labourers of this country. There is no doubt that for the past few years, the products of the soil have commanded high prices. We have had evidence of that in the discussion we had yesterday on the high prices ruling for all agricultural products. Evidently the land-owner, the middleman or the money-lender or some one concerned with the products of the soil is making money; but it seems to me, from what one hears, that the sons of the soil are not sharing in this prosperity. If the land-owners and those responsible for the produce are making money, it is only right that the labourers should receive hire worthy of their labour.

"The result of the Government inquiry may not result in much. Supposing the result of the inquiry confirms that the position of the labourer is very poor, it is rather difficult to see what the next step would be; but if one could put one's finger on the trouble, it would be easier to find a remedy. On the whole, I am of opinion that good would come from an inquiry, and as regards the inquiry itself the resolution leaves the arrangements and the scope of the inquiry very much in the hands of Government. I do not approve of the word 'public' being in the resolution; and without that, the scope of the inquiry is left very much to the discretion of Government. I, therefore, sympathise with the resolution, but I am afraid I cannot support it as it stands at present. With the elimination of the word 'public' I will support it."

The Hon'ble Mr. A. SURYANARAYANA RAO :—"Your Excellency, there are two resolutions now before us—No. XIV and No. XV. In resolution XIV the word 'public' occurs; in resolution XV, the word 'public' does not occur. But both suggest that a committee of officials and non-officials should be appointed. With regard to the necessity for some sort of inquiry I understand that the Hon'ble Sir Alexander Cardew has no objection; but I understand that he suggests that an inquiry like the one made by Mr. Jack or Mr. Gray should be accepted, whereas non-official Members request that an inquiry might be made so that officials and non-officials might be both enabled to take part in that inquiry. The Hon'ble Sir Alexander Cardew has mentioned to us that there is a report of Dr. Slater on the one hand and the report of Mr. Patro on the other hand. Mr. Patro has made *bona fide* inquiries into the matter and Dr. Slater has also made *bona fide* inquiries; but here we have got two different conclusions arrived at by these two gentlemen. Non-officials think that Mr. Patro is nearer the truth and that he has arrived at more satisfactory conclusions than Dr. Slater; and on the other hand Government officials think that Mr. Slater's conclusions are more accurate. My humble suggestion is that an inquiry should be held and these two gentlemen should be combined besides other officials; we shall have three officials and three non-officials or even four; we will have a limited number, two on each side. I would give an opportunity to both these gentlemen to be on the committee and

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see who is wrong or who is in the right, so that one might modify his conclusions after consulting the other. Whether we use the word 'public' or private, it is all the same. When once the committee sits, unless one agricultural tenant is called and others are shut out, the matter is bound to become public; and the disadvantage of making it a private inquiry is that the agriculturist for reasons best known to himself, might either under-rate or over-rate his income in the hope that he might get some benefit by showing to the Government that he is not deriving much profit or he might over-rate it to show that he is in an opulent condition. I do not know what objection there could be for the other agriculturists also having an opportunity to watch what this particular man says. They will then be able to correct him and give correct information to the committee and the committee will then be in a position to judge whether this man has given true or false information. Whether we use the word 'public' or not, so long as the committee sits and so long as agriculturists have an opportunity of giving information, not singly but in the presence of others, the matter is bound to be public and the inquiry a public inquiry. I do not see any harm if the other agriculturists are allowed an opportunity to hear what these agriculturists say, so that the committee might be in a position to see whether the information that is got is true or not. Therefore, my Lord, I do not think there is much in the word 'public' or in the word 'public' being omitted in the resolution. But the question is whether it should be an inquiry made by officials and non-officials together, or only by officials independently and non-officials independently. The danger of an inquiry by officials alone would be that they would have their own views in the matter and their conclusions may not be very satisfactory to non-officials and their opinions will always be open to criticism for the simple reason that non-officials were not allowed to take part in the inquiry. Therefore, I think it would obviate all criticism if both officials and non-officials are allowed to take part in that inquiry and the inquiry is made in such a manner that the agriculturists would have an opportunity of making a representation, so that one may know what the other has said, and so that the committee also might be in a position to judge whether they are getting correct information or only a garbled version. I, therefore, submit that an inquiry by a committee of officials and non-officials is absolutely necessary, whether we call it a public inquiry or a mere inquiry, so long as the public have got an opportunity to give information to the committee."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR :—"Your Excellency, I wish just to draw particular attention to one point in sympathising with the object of this resolution. My Honourable Friends, Sir Fairless Barber and Mr. Gordon Fraser, observed that such an inquiry would go a great way to enlighten us as to the ways by which the rack-renting landlord and the over-avaricious shop-keeper are contributing to the poverty of the average ryot in this country. I hope and trust that any inquiry which really aims at arriving at the truth would also look into that much more important aspect of what percentage the taxation of Government bears to the average income both of the agriculturists as well as other people. That, in my opinion, is an affair of greater and far more vital importance than perhaps the facts to which my Honourable Friends have referred. So, an inquiry with which our Government, as expressed by the Hon'ble Sir Alexander Cardew, are so much in sympathy should certainly aim above all at pointing out to the public at large how exactly the relationship of Government is with the people, particularly the agricultural classes, and what proportion of their income is being absorbed by Government in the way of different kinds of taxation. With that one remark, I join with my Honourable Friends in expressing my sympathy with the objects of the resolution."

The Hon'ble Mr. A. S. KRISHNA RAO :—"At this stage, I wish to know whether the amendment is before this Council."

His Excellency the PRESIDENT :—"I did not accept the amendment, because I understood the Council did not wish it accepted, and the speakers who followed did not wish the debate restricted. If the Council like it, I shall call upon the Hon'ble Mr. Pittendrigh to move his amendment."

The Hon'ble the Rev. GEORGE PITTENDRIGH :—"Your Excellency, I hardly think it necessary to add anything further in support to what I said before. I think it will suffice now, if I simply move the amendment that the word 'public' be omitted and also the words 'at least in those districts which are likely to be resettled during the next five years.' My idea is that the Government would be entrusted with the duty of discovering the best method of what we all wish to see, namely, a thorough inquiry."

The Hon'ble the Raja of Ramnad seconded the amendment.

The Hon'ble Mr. A. S. KRISHNA RAO :—"Your Excellency, I shall say a few words on the amendment. The discussion which has taken place on this resolution has shown that there is some sort of misconception about the public nature of the inquiry contemplated in this resolution. The Hon'ble Sir Alexander Cardew expressed that it would be somewhat impracticable if this inquiry should be public in the sense that it should be a quasi-judicial inquiry where witnesses would be examined and statements taken, where vakils would be present and where people would be subjected to cross-examination. When the Council is satisfied about the necessity for an inquiry and when I find that the European non-official Members of this Council

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have also, to the great pleasure of all of us, joined us in this debate and given expression to their views. I do not think there ought to be any difficulty about the retention or omission of the word 'public.' But it will clear any amount of misconception if it is understood that the inquiry contemplated, though not a public inquiry in the sense in which the Hon'ble Sir Alexander Cardew understood it, is an open inquiry, not a secret or a private one, but an inquiry in which members of the public who are willing to place information before the gentlemen conducting the inquiry have an opportunity of placing it before them and taking advantage of it. There has been, I must confess, a feeling of uneasiness or anxiety in the minds of some non-official members as to whether the omission of the word 'public' would necessarily take us to a private or a secret inquiry. We need not commit the Government to the word 'public'; but let it be distinctly understood that the inquiry should be a free and independent inquiry with the object of ascertaining truth and let it be carried out by such means as would attain that effect."

His Excellency the PRESIDENT :—"There should be no misunderstanding. If you omit the word 'public' you omit the word 'public.' You cannot have both ways. Otherwise, it would not be in order and I cannot put it to the Council. If you omit the word 'public' you omit the word, if you keep the word 'public' you keep the word. The records of this Council are kept for years hence and our successors will read the results. I must say that if you omit the word, you must omit it, or if you retain it, you retain it."

The Hon'ble Mr. A. S. KRISHNA RAO :—"I am pointing out that there need be no misapprehension or misconception; even if we agree about the omission of the word 'public' it does not mean that the inquiry is to be secret or that we commit ourselves to that view. It need not be public in the sense that it is to be a sort of judicial inquiry where persons are subject to examination and cross-examination. But the inquiry will be open so as to enable persons to know what it is and to make representations. All that I wish to remind this Council before I sit down is this: When we agree—I am not going to fight about the word 'public,' I am going to accept the amendment—to the omission of the word 'public,' let us not be under the impression that we commit ourselves to a secret inquiry where no one will have an opportunity of understanding what takes place. It is with that understanding that I do not oppose the amendment. I have no objection to the omission of the word 'public.' I hope, that in working it out, the Government will see that the public are taken into confidence in the selection of the persons who are to conduct this inquiry. Much has been said in this Council about Dr. Slater and Mr. Patro, and views have been expressed whether they are the best persons. I do not wish to make any suggestions as to whether it is to be conducted by the one or the other; but before this amendment is put to the vote, I think it is necessary to request Government to select persons who will command the confidence of the public in conducting such an inquiry and to see that it is conducted by persons with the real object of finding out the truth and without any pre-conceived ideas one way or the other. Let it be a free and independent inquiry and let us all get at the truth. That is all that I wish to say as regards the amendment."

The Hon'ble Mr. K. RAMA AYYANGAR :—"I should like the amendment to be put to vote."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"I want one information with reference to the amendment. Government accepted a resolution on the 22nd of November 1916, promising to further inquire into the economic condition of South Arcot. May I know what sort of inquiry was then held? The resolution was accepted in this Council promising an inquiry into the economic condition of South Arcot. What sort of inquiry was then held?"

The Hon'ble Sir ALEXANDER CARDEW :—"The settlement officer was instructed to make further inquiry with special reference to indebtedness. He had already made under the rules, an economic inquiry, but he was asked to make a further inquiry as regards indebtedness."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"What was the nature of the inquiry?"

The Hon'ble Sir ALEXANDER CARDEW :—"I suppose he interrogated the ryots in typical villages as to how far they were indebted and attempted to check their statements by going into registers where the mortgages would be registered and generally by a personal inquiry trying to get at the truth. There were subordinates working under him. I am speaking merely at random."

The Hon'ble the Rev. GEORGE PITTENDRIGH :—"Before the amendment is put to the vote, will it not be possible to ascertain the views of the Government on the amendment?"

The Hon'ble Sir ALEXANDER CARDEW :—"Your Excellency, so far as statistics and ascertained facts are available, we do make an inquiry into the economic condition of each district before resettlement is carried out. In South Arcot, for instance, inquiry was made into the registered statistics of lease-deeds, lease values, sale values and into the question of improved means of communication, railways, rent-rolls, that is, the rents which the ryotwari holders got from tenants, the population, coercive processes issued for raising revenue, wells, the rates of wages and so on. That inquiry is made; but we do not make an inquiry into what apparently is in the minds of most Honourable Members, such things as domestic budgets. We do not make any attempt, as a rule, to find out how much a man's income is, how much his wages are and whether he gets a living wage. But in certain circumstances, we have made such an inquiry. Mr. Gray has made that inquiry and the report has been laid upon the table. I would like to ask Honourable Members interested in this matter this question: "here is Mr. Gray's report as to the condition of the labouring classes in Chingleput, South Arcot

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Tanjore and Malabar which gives a very large amount of information; what are we to do next? where does it lead us?" That is the question which the Hon'ble Mr. Fraser suggested as being a very difficult one, to know what the next step is to be. Government have instituted inquiries to provide house-sites in one of the districts for the depressed and the labouring classes and there appears a great deal of opposition to this interference between the owner of the land and his employees. Here is an economic inquiry which Honourable Members want with regard to the labouring classes in that district. Their wage is very low. The Hon'ble Mr. Fraser pointed out last year that there was ample margin between the price at which things sell and at which things are produced. Why do not they get a fair wage? The Hon'ble Mr. Rama Ayyangar says that 65 or 75 per cent of the population are agriculturists, not agriculturist landowners; he must therefore mean the labouring classes and he says that they do not get a full meal. Why do they not get a full meal,—because the land-owning classes do not pay them enough. If it is true that they do not get a full meal, I venture to think that it is because the land-owner will not pay them a real wage, but binds them over by all sorts of unfair stipulations. They give them some advance and so that the labourers cannot leave the land unless they repay the advance. Articles have appeared in newspapers that they are turned into a sort of slaves tied to the soil. And then the Honourable Member comes to this Council and throws it in our teeth that the labourer does not get enough wages. It has nothing to do with the Government. It concerns the land-owning classes. If the labourers do not get fair wages, it is the mistake of the land-owning classes. Suppose an inquiry proves that it is so, what can the Government do to remedy it? Only education can teach these men to rebel against servitude of this kind. Servitude is popular with the land-owning people. I have seen articles that appeared in the press showing this is what the landowner wants with the labouring class. Here is a specimen: 'It is notorious that these servants are hardly amenable to any sort of discipline and the employer must perforce be satisfied with the slipshod work performed by the employees. Labourers stop away or strike work at their sweet will and pleasure and the village community is so badly constructed that there is nothing of social or moral pressure that can be invoked against the delinquent.' That means that we must have co-operative societies to coerce the labourer to stay in the village and work at the wage which the landowner will give him. Yet the Hon'ble Mr. Rama Ayyangar talks exactly as though the inquiry proposed was an inquiry into the case of the landowners. The Hon'ble Mr. Chidambaranatha Mudaliyar on the other side of the house says that it is a most important thing to see what Government taxation has to do with it and what the taxation on the agricultural labourer is. Taxation is on the landowner. It is not on the labourer. Thus the Hon'ble Mr. Chidambaranatha Mudaliyar wants an inquiry into the pressure of the land-tax under the guise of this resolution. Thus every sort of grievance is trotted out. I am afraid, if we agree to the Hon'ble Mr. Pittendrigh's amendment, we should be producing entirely useless results, or results which will mislead this Council. We could accept the Hon'ble Mr. Pittendrigh's proposal and order our Revenue officers to make more careful inquiries into the agricultural condition of the country. But I do not think that is what the Honourable Members desire. They want an itinerant body, a Board for collecting information, going from district to district collecting information and, it is said, settling the matter once and for all—as though we can settle economic questions once and for all! The record, it is said, should be perfect,—as if any such record could be perfect! We should be misleading the Council if we accepted the amendment. I should be very glad if a really scientific inquiry into the economic condition of the agriculturist population by an impartial observer could be carried on in any way rather than that the Government should undertake to do it by a Board and that the Collector should notify the villages. I really think that it is better for the Government not to accept the amendment. While we shall be delighted to have an inquiry made by a qualified influential investigator, it is not the function of Government to make this inquiry; it has never been done in any part of the world and therefore we must rely upon those who are students of economics in the dry light of science to carry out these investigations and Hon'ble Members should not ask officials who must be always likely to be charged with being committed to a particular point of view to undertake this duty.

His Excellency the PRESIDENT:—"I now put the amendment."

The amendment was put and carried.

His Excellency the PRESIDENT:—"I have still to put the amendment as a substantive motion before this house."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I did not clearly understand the difficulty of the Hon'ble Sir Alexander Cardew which he indicated in his closing observations. He referred to what the Hon'ble Mr. Rama Ayyangar said as regards agricultural labourers, but I believe it is the object of my Hon'ble Friend Mr. A. S. Krishna Rao and also Mr. Venkatapati Raju that this inquiry should be conducted in regard to the economic condition of the agricultural classes by which I understand those who own lands and not agricultural labourers. It is true that Mr. Gray's report has been referred to incidentally to point out the value of a report conducted by an officer who had special knowledge of a subject of this kind and who was assisted by his officers."

The Hon'ble Sir ALEXANDER CARDEW:—"I venture to remind the Honourable Member that the Hon'ble Mr. Krishna Rao in moving the resolution particularly said that the word 'agriculturists' includes five classes: cultivating and non-cultivating landholders, cultivating and non-cultivating tenants and agricultural labourers: that is the whole issue."

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The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"May I ask, Your Excellency, whether the Hon'ble Sir Alexander Cardew wishes to limit the inquiry in any way to any one of these five classes? There is no good of pointing out difficulties in the way in which the resolution has been framed or in what has been said in support of the resolution. If it is the object of the Hon'ble Sir Alexander Cardew that good results would ensue by limiting the inquiry to two or three classes mentioned by the Honourable Mover, he may say so; but I really do not understand the Honourable Member's attitude when he says that the question is confused by the arguments addressed by the various speakers. I would request the Hon'ble Sir Alexander Cardew to specifically state to the Council whether he is willing to undertake an inquiry with regard to agricultural land-owning classes, both tenantry and those who actually cultivate their own lands, leaving agricultural labourers outside. Is he willing to undertake an inquiry of that sort leaving the agricultural labourers outside that inquiry?"

The Hon'ble Sir ALEXANDER CARDEW:—"On the whole, it seemed to me better that the Government should decline to undertake an inquiry and that we should leave it to private enterprise, to a private scientific investigator to take up the work."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"I quite see that now."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Your Excellency, I wish to oppose this resolution as it stands now. I congratulate the Hon'ble Sir Alexander Cardew on the very frank way in which he has taken the Council into his confidence with reference to his attitude as regards any inquiry that might be undertaken. He says that the Government have made such inquiries already for the purpose of re-settlement. We say that we are not satisfied with it, we say that it is behind the back of the people and that is the reason why we ask for a public inquiry into this matter; and unless there is going to be a public inquiry into the condition of agriculturists, where they are land-owning agriculturists, I do not see what object is served or gained by my Honourable Friends in this Council getting Government to make another inquiry and let another report be added to the already voluminous records when the land-owning classes are already accused of so many iniquities. The land-owning classes plead 'not guilty' to that charge and we say that that charge is made on the findings collected behind their back by persons who have not got a judicial mood. Therefore, we ask that a public inquiry should be made in which both aspects of the question will be thoroughly threshed out. I, therefore, oppose the resolution for the reasons I have stated."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, when the Hon'ble Sir Alexander Cardew grew furious, I thought he was going to hold some inquiry into the condition of the labourers at least. It was curious for me to hear that the Government would not undertake any inquiry, and that it must be left to private enterprise. I really do not know if the conditions of the inhabitants of the province ought not to be understood full well and if the matter is to be left there. It was said as though simply because there was somebody writing in the papers about the duties of the labourers and about the masters employing those labourers, we should come to the conclusion that we should never give a verdict in favour of the landholder. I challenge the Government in this matter that we should be prepared to do as much for the labourer as the Government themselves. I for one shall not shrink from it and the Hon'ble Sir Alexander Cardew may rest assured that if it comes to the question of the Government undertaking the remedies needed to improve the economic condition of these men, there shall not be on this side of the Council any opposition to it. It was my Hon'ble Friend Mr. Ramachandra Rao who made the suggestion that there should be assignments made to poorer classes and it was another person that made the suggestion that these sites should be acquired for the people. We have been trying hard to see that elementary education spreads sufficiently all round. It is wrong on the part of the Hon'ble Sir Alexander Cardew to have suggested that Honourable Members who have spoken on this inquiry did so with some motive behind. What the Hon'ble Mr. Chidambaranatha Mudaliyar said was that an inquiry of that kind might give him some position to take, but that is no reason why the Government ought not to know what the position of the inhabitants is. My Lord, I thought the Government were not to know what the position of the inhabitants is. It was more or less said that the practically accepting the original course of the resolution. It was more or less said that the question was only a question whether the inquiry is to be public or not. I really do not know whether if the Government decide to make an inquiry, it may be an inquiry in the sense in which we wish to make it public. It is against the unanimous wish of all the members on this side, that there should be some inquiry into the condition of the agriculturists. I submit, my Lord, any amount of angry words apart, it is patent that we are here to do our duty and that we shall do our duty to the best of our power and any amount of statement on one side or another will not improve the condition. We shall be quite willing to see that the economic condition of the people improves as much as the Government themselves want."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Your Excellency, I only wish to say just a word. I wish the Hon'ble Sir Alexander Cardew had come to that decision about the landholder not paying adequately to the agricultural labourer, after the inquiry which has been gracious enough to hold out to us. I certainly never even suggested that there is anything improper in the way in which the Government are dealing with the land-owning classes."

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I never suggested that. But inasmuch as the Hon'ble Sir Alexander Cardew has clearly and openly said that the whole difficulty arises, merely because the landowner does not pay a fair and reasonable wage to the agricultural labourer, I wish in this connexion also to point out that the land-owning classes, if it is necessary to point it out, pay the agricultural labourer, at least 90 per cent of them, if I am not mistaken, under the sharing system, under a system under which produce is shared between the landowner and the agricultural labourer. I may also assure this Council that under that sharing system, more than 30 to 40 per cent of the total produce goes to the agricultural labourer. I may assure this Council that that is the position right through in all the districts so far as the agricultural land-owners and the agricultural labourers are concerned. I may also point out that, according to their own admission, Government are taking away 50 per cent of the net profit, the net return from every land. We may think that they are taking more. When that is the situation, I challenge the Hon'ble Sir Alexander Cardew to point out any occupation in which 40 per cent of the gross produce is being paid as wages to the labourer. I challenge the Hon'ble Sir Alexander Cardew to point out any occupation in which that amount is being earned as wages by the labourer. With these remarks, I am still in support of the amended resolution put forward by the Hon'ble Mr. Pittendrigh and I assure the Hon'ble Sir Alexander Cardew that the landowner is the last man to be afraid of such an inquiry; on the other hand, he would gladly welcome it, because it would clearly show to men of the Hon'ble Sir Alexander Cardew's views that the truth is absolutely otherwise."

The Hon'ble Sir FAIRLESS BARBER:—"Your Excellency, I would not take up the time of the Council. I have been listening to this debate carefully, but I have heard nothing from the Government to make me vote against this resolution. I have heard the last speech and the two speeches made by the Hon'ble Mr. Rama Ayyangar which made me ponder before I give my vote. I am really surprised at some things that he said. I would ask Government to state clearly the arguments, any definite and logical arguments, why the inquiry asked for could not be granted."

His Excellency the PRESIDENT:—"I must remind the Honourable Gentleman that the Council has decided against a public inquiry, after a full discussion and that subject is really not open to further discussion. It is open to the Hon'ble Sir Alexander Cardew to explain to the Honourable Gentleman what he means."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Will Your Excellency let me make a few remarks?"

His Excellency the PRESIDENT:—"You have a right."

The Hon'ble Mr. A. S. KRISHNA RAO:—"With Your Excellency's permission.

"Your Excellency reminded me while I was making some remarks on the amendment that the wording of the resolution was more important than the views entertained by individual members as to the nature of the inquiry. I would request Honourable Members of this House to consider that aspect of it. I am glad the Hon'ble Sir Alexander Cardew made his position clear when he opposed the amendment of the Hon'ble Mr. Pittendrigh. It only shows that he understands the nature of the inquiry which is being suggested by the non-official members. Therefore my Hon'ble Friend Mr. Ranga Achariyar need not, after hearing the reply of the Hon'ble Sir Alexander Cardew, record his vote against the resolution. All that we have to see is whether we think it reasonable or not that there should be an inquiry into the economic condition. This Council by adopting this amendment has expressed itself in favour of it. When the Executive Government begin to consider in what form effect is to be given to this resolution, there would be time enough to consider further details; but at present I request Honourable Members of this Council to consider the wording of this resolution and not to be carried away either by the remarks made by one speaker or another and not to consider whether the remarks made by one gentleman can be approved or cannot be approved. I particularly request my Hon'ble Friend Sir Fairless Barber, who said that he had again to ponder over the remarks of some Honourable Member, not to waver. We have nothing to do with individual remarks. There is the wording of the resolution which is clear and distinct. If the resolution is acceptable, it is our duty to vote for it."

His Excellency the PRESIDENT:—"If the Honourable Gentleman means to suggest that it is open to the Government to make this inquiry public or private, it is not open to him to say that. The decision has been against a public inquiry."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I quite understand it."

The Hon'ble Mr. GORDON FRASER:—"Your Excellency, when I spoke in favour of the resolution, I spoke under the impression that the resolution had been put forward for the good of the labourers, but after listening to the remarks of the Hon'ble Mr. Chidambaranatha Mudaliyar in which he contends that the labourers are paid so well, it seems to me that there is no need for the resolution and inquiry. If the labourers are taking 40 per cent of the produce of the land, the impression I had earlier in the debate disappears entirely."

The resolution as amended was then put and lost.

RESOLUTIONS *RE* INQUIRY INTO THE ECONOMIC CONDITION OF 625
THE AGRICULTURISTS IN TYPICAL VILLAGES AND WORKING
OF THE CRIMINAL TRIBES ACT III OF 1911.

4TH APRIL 1918.]

(Mr. A. S. Krishna Rao.)

The Hon'ble Mr. A. S. Krishna Rao called for a division which was taken with the following result:—

For	Against
The Hon'ble Rao Bahadur M. Ramaachandra Rao.	The Hon'ble Sir Alexander Cardew.
" Mr. P. Siva Rao.	" Diwan Bahadur P. Rajagopala Achariyar.
" " K. Rama Ayyangar.	" Diwan Bahadur L. D. Swami-kannu Pillai.
" " B. Venkatapati Raju.	" Mr. A. R. Knapp.
" the Rev. George Pittendrigh.	" " L. Davidson.
" Mr. K. Sadasiva Bhat.	" " A. Butterworth.
" Diwan Bahadur K. Suryanaraynamurthi Nayudu.	" " L. E. Buckley.
" Rao Bahadur Annamalai Chetti-yar.	" " M. E. Couchman.
" the Zamindar of Serugada.	" " C. G. Todhunter.
" the Zamindar of Polavaram.	" Muhammad Aziz-ud-din Husain Sahib Bahadur.
" the Raja of Ramnad.	" Lieut.-Col. Giffard.
" Diwan Bahadur A. Subbarayalu Reddiyar.	" Mr. T. Richmond.
" Yaqub Hasan Sahib Bahadur.	" " T. Ranga Achariyar.
" Mr. A. T. G. M. Ahmad Tambi Marakkayar.	" " J. H. Stone.
" " K. Chidambaranatha Mudali-yar.	" the Prince of Arcot.
" " A. Suryanarayana Rao.	" Mr. S. B. Murray.
" " A. S. Krishna Rao.	" the Advocate-General.
" Sir Francis Spring.	" Mr. Gillman.
" Sir Fairless Barber.	" " W. J. J. Howley.
" Mr. Gordon Fraser.	" " R. A. Graham.
" " C. H. Higginbotham.	
" the Most Rev. John Aalen.	

The resolution was then declared carried, 22 being for and 20 against.

RESOLUTION *RE* WORKING OF THE CRIMINAL TRIBES
ACT III OF 1911.

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I have the honour to move—

'XVI. This Council recommends that the Governor in Council be pleased to direct an inquiry as to the working of the Criminal Tribes Act III of 1911 in the Presidency.'

"Your Excellency, let me draw the attention of Honourable Members of this Council to the Criminal Tribes Act passed in 1911 and the rules framed under it by Your Excellency's Government in 1912. It was passed, under exceptional circumstances, to bring under control the various criminal tribes in the country, to prevent any possible mischief by them, to require them to notify their residences from time to time to restrict their movements, and thus to restore peace throughout the country. There are some provisions in this Act which require that upon a notification issued by the Government 'the District Magistrate shall publish a notice in the prescribed manner at the place where the register is to be made and at such other places as he may think fit calling upon all the members of such criminal tribe, or of such part thereof as is directed to be registered,—

'(a) to appear at a time and place therein specified before a person appointed by him in this behalf;
'(b) to give to that person such information as may be necessary to enable him to make the register; and
'(c) to allow their finger-impressions to be recorded:

Provided that the District Magistrate may exempt any individual member of such criminal tribe or part thereof from registration.

"It is true that the District Magistrate is given a discretion to exempt any individual member from such registration. It is also provided as per section 7 of the Act that after the register has been placed in the hands of the Superintendent of Police it must be done in the same manner after notice is issued for that purpose. Then there are other provisions of the Act restricting the movement of these criminal tribes and I wish particularly to draw the attention of this Council to section 12—

'If, on the consideration of any such report, the Governor-General in Council is satisfied—

'(a) that it is expedient to restrict the movements of such criminal tribe, or to settle it in a place of residence; and

RESOLUTION *RE* WORKING OF THE CRIMINAL TRIBES
ACT III OF 1911.

(Mr. A. S. Krishna Rao ; Mr. Gillman.) [4TH APRIL 1918.]

(b) that the means by which it is proposed that such criminal tribe shall earn its living are adequate.

'He may authorize the local Government to publish in the local official gazette a notification declaring that such criminal tribe shall be restricted in its movements to the area specified or shall be settled in the place of residence specified and the local Government may publish a notification accordingly.'

"Then come the various provisions of the Act giving power to the local Government to frame rules and prescribing punishments for offences committed under the Act. It would be found from a perusal of sections 21 to 25 of the Act that the punishments suggested are somewhat harsh and drastic; and that even for a violation of the rules framed under the Act, and that for mere intention to commit an offence also, punishments have been provided under the Act. I shall particularly draw the attention of the Council to section 24 :—

'Whoever, being a registered member of any criminal tribe is found in any place under such circumstances as to satisfy the Court—

(a) that he was about to commit, or aid in the commission of theft, or robbery, or

(b) that he was waiting for an opportunity to commit theft or robbery, shall be punishable with imprisonment for a term which may extend to three years, and shall also be liable to fine which may extend to one thousand rupees.'

"This section makes him liable to punishment up to three years' imprisonment if the Court is satisfied that he is about to commit or aid in the commission of an offence of theft or robbery, or that he is waiting for an opportunity to commit theft or robbery. Let Honourable Members of this Council consider for a while as to the standard of evidence which may be required to enable the Court to come to the conclusion that a man was about to commit theft or was waiting for an opportunity to do so. It is more or less a question of intention and it is impossible for any Court presided over by mortals to come to a satisfactory conclusion on that matter. Such drastic provisions also, it is not open to this Council to revise. But when we consider the manner in which this Act has been worked ever since it came into existence, it is necessary to bear in mind certain figures affecting this question. We find that rules were framed in 1912 and we have got the information available in the reports issued by the Police Department from 1913 upwards. In 1913 the number of persons that have been registered under the Act is 5,734. That being the first year, there were not many prosecutions launched in the course of that year. In 1914 as many as 10,256 persons were registered under the Act and the number of convictions was 614. In 1915 you find that the number of persons registered is 3,856 and the number of convictions is 1,608. In 1916, the latest year for which figures are available, we find the number of persons registered is 3,476 and the number of convictions 1,323. I need not detain the Council long by referring to figures showing the number of cases tried and the number of cases in which persons were acquitted, because it will be clear that in most of these cases persons were convicted. It is in a very small percentage of cases that they succeeded in obtaining acquittals. As to the way in which, in the earlier stages of registration, the Act was being worked, it was being worked by officers of, the Police Department, whose duty it is to take them before the magistrates and see that the necessary formalities are complied with. It is not ordinarily possible for there being any elaborate or satisfactory inquiry about the nature or the character of these persons. It is only to guard against some irregularities or errors or omissions that provisions have been made that the District Magistrate can exempt particular persons or make alterations in the register. Seeing that from the time these rules have been framed and published—there have been a number of persons who have been registered under the Act—seeing that it is not possible to have a proper machinery to check and scrutinise the antecedents of these criminal tribes, it is, I believe, reasonable to ask that a proper inquiry should be made as to the method of registration, as to the possible check and scrutiny that has been carried on for the purpose and generally as to the way in which the Act is being worked.

"Coming to the question of criminal prosecutions, I would inform the Council, that in such cases, where they cannot be ordinarily defended by counsel, the only persons that can present these cases before them are the police officers and the only witnesses that can be examined are police officers. Unless a satisfactory inquiry is made, we cannot be satisfied with the result. There have been a number of prosecutions and a number of convictions, because it is a special Act intended for a special purpose to control persons with criminal tendencies. It is, I believe, necessary that, time after time, stock is taken of the manner in which this Act is being worked, either in the matter of registration or in the way in which prosecutions are going on. I tried to know by means of a question put by me at this meeting whether we can arrive at a satisfactory conclusion as to the number of cases tried in the various districts in the Presidency and the number of cases defended by vakils, the number of cases in which witnesses were examined for the prosecution and for the defence and the number of cases in which police officers were examined. My experience is limited to the district wherefrom I come and there have been a number of cases there. There is no one to defend them; notice is given ordinarily to the Public Prosecutor in the case of appeals; and he is called upon to explain, and then the Judge decides in the best manner that he can. In most cases that came to my knowledge the only witnesses examined were police officers and there is no possibility of testing their statements."

The Hon'ble Mr. H. F. W. GILLMAN :—"Would the Honourable Member like the Government to get information from the District Judges."

RESOLUTIONS *RE* WORKING OF THE CRIMINAL TRIBES ACT III OF 1911 62
AND NON-OFFICIAL VISITORS TO CRIMINAL SETTLEMENTS.

4TH APRIL 1918.] (Mr. A. S. Krishna Rao ; Mr. Rama Ayyangar ;
Mr. Gillman ; the President.)

The Hon'ble Mr. A. S. KRISHNA RAO :—"As regards registration, it is better that reference is made to all the district officers to make a careful scrutiny in the matter of registration and to send reports from time to time as to the way in which the persons are brought up. As to the number of prosecutions I suggest that a reference be made to the Sessions Judges who are disposing of some of these appeals. They are the now best fitted persons to give an opinion regarding the working of the Act on the criminal side."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Your Excellency, I second this resolution. Some time back I was under the impression that the Criminal Tribes Act was working very well and even now I am not prepared to say that it works anything ill; but the inquiry asked for seems to be necessary. I have had to speak to the District Superintendent of Police and the Collector in connexion with one of the criminal tribes in Madura and they were very sympathetic. There was considerable attention paid to representations made. The real fact was that a number of people who had almost given up the thieving habits were sought to be registered and there was considerable commotion in the Tirumangalam taluk. These people, after the co-operative credit movement has been started amongst them, had considerably shaken off their thieving habits and there were no people of that kind at all who had recourse to these habits; but it was very difficult to distinguish between those who had recourse to these habits and those who had not. However, by some arrangement it was possible to get over the crisis which might otherwise have happened. There must be some inquiry made and opinions of Collectors taken as to how best notification might be made, as to how the people may be guided so that they may know how the Act can be worked. My present feeling is that an inquiry of this sort will work considerable good and help to work the Act itself."

The Hon'ble Mr. H. F. W. GILLMAN :—"Your Excellency, I have been very agreeably surprised at the limited nature of the inquiry which the Hon'ble Mr. Krishna Rao desires. I had come here prepared with full information about criminal settlements from the year 1912 and to answer all questions; but I now find that what the Honourable Gentleman asks for is that we should look into two things, the manner in which registration has been performed and whether in regard to convictions the criminal procedure that has been adopted against these tribes has been correct. With regard to registration, I would like to mention that a case for a criminal tribe has to be justified to Government by reports from the District Magistrate and the District Superintendent of Police as to the criminality of the tribe, giving information about the convictions of every member of it and as a result of those reports, Government consider whether the tribe should be notified or not. They notify a tribe only when the criminality is such as to justify the Government in believing that the tribe is addicted to the systematic commission of non-bailable offences. Still, possibly there is some chance of people getting into settlements who properly ought not to be sent there. I am quite prepared to ask District Magistrates to go through registers of these settlements, together with the District Superintendent to find out if there are persons who should be exempted. Similarly with regard to convictions, I am not prepared to say that there has been no undue hardship or improper convictions. It is quite possible in the present circumstances that there is and I undertake to make inquiries, and to ascertain the opinion of District Judges as to how the Criminal Tribes Act has been generally worked. I quite welcome the suggestion of the Hon'ble Mr. Krishna Rao and the Government are prepared to adopt it. Under these circumstances, I hope he will not press his resolution."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—"I do not press it."

With the permission of His Excellency the President, the resolution was then withdrawn.

RESOLUTION *RE* NON-OFFICIAL VISITORS TO CRIMINAL
SETTLEMENTS.

The next resolution on the agenda asked for the appointment of non-official visitors for the various criminal settlements.

The Hon'ble Mr. H. F. W. GILLMAN :—"If Your Excellency will permit me, I wish to say on this point that the position in regard to the appointment of non-official visitors and the position of the organizations or the societies which are in charge of criminal settlements is not exactly the same as jails. For, whereas jails are under the control of Government, the societies that are working these settlements are private societies. Still, I feel sure that the suggestion that is made in a proper spirit of endeavouring to give every help and I think that the societies will hold that view also. On behalf of Government I would undertake to do my best to get them to accept this proposal about non-official visitors. Therefore, subject to these considerations Government are prepared to accept this resolution."

His Excellency the PRESIDENT :—"The resolution will be accepted. In some cases, you want official visitors."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—"Under the rules framed I may point out that the managers cannot refuse, if the Government make the suggestion."

The Hon'ble Mr. H. F. W. GILLMAN :—"The rules require looking into. Government will make the suggestion."

628 RESOLUTIONS *RE* NON-OFFICIAL VISITORS TO CRIMINAL SETTLEMENTS AND ASSIGNMENT OF PORTION OF THE EXCISE REVENUE TO LOCAL BODIES.

(Mr. A. S. Krishna Rao.)

[4TH APRIL 1918.]

The following resolution was put and agreed to :—

'XVII. This Council recommends that the Governor in Council be pleased to appoint non-official visitors for the various criminal settlements in the Presidency.'

RESOLUTION *RE* ASSIGNMENT OF PORTION OF THE EXCISE REVENUE TO LOCAL BODIES.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—“ Your Excellency, I have the honour to move :—

'XVIII. This Council recommends that the Governor in Council be pleased to assign the whole or a definite portion of the Provincial share of the excise revenue to local bodies.'

“ So far as this question is concerned, I am confident there cannot be much difference of opinion either between the Government on the one side or the non-official Members of this house on the other. The first question which this resolution raises is about the resources of local bodies being in a very unsatisfactory condition. This question was considered by the Decentralization Commission about ten years ago and they examined various persons acquainted with the existing state of affairs; and several Indian administrators also pointed out that under the present circumstances, the resources of local bodies are quite inadequate to enable them to discharge their functions in anything like a satisfactory manner. Persons like Sir Herbert Hisley, Sir John Jenkins and Sir James Meston gave evidence before the Commission pointing out in unmistakable terms that steps ought to be taken for improving the resources of local bodies. The Decentralization Commission also came to the same conclusion and made certain suggestions to increase the resources of these bodies. They no doubt created a difference between the treatment to be accorded to municipalities and the treatment to be accorded to local boards. In the case of local boards, they pointed out that a definite addition should be made to their revenues amounting to about 25 per cent; but in the case of municipalities, they pointed out that as there was some scope for taxation, Government may step in aid of these municipalities, where large schemes for sanitation and water-supply are under contemplation. With that difference they suggested that the resources of local bodies ought to be improved and placed on as satisfactory a footing as possible.

“ There is no doubt that Your Excellency's Government have, in settling the financial relations with the Government of India, been pointing out as often as possible the unsatisfactory nature of the grants from the Government of India to the Local Government. It has been pointed out on several previous occasions that the system of doles from the Imperial Government is very unsatisfactory, is demoralising in character, is calculated to lead to wasteful expenditure and is likely to lead the most clamorous amongst them to get as much as possible. Those were the remarks made by some members of Your Excellency's Government some years ago. The same remarks apply with equal force or with even greater force to the relations between the Local Government and the local bodies. It is true that, as far as funds are available, the local Government make grants in aid of local bodies; but these doles given, according to the funds available from time to time, have not enabled them to have comprehensive schemes worked out in the course of several years and have, in some cases, I must say, led to wasteful expenditure and prevented them from discharging their functions in as satisfactory a manner as possible. When we are agreed so far, the point now for consideration is in what manner the resources of local bodies are to be augmented or improved. No doubt, suggestions were made as to whether other forms of taxation cannot be thought of and whether it is not possible either for the municipalities or the local boards to think of other means of increasing their revenues. That question has been under consideration. The municipalities and local boards throughout the Presidency were required to send up their suggestions as to the means of augmenting their resources. They passed resolutions and communicated them to Government. I believe those resolutions have all been analysed and carefully considered; and probably effect will be given to the suggestions in the framing of the Local Boards and Municipalities Acts. But a careful consideration of these resolutions will show that, after all, notwithstanding the anxiety of these local bodies to improve their resources to the extent possible, notwithstanding their anxiety to have additional powers of taxation in some respects, there is not much margin thereby left for any large income. I do not know if, in the preparation of this Bill, the Hon'ble Mr. Rajagopala Achariyar has calculated what possible income might be realized if the suggestions made by the local bodies for having a terminal tax here or for altering a tax there were adopted. So far as I have been able to see, they cannot go far towards improving the condition of these local bodies even if some of the suggestions are accepted. It is also a matter for inquiry as to what additional scope there is for additional taxation in some of these rural areas and that problem has to be solved as early as possible.

“ This resolution suggests that the Government will be pleased to assign to these local bodies either a whole or a definite share of the Provincial share of the excise revenue. It will be found that in this request I am strengthened by the opinions of the municipalities and the local

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boards which are already before the Government. Various municipalities suggested in resolutions communicated to the Government that a portion of the excise revenue, if not the whole of it, might be assigned to them to enable them to discharge their functions. Some municipalities suggested that there should be power of surcharge upon abkari revenue. Several district boards suggested that they should be given a portion of the excise revenue in order to enable them to discharge their functions. I request the Government to consider whether it is not reasonable that a definite share of this item of revenue is handed over to the local bodies instead of the fluctuating doles given by the Government now and then. As to the principle, there cannot be any difference of opinion.

“ I may also draw the attention of Honourable Members of this Council with regard to the question of policy. It was carefully considered when there was a conference at Bombay; and they made definite suggestions on those lines. It was a conference consisting of several leading officials and non-officials of the Presidency, the proceedings of which were opened by His Excellency the Governor of Bombay. They made definite suggestions as to the manner in which their resources could be improved. They definitely stated therein that one of the means of strengthening their resources was that one of the growing sources of revenue should be made over to them. This is what the report says :—

“(1) *Fixed shares of the Provincial Revenues.*—This follows the system obtaining for the division of Imperial and Provincial taxation. That system is based on the theory that the provinces should be given an interest in the development of a particular revenue and in the economy of expenditure on that account. We do not consider, however, that in regard to the revenues proposed, viz., land revenue, income-tax, excise and forest, the district councils can assist either towards economy or development; and these advantages cannot be looked for from the selection of these particular revenues for partnership. We do however for certain reasons which will appear hereafter recommend a share of the excise and land revenues.”

“ Even official members of the Bombay Government added notes to the effect that a portion of the excise revenue might with advantage be handed over to these local bodies. Even while distributing the grants, your Excellency's Government have remarked that the present system is not satisfactory but that we must make the best of it under the circumstances. While referring to the grants made to local bodies, it is stated in the Revised Financial Statement ‘the subject of grants to local bodies is one in which many members of this Council feel keen interest as the list of resolutions shows. I cannot say that the system of doles from Provincial to Local funds which at present prevails is one which can be regarded with unmixed satisfaction. It fails in the essential requisites of certainty and regularity, and there can be little doubt that before long some radical revision of the fiscal system obtaining in this respect must be made. For the present, however, we must do the best we can with the existing method.’

“ Then in the case of the district boards, it is pointed out that a definite grant has been made though that is not possible in the case of municipalities. Therefore it is clear that, to the extent to which I suggest, a definite item of revenue should be handed over to local bodies, there cannot be any serious difference of opinion.

“ The only point which I wish to refer to is this: as to why I suggest excise revenue among others for being assigned to local bodies. So far as excise revenue is concerned, whether we consider the system prevailing in this country or in other countries it is a local item of revenue. It is realized in the local areas, and it can, therefore, be appropriately utilized for local bodies. The second point is: if in any item of revenue, either a whole or a definite share has to be granted to local bodies, it must be an item which fetches some substantial sum. The only items of revenue that deserve consideration are land revenue and excise, both of which are divided. So far as land revenue is concerned, it may be suggested that it will be surrendering a very large amount of revenue which might be necessary for purposes of general administration. Any other item, if taken into consideration, will fetch very little income; and local bodies will be placed in a worse position than now, because the grants they get from time to time are much more than the revenues which can be assigned by that means. So far as excise revenue is concerned, there has been an increase in it in this province more than in any other province in India. I believe every province compares very unfavourably with ours if the development of this revenue is taken into consideration. It has been steadily going up with the result that according to the revised estimate, the excise revenue as per the Budget Estimate for 1918-19 is Rs. 416.28 lakhs and the Provincial share is Rs. 208.14 lakhs.

“ Therefore, it is clear that when we are agreed that it gives substantial help for the discharge of local functions, this is an item of revenue which should be handed over to local bodies to enable them to discharge their functions. With these remarks, I commend the resolution and I hope there will not be any difficulty whatever in your Excellency's Government viewing this resolution in the spirit in which it has been proposed and meeting it as far as possible.”

The Hon'ble Mr. T. RANGA ACHARIYAR :—“ Your Excellency, I have great pleasure in seconding this resolution. The idea is not at all new. So far as the City of Madras is concerned, under the Act of 1878, the Corporation have the right to grant licences and make revenue from that item for the purpose of augmenting the resources of the Corporation and that was taken away from the Corporation and in exchange a paltry sum of a few thousands is being granted to the Corporation. By that Act, the Corporation has been deprived of a very valuable source of revenue which has been growing and which is bound to grow so long as we have that

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item of revenue. By making such a grant of a fixed proportion out of this growing revenue, the local bodies will be very greatly helped indeed and Government will not be troubled with frequent appeals for help. In this connexion I may mention that the present financial state of the Corporation is in a very low condition and we are trying our level best to get as much as we can from the Government, but the Government are turning a deaf ear to our appeals and we are unable even to buy the necessary motor-lorries for attending to the sanitation of the town. To such a depth of poverty have we been reduced. I therefore propose that without sacrificing much on the part of the Government, if they will make a fixed proportion of the grant, a fixed proportion out of this revenue to the local bodies, it will be very good indeed. The Corporation would welcome it and it would be merely restoring to the Corporation a privilege, a source of valuable revenue which they had. That fact only shows that this is a source of revenue which is an eminently local one and pertaining to local bodies ; and therefore the Government, by accepting this resolution, would be restoring to local bodies a right which is recognized as belonging to them. I therefore second this resolution."

The Hon'ble Sir ALEXANDER CARDEW :—" Your Excellency, the Hon'ble Mr. Krishna Rao has already read to the Council an extract from my memorandum in the Revised Financial Statement which says that, so far as this system of doles is concerned, I am quite in sympathy with the objects of the Honourable Member of this resolution. But when we come to the terms of the resolution, it is obviously one thing to say that the present system is bad and another thing to say how it has to be altered. Roughly, the total revenues of the province are, according to the Budget Estimate for 1918-19, 845 lakhs. Of that, Excise comes to no less than 208 lakhs or one-fourth of the total Provincial revenues. If we are to make over the whole of the excise revenue to local bodies, we shall be 208 lakhs short in our budget and with no margin, because we are spending within 3 lakhs of our total receipts. We shall have to cut tremendously somewhere, probably the whole of education. Therefore, to transfer the whole of the excise revenues to local bodies would be obviously impossible. There is no doubt that we can transfer some part of it. Doles which are given to local bodies amount to the formidable sum of Rs. 73 lakhs a year on the average. But a large portion of that is obtained from Imperial revenues. It would not be safe, therefore, to say that by merely transferring 73 lakhs from Provincial funds, and doing away with doles, we shall leave Provincial revenues quite unimpaired because a large proportion of the 73 lakhs we receive in the shape of doles from the Imperial Government. The Honourable Member who brought forward this resolution does not, I hope, expect the Government to accept it as a step to be taken at once. I will draw the attention of the Council to the statements made by Sir William Meyer recently in the Imperial Council. This is what Sir William Meyer said on the 8th of March :—

"We have got under consideration, in connexion with the scheme of constitutional reforms, the future relations—financial as well as other relations—of local bodies, Provincial Governments and the Government of India, and till we have determined what those relations will be, obviously we cannot go in for large commitments based on the existing system."

"A few days later in the month of March, he again said : 'It is necessary to advance very materially in the separation of Imperial and Provincial finances, so that the Provincial Governments can get more real financial powers than they have hitherto obtained.'

"He accepted the resolution which said that the Government of India should consider the question of wholly provincializing land revenue. Thus the Council will observe that the whole matter is in a state of uncertainty as to the future. The whole question of the Provincial Government's financial powers is under discussion and when that is settled I hope it will be possible to do something to improve the position of local finance. Whether it should take the form of giving a share of the excise revenue or some other revenue remains a matter for consideration. But I am sure the Honourable Member will agree that it will be quite premature now for the Government to speculate. We do not know what our future is going to be ; and until we know that, it would be impossible to bind ourselves to make over any portion of our excise revenue to local bodies. I hope before long something will be settled about Provincial finance and then we shall have to take up local finance and improve its position."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—" Am I to understand that the difficulty in accepting the resolution is in the use of the word 'whole' ?"

The Hon'ble Sir ALEXANDER CARDEW :—" In the uncertainty of our future position."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—" Your Excellency, so far as this resolution is concerned, I quite appreciate the spirit with which the Hon'ble Sir Alexander Cardew has made his remarks. He has told us that so long as the relations between the Government of India and the Local Governments are not finally settled, it is not possible to give any definite shape ; but I believe, if I have understood him properly, that he is agreed about giving a definite share of a growing item of revenue. I believe that he is agreed about that principle."

His Excellency the PRESIDENT :—" The Hon'ble Sir Alexander Cardew has made it perfectly clear that it is impossible for Government to accept this resolution at the present time. The uncertainties of the present conditions and the possible changes and alterations between Imperial and Provincial revenues make it quite impossible, as he said very clearly, apart from what it is going to be. He was warmly in favour of doing anything which will give local

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Mr. Suryanarayana Rao ; Mr. Rajagopala Achariyar.)

bodies a reliable income. We very much desire to do anything to bring about that result. Beyond that it is impossible to go at present. Unfortunately, we cannot accept the Honourable Member's resolution. But that statement would be on record."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—" I do not press it."

With the permission of His Excellency the President, the resolution was then withdrawn.

At this stage the Hon'ble Rao Bahadur M. Ramachandra Rao suggested an adjournment of the Council.

His Excellency the PRESIDENT :—" Will Honourable Gentlemen suggest a forecast of the discussion ? We have got to make room for the budget debate. It will generally take rather more than a day. We have Friday and Saturday and we have Monday as well if it will be to the convenience of non-officials to be here. Are any resolutions not likely to be moved ?"

The Hon'ble Mr. K. SADASIVA BHAT :—" Your Excellency, I am not going to move resolutions Nos. XXI and XXII."

With the permission of His Excellency the President, the following resolutions, of which the Hon'ble Mr. Sadasiva Bhat had given notice, were not moved :—

RESOLUTION *RE* SEARCHES AND SEIZURE OF PROPERTY BY FOREST OFFICERS.

"XXI. That this Council recommends to His Excellency the Governor in Council that orders should be issued requiring forest officers to comply with the requirements of the Criminal Procedure Code in the matter of searches and seizure of property in the detection and investigation of offences."

RESOLUTION *RE* ORGANIZING BEATS IN FOREST DISTRICTS.

"XXII. This Council recommends to His Excellency the Governor in Council that steps should be taken to organize periodical beats of forests in jungly districts for the destruction of wild animals."

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU :—" Your Excellency, I do not propose to move resolution No. XXX."

With the permission of His Excellency the President, the following resolution of which he had given notice was not moved :—

RESOLUTION *RE* WORKING OF THE MADRAS WATER-CESS ACT, 1865, AND MADRAS LAND ENCROACHMENT ACT, 1905.

"XXX. This Council recommends to His Excellency the Governor in Council that a mixed committee of officials and non-officials be formed to inquire into the administration and working of (1) the Madras Water-Cess Act VII of 1865 and the amendments made hitherto, and (2) the Madras Land Encroachment Act III of 1905."

RESOLUTION *RE* COMPOUNDING FEES IN EXCISE CASES.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" If the Hon'ble Mr. Sadasiva Bhat will formally move resolution No. XX, I shall accept it."

The Hon'ble Mr. K. SADASIVA BHAT :—" Your Excellency, I beg to move—

"XX. That this Council recommends to His Excellency the Governor in Council that instructions should be issued in the Salt and Abkari Department that in offence reports forwarded to magistrates the amount of compounding fee, if any, should not be stated."

The Hon'ble Mr. K. R. V. Krishna Rao seconded the resolution.

The resolution was put and agreed to.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" May I ask in regard to resolution No. XIX* whether, in view of the decision that we have come to in the previous resolution, it would not be well to allow that to lie over till we see clearly whether local bodies

(Mr. Rajagopala Achariyar; Mr. A. S. Krishna Rao; [4TH APRIL 1918.
the President; the Raja of Ramnad; Mr. Gillman;
Sir Alexander Cardew; Mr. Yaqub Hasan.)

will get a portion of the excise revenue. The Hon'ble Sir Alexander Cardew has explained the situation in regard to it. We are entirely in sympathy with it; but your claim in regard to the management of the department will depend upon what share you are going to get. Will it not be better to take it up when the other question is taken up?"

The Hon'ble Mr. A. S. KRISHNA RAO:—"If the Hon'ble Mr. Rajagopala Achariyar is prepared to assure us that the Government would have no objection to transfer a portion—"

His Excellency the PRESIDENT:—"It is for you to say if you propose to move it."

RESOLUTION RE HEADQUARTERS OF THE RAMNAD DISTRICT.

His Excellency the PRESIDENT:—"I understand that the Hon'ble Mr. Gillman is willing to accept the resolution, if the Honourable Gentleman would move it formally."

The Hon'ble the RAJA OF RAMNAD:—"I wish to move—that—"

'XXXI. This Council recommends to the Governor in Council that proposals regarding the location of the headquarters of the Ramnad district be first published before they are taken up for consideration by the Government.'

"I am grateful to the Government for accepting this resolution."

The Hon'ble Mr. T. Ranga Achariyar seconded the resolution.

The Hon'ble Mr. H. F. W. GILLMAN:—"The Government accept it."

The resolution was then put and agreed to.

His Excellency the PRESIDENT:—"Is there any other motion of the same kind?"

His Excellency the PRESIDENT:—"We have resolutions Nos. XIX, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII and XXIX. We shall begin the budget debate to-morrow with that understanding."

RESOLUTION RE MEDICAL SCHOOL FOR WOMEN AT MADRAS.

The following resolution stood in the name of the Hon'ble Yaqub Hasan Sahib Bahadur:—

"XXIX. This Council recommends to His Excellency the Governor in Council that steps be taken to establish at Madras in the beginning of the year 1919-20 a Medical school exclusively for women."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, with regard to resolution No. XXIX, I should be able to accept it if the words 'as early as possible' or some indefinite period is substituted for the words 'in the beginning of the year 1919-20'."

The Hon'ble Mr. YAQUB HASAN:—"I shall change the wording into 'at an early date,'"

His Excellency the PRESIDENT:—"The Government are considering the matter as the Honourable Gentleman knows."

The Hon'ble Mr. YAQUB HASAN:—"Your Excellency, I beg to move —"

'This Council recommends to His Excellency the Governor in Council that steps be taken to establish at Madras at an early date a Medical school exclusively for women.'

The Hon'ble Mr. T. Ranga Achariyar seconded the resolution.

The Hon'ble Sir ALEXANDER CARDEW:—"I accept the resolution."

The resolution was put and agreed to.

The Council then rose for the day to re-assemble on Friday the 5th April at 11 a.m.

R. A. GRAHAM,

Acting Secretary to Government, L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Friday, the 5th day of April 1918.

PRESENT:

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.I.E., Governor of Madras—*Presiding*.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O.

The Hon'ble Mr. L. E. BUCKLEY.

The Hon'ble Mr. A. BUTTERWORTH, C.S.I.

The Hon'ble Mr. M. E. COUCHMAN.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble Lieut.-Col. G. G. GIFFARD, C.S.I., I.M.S.

The Hon'ble Mr. R. A. GRAHAM.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. A. R. KNAPP.

The Hon'ble Mr. S. B. MURRAY.

The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).

The Hon'ble Mr. J. H. STONE, C.I.E.

The Hon'ble Diwan Bahadur L. D. SWAMIKANNU PILLAI Avargal, I.S.O.

The Hon'ble Mr. C. G. TODHUNTER.

The Hon'ble Mr. T. RANGA ACHARIYAR.

The Hon'ble the Rev. G. PITTENDRIGH.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU Gair.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

The Hon'ble Mr. P. SIVA RAO.

The Hon'ble Mr. K. SALASIVA BHAT.

The Hon'ble Mr. K. RAMA AYYANGAR.

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU.

The Hon'ble B. RAJA RAJESWARA SETUPATI *alias* MUTTURANALINGA SETUPATI Avargal, Raja of Ramnad.

The Hon'ble Mr. B. VENKATAPATI RAJU.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.

The Hon'ble Mr. K. KUMARAN RAMAN KAVALAPPARA MUPPIL NAYAR.

The Hon'ble YAQUB HASAN SAHIB Bahadur.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR SAHIB Bahadur.

The Hon'ble Mr. GORDON FRASER.

The Hon'ble Mr. C. H. HIGGINBOTHAM.

The Hon'ble Sir FAIRLESS BARBER, Kt.

The Hon'ble the Most Rev. JOHN AELEN, D.D.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.

The Hon'ble Mr. T. RICHMOND.

The Hon'ble Sir FRANCIS SPRING, K.C.I.E.

The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Gair.

The Hon'ble Sri SOSHA CHANDRA SINGH DEO, Zamindar of Serugada.

The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Bobbili.

(Mr. A. S. Krishna Rao ; Mr. Rajagopala Achariyar.) [5TH APRIL 1918.]

The Council re-assembled at 11 a.m. when the discussion on resolutions on matters of general public interest was resumed.

RESOLUTION RE TRANSFER OF EXCISE ADMINISTRATION TO
LOCAL BODIES.

The Hon'ble Mr. A. S. KRISHNA RAO :—“ Your Excellency, I have the honour to move :—

‘XIX. This Council recommends that the Governor in Council be pleased to consider the desirability of transferring to local bodies their powers and duties in the matter of the administration of the Excise Department.’

“ I am aware that the consideration of this question will, to a large extent, depend upon the final success of the attempt made as per the previous resolution discussed yesterday. I do not want to suggest that there should be a general transfer of the powers which the Government exercise over the excise department if it is not possible to secure to these local bodies the excise revenue as suggested. But may I inform this Council that there are several directions in which attempts have been made from time to time for transferring to these local bodies the control exercised by the Government over matters affecting the excise department. Though the consideration of the general transfer of the powers or the devolution of these powers will necessarily have to wait for some time, there is absolutely no reason whatever for putting off the consideration of the question of the transfer of control on some matters affecting excise to local bodies. It will be remembered that for several years past there have been requests made to Government from time to time about giving larger discretion to local bodies in the matter of fixing the number and location of shops, which has come to be known as local option, and there has been some divergence of opinion between the non-officials on the one side and the Government on the other. It may be remarked that the Excise Committee which went into this question did not go the length of suggesting local option at once; but may I remind your Excellency's Government that so many changes have taken place during these ten years between the publication of the report of the Excise Committee. Our experience is that, under the present circumstances this document cannot be acted upon, as the standpoint from which they looked at the matter has changed. It is subsequently that consultative and advisory bodies have been constituted in various localities for eliciting the opinions of persons interested in local administration regarding the location of shops. As per instructions issued by the Government of India even in unions throughout the Presidency advisory bodies have been started and the non-official element has been increased, though your Excellency's Government find it difficult to give a non-official majority in these bodies. When that question came up for discussion some time ago, the Hon'ble Mr. Rajagopala Achariyar asked why persons should be anxious to have a non-official majority in merely advisory bodies and observed that it was not likely to further the cause of local self-Government and that if these bodies should feel a sense of responsibility, there is no object gained by increasing the strength of advisory bodies.

“ At present I wish to take the opportunity of suggesting whether it is not possible for him to give effect to the suggestion underlying this proposal, whether it is not possible for local bodies being conferred larger powers in the matter of fixing the location of shops as is proposed to be done by establishing the licensing board in the City of Madras. A step can be taken in this direction by constituting proper agencies in various rural areas. I for one would suggest that there can be no difficulty whatever in entrusting local bodies with this function. There are several municipalities which have been working satisfactorily and which have attained a fairly proper standard of efficiency in administration; and they may be entrusted with this important function. In the case of rural areas also the same privileges can be gradually extended. If for any reasons it is found necessary in the initial stages to constitute separate non-official bodies the desirability of giving this power to the existing local bodies. It is only after a proper enquiry that a new machinery and a new organisation is to be thought of in these mufassal areas. I therefore suggest that though the general devolution of powers may be considered sometime later, still improvement can be effected in this matter in other ways.”

The Hon'ble Mr. K. R. V. Krishna Rao seconded the resolution.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“ Your Excellency, I would first call attention to the fact that the resolution as moved covers a very much wider ground than what the Hon'ble Mr. Krishna Rao evidently now contemplates. I recognize that after the discussion we have had on the previous resolution the Honourable Member has felt that it would be impolitic to press for the complete control of the administration of the excise department by local bodies which he had evidently at one time contemplated, for the reason that, as long as excise happens to be a branch of the Provincial revenue, and that a very important branch, it is not possible for the Government to divest themselves of all responsibility for its management. On the previous resolution that we had yesterday evening, my Honourable Friend Sir Alexander Cardew indicated to the Council what a large part excise plays in the Provincial administration. Not only does it contribute materially to the Provincial revenues, but as the Government of India. It is therefore a quite difficult question for the Local Government to divest themselves of the responsibility for its management.

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“ The resolution before the Council really contemplates a transfer to the local body by the Government of their powers and duties in the matter of the administration of the Excise department. It really means that, when you talk of powers and duties, practically everything that the Government can do and the Government are bound to do must be transferred to the local bodies. Of course a claim like that is out of the question for the Government to accept. I think the Council will agree that it would not be to the public interest that we should have a number of divergent systems of excise administration all over the Province. Honourable Members are no doubt aware that excise includes *abkari* and *opium*. The *abkari* administration of the Province is governed by the Madras Act 1 of 1836 which provides not only for the establishment and control of revenue, but for the import and export and transport of liquor and intoxicating drugs, for the manufacture, composition and sale of liquor and intoxicating drugs, and for the levy of duties on liquor and intoxicating drugs, and for the grant of licences and so on. If we transfer and localize this whole branch of *abkari* administration, it would be open to every local body to have its own procedure for import, export, and transport, for licences, for duties and in fact for every one of those matters in regard to which some amount of uniformity is now enforced by the Provincial Government. It will be generally found that when such variations in a matter like excise take place, there would be considerable danger of abuse. I do not know if Honourable Members are aware that even within the limited sphere we have got, there are divergences: where the British territory and a Native State, for example, Mysore, Travancore or Cochin are conterminous, we find that it is difficult—not only the British administration but the Indian Native State administration finds it very difficult to manage the excise administration for the reason that the systems differ. It is also the same thing where you have a French territory adjoining. It will be generally found that some amount of uniformity in regard to the administration, the general line of excise administration, is absolutely necessary to prevent the occurrence of abuses, but I do not propose, however, to go over that ground, because, as the Honourable Mover has indicated, what he has really in mind is the question of determining the number and location of liquor shops. That is what he is mainly concerned with.

“ I rather think that in a question like this it would be more convenient not only to the Government but also to the Council if the Honourable Member had stated with sufficient precision what exactly are the matters of excise administration which he thought could be transferred to local bodies. It would have been possible to subject them to a careful examination and for the Council to come to a conclusion in regard to those proposals. I assume from the speech delivered to-day that what he has got mainly in view is the determination of the number of liquor shops and their location. That being so, he has referred us to what the Excise Committee said long ago, years ago, and he said that that opinion is obsolete. May I invite the attention of the Council to another document of a more recent date from which both the Government as well as the non-official members quote from time to time, the report of the Decentralization Commission. This Commission considered this particular question, their report is a much more recent document than the report of the Excise Committee, and in regard to the functions of municipalities they say in paragraph 817, page 272 :—‘ The evidence was generally against the extension of municipal functions, it being held that their existing duties were more than most municipalities had the means of discharging efficiently. In this opinion we concur and we disapprove of suggestions made to the effect that municipalities should . . . be in any way responsible for executive excise administration. They may, however, be suitably consulted in regard to the number and sites of liquor shops, as laid down by the Government of India in reviewing the Excise Committee's report.’ It is this policy which we have been carrying out. The excise advisory committees that we have all over the Province contain not only a certain number of executive officers of the Government, but also members of the local bodies, the municipal chairman and one councillor elected by the council. In addition to that, the local bodies are also consulted, that is to say, not only does the Collector consult the advisory committee but also the local municipality. We have had complaints that this round about procedure means delay, but let that pass. Our present policy is in accordance with the Decentralization Commission's report. I am not one of those who consider that everything that the Decentralization Commission has said is right and we could carry it out. That is not what I say but I do say that their report is a very much later document, and they have advisedly taken that view and that we are acting in accordance with that view.

“ But at the same time I confess to a feeling of considerable sympathy with the Honourable Member that the matter of licensing is one in regard to which local bodies should have a considerable share. There is no doubt about it, and the Council is aware that personally I am not particularly enamoured of advisory bodies of any kind. That being so, so far as the City of Madras is concerned, we have abolished the excise advisory committee, and substituted an excise licensing board. I have reason to believe that that change has met with a large measure of approval, and as soon as we have gained some experience of the working of the excise licensing board in the City of Madras, we shall be prepared, if the experiment is satisfactory, to extend it to other large towns in the Presidency. It may be after these licensing boards have worked for some time, it may be possible, especially when the municipalities get a change in their constitution and may take over new functions, one of the functions taken up will be the licensing of liquor shops. Till that time comes I would counsel patience. It seems to me firstly that it would be advantageous in every way that this question is allowed to lie over till the question of giving a share of the excise revenue to local bodies is settled in which case the ground will be

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clear in regard to one point; and secondly I would advise in regard to the location of shops you may wait and see how the licensing board which we have started in the City of Madras in lieu of the advisory committee works. That would pave the way for having it in other places. I trust the Council would see how the matter stands, and I would appeal to the Honourable Member not to force this matter to a division."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, as I stated in my opening remarks I quite appreciate that the transfer of the powers of the Government over the excise department cannot be determined and cannot be effected till the other question is settled. It is not on account of the difficulties that the Government might find in effecting such a devolution of powers, but it is more because I feel that the local bodies will themselves find it difficult to discharge these functions unless they are placed in possession of adequate resources. I view it from that standpoint; and if by this resolution I have raised the question as to the larger devolution of powers, I do not wish that the Council should mistake my intention. I have done so as a corollary to the preceding resolution. I did not want the Council to mix the questions, the additional resources and the transfer of powers; therefore these have been put forward as separate resolutions. I may at the same time state that I do not agree with the Hon'ble Mr. Rajagopala Achariyar in thinking or in entertaining fears that the local bodies might not be able to discharge these functions in a satisfactory manner or that probably they would, without any continuity of policy, without any uniform procedure, think of developing the excise administration in their own way. I do not think that we need be deterred from trying that experiment on account of the suggestions made either in the report of the Excise Committee or in the report of the Decentralization Commission. There has been some general advance in education even in rural areas and I have no doubt whatever that it would be possible for them to ascertain the local needs and wants and manage the affairs in a satisfactory manner. That is an independent question which will have to be taken up some time later seeing that we have not yet got the excise revenue. For the present, as I remarked, the question of the licensing of shops can be easily transferred to local bodies. The Hon'ble Mr. Rajagopala Achariyar was good enough to tell us that he would wait and see how the licensing board for the City of Madras would work and then extend it to other towns. I hope that it need not be long before that experiment is initiated. The conditions in the Metropolis and in several of the advanced municipalities in the Presidency are not very different. There are persons there who are in a position to appreciate how things are going on here and also profit by that example. I only trust that he will not wait long before extending the experiment to rural areas. With these remarks I do not wish to press the resolution to a division. I withdraw it."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE THE CEYLON QUARANTINE RESTRICTIONS.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR:—"Your Excellency, the resolution that I have the honour to move runs as follows:—

'XXIII. This Council recommends to His Excellency the Governor in Council that necessary steps be taken with the Ceylon Government to withdraw G.O. No 150, dated 16th February 1917, and to adhere to the announcement made in G.O. No. 349, Home (Miscellaneous), dated 22nd November 1916, regarding the quarantine restrictions imposed on Indian passengers proceeding to Ceylon.'

"It will, doubtless, be in the recollection of Honourable Members that a similar resolution was moved by me at the April session of the Council last year, which was, however, rejected by Government on the score that that was not an opportune time for making any representation to the Ceylon Government in regard to the matter of withdrawing the new restrictions imposed on the District Medical and Sanitary Officers in the issue of certificates by them to passengers proceeding to Ceylon. The point of view then urged by Government was that after an arrangement had been arrived at between them and the Ceylon Government which was embodied in G.O. No. 349, Home (Miscellaneous), dated 22nd November 1916, and by which District Medical and Sanitary Officers were empowered to grant certificates of health and freedom from infection to passengers proceeding to Ceylon—an improper use of the concession was made by one of the District Medical and Sanitary Officers, as the result of which the Ceylon Government lost their confidence in the Medical Officers of this Government, and imposed the restrictions which are contained in G.O. No. 150, dated 16th February 1917. It was then pointed out by the non-official Members that 'in large measures affecting the public one such impropriety on the part of one subordinate should not stand seriously in the way.' However, the Government did not see their way to accept the resolution.

"In this connexion I wish to quote a portion of the speech your Excellency made in the last year's debate:—

'I am as anxious as anybody here to obtain the fullest privileges for our own people. In the end we are obliged to respect the control of the Ceylon Government over Ceylon. It is best, I think, to take what seems to be the ordinary common sense view of things, which has been

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created by certain circumstances to leave the matter as it is and let the present system work in harmony and co-operation with the Ceylon Government and if at any time we can obtain a favourable relaxation in regard to certificates or in any other direction to secure the free ingress of our people into Ceylon let us do so.

"One year has now elapsed since the resolution was moved, and yet, it is painful to note, no steps have been taken by our Government to minimise the inconvenience and difficulties of our countrymen proceeding to Ceylon. The one Government Order (viz., G.O. No. 349, dated 22nd November 1916), which had sought to minimise them has been nullified by another—G.O. No. 150, dated 16th February 1917.

"It has already been explained to the Council how G.O. No. 150 has converted the concession extended by the former Government Order into no concession at all. The points, on which the District Medical and Sanitary Officers are to satisfy themselves before the grant of certificates, are so minute and elaborate that it would extremely be impracticable for them to grant any certificates at all. They should have personal knowledge of the applicants for certificates, personal knowledge of their places of residence, personal knowledge of the different turns of their minds—whether they are steady-minded people who would go to the places mentioned by them without any halts in the middle and whether they would stay and sleep in the particular houses and localities which they specify as their addresses in Ceylon. The Hon'ble Mr. Gillman, however, pointed out last year that it was not absolutely necessary that the District Medical and Sanitary Officers should have personal knowledge of the intending passengers but that they might issue certificates on the statements of their subordinates, such as Assistant-Surgeons and Sub-Assistant Surgeons. This is, more or less, putting the District Medical Officers on quicksandy ground; and I don't know if any of them would dare to issue any such certificates at all when it is so very distinctly stated in the Government Order that 'certificates should be granted only to known persons of fixed occupation, who give a fixed and traceable address in Ceylon, and to whose circumstances the Medical Officer is in a position to certify.'

"Now, it will be admitted that the District Medical and Sanitary Officer could not be expected to have personal knowledge of all the applicants for health certificates, and he would be careful not to issue such certificates on assurances from his subordinates alone, especially as the procedure might involve severe reprimands from the Surgeon-General, the Madras Government and the redoubtable Ceylon Government.

"Then, a proposal was put forward that Assistant Surgeons and Sub-Assistant Surgeons, who have local knowledge, might be authorized to grant such certificates, which was rejected on the plea that, when the Ceylon Government had considered even the District Medical and Sanitary Officers were not above suspicion, they would not consent to invest such powers in the hands of the subordinates of the District Medical and Sanitary Officer.

"The poor passengers, therefore, necessarily undergo untold sufferings; and if the Madras Government do not now come to their rescue, who else would care to extend them any protection.

"When a concession had already been given, why should the Ceylon Government make it void by imposing severe restrictions on the responsible Medical Officers of the Madras Government? Surely, it cannot be urged that the fault of a single officer was a sufficient provocation for the Ceylon Government to impose such hard restrictions."

"I beg to say, Your Excellency, the minds of the people are very sore in regard to this point, and they wonder why should our Government climb down before the Ceylon Government with regard to a matter which vitally affects their subjects."

"If, however, the Ceylon Government do not agree to the terms of this resolution, then, I submit, my Lord, the only alternative step that could be taken by our Government, consistent with their prestige, is to impose similar restrictions on passengers coming from Ceylon to this Presidency. The Madras Government, too, have every right to protect their subject from plague, or other infections, and they are surely entitled to take this course in view of the fact that it is found—as pointed out by the Honourable the Raja of Ramnad on the last occasion—that 'a larger number of imported cases of plague in India from Ceylon are discerned, rather than from India to Ceylon.'

"As the resolution has already been fully discussed last year, I have nothing further to urge, except an earnest appeal to Government for sympathetic response to the grievance of their subjects."

"It will not, here, be out of place if I bring to Your Excellency's kind recollection the reply made by Your Excellency to the address presented by the Nattukottai Chettiyars during Your Excellency's tour in the Chettinad in September 1916, which reads as follows:—

'In your address you mention one question which is of special interest to you as a community, namely, the Ceylon Quarantine Regulations. This is a matter which has engaged our anxious attention. It is at present under further discussion with the Ceylon Government, and you will, therefore, not expect me to deal with it in detail. I sincerely trust, however, that we shall arrive at an agreement which while securing to the Ceylon Government all that is necessary to safeguard the health of the people committed to its charge, will obviate all unnecessary interference with those whom business or employment takes to that island.'

"I may also be permitted to bring to Your Excellency's notice the following resolution passed at the First Annual Conference of the Madras Presidency Association, in December last:—

'That the Madras Provincial Conference having for two successive years appealed in vain for the removal of the highly obnoxious Quarantine Regulations enforced by the Ceylon Government at Mantapam and Tuticorin on passengers and labourers going to the island, this conference now respectfully approaches the Government of India on the subject praying that

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suitable measures may be adopted to have the said regulations abolished by the Ceylon Government as early as possible, and, if within a reasonable period of time this proposal proves to be unacceptable to the Ceylon Government, to prevent effectively the recruitment in India of labourers for Ceylon plantations.

"One other peculiar point which I wish to bring to the notice of the Council is—

To my personal knowledge, I have known several cases where passengers who proceed from India to Ceylon are allowed to go free from Quarantine Restrictions at Mantapam Camp. These passengers are allowed to pass free on production of a permit issued by the Chairman of the Plague Committee at Ceylon. It will not be out of place here to point out that such permits are generally issued by the officer more on the influence of the people of the place than following the general principles connected with the issue of the permits. The wording of the certificate, if I remember right, is, to permit "XYZ" to pass free from India to Ceylon without any restrictions at the Mantapam Quarantine Camp. The issue of such kinds of certificates, Your Excellency's Government will, doubtless, consider, is based on no principle and the certificates are issued without due regard to whether the said XYZ is by himself free from any infectious diseases or is coming out from a place, which is free from such diseases. In these circumstances, I wish to know whether the action of the Ceylon Government is justified in issuing such kinds of permits.

"It is really a matter of great surprise that while the Ceylon Government and the Government of Madras are able to find fault on a particular Medical Officer, who issued medical certificates on the principles laid down in G.O. Mis. No. 349, Home (Miscellaneous), dated the 22nd November 1915, are not now able to check their own officers issuing such inadequate permits referred to above.

"In these circumstances and in view of the unanimity of the public opinion in the matter, I fully trust that Your Excellency's Government will not hesitate to accept this resolution."

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR:—"Your Excellency, in seconding this resolution I wish to say a few words. The Honourable Mover has explained the difficulties experienced by those who proceed to Ceylon. At the April meeting last year when a similar resolution was brought forward it was stated on behalf of the Government that on account of some improper certificates granted by a certain District Medical and Sanitary Officer it was not the proper time to press the Ceylon Government to remove the restrictions. At that time the Hon'ble Mr. Gillman expressed sympathy with the suffering passengers, and said that he was as anxious as anybody else to obtain the fullest privileges for them and that he only wanted time in order to secure those privileges. He advised the Honourable Members of this Council to wait until a more favourable opportunity came. Now, my Lord, one full year has passed since then, and I trust Your Excellency's Government will take effective steps to remove all the unnecessary restrictions which for a long time have been imposed upon the people of this Presidency and which have given rise to a good deal of heart burning in the minds of the people. I beg to submit that if even now the Government tell us that the proper time has not come yet, I am sure that the people will think either that the Government do not sympathise with the people or they are powerless to do anything in the matter. Last year the Hon'ble Mr. Gillman said that the Ceylon Government had the right to protect their country from disease. If that be the case, I should like to know whether the Madras Government have not the right to protect the rights and privileges of the people committed to their care. Certainly the Ceylon Government have no right to insult us in our own land and the Madras Government can no more allow merchants and other respectable people of this Presidency to be treated as coolies.

"In this connexion I would draw the attention of the Council to the answer given by this Government at the February meeting of this Council this year. My Hon'ble Friend Mr. Chidambaramudaliyar put an interpellation asking whether the Government will be pleased to take steps to modify the restrictions regarding the passengers proceeding to Ceylon. In answer to this, the Government were pleased to state that they do not propose to take any action in the matter. My Lord, in spite of the assurance given by Your Excellency, after so much has been spoken at the April meeting last year and after so much of sympathy has been expressed by the Hon'ble Mr. Gillman, if the Government were pleased to give such an answer, I do not know by whom else this evil can be remedied. Your Excellency, the removal of this evil is a matter of urgency, and I trust that Your Excellency's Government will be pleased at least now, having regard to the feelings of the public in the matter, take effective steps to remove the restrictions either directly or through the Secretary of State for the Colonies. The Madras Government should not hesitate to ask the Ceylon Government to be reasonable in their anxiety to protect their country from infection, and to see that our interests are protected. With these words I second the resolution."

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, the motion before this Council is not, as seems to be understood by the Hon'ble Mr. Annamalai Chettiyar, to remove what he has been pleased to call the evils of the quarantine restrictions at Mantapam, but the question whether G.O. No. 150 of February last which amplified the former G.O. No. 349 of November 1916 should be cancelled. I may just remark that on the general question of the removal of restrictions I had an interview at Colombo at Christmas with the Ceylon authorities on the subject, and I found that they were fully resolved to adhere to their restrictions because they were quite satisfied that diseases and epidemics were thereby prevented from reaching Ceylon. I have not heard of any case of plague brought from Ceylon into India, and if the Hon'ble the Raja of Ramnad has any precise information on the subject I shall be very glad to consider it.

[5TH APRIL 1918.] (*Mr. Gillman ; Mr. M. Ramachandra Rao.*)

"The original Government Order prescribed that every passenger who wished to proceed to Ceylon without undergoing quarantine restrictions should produce a certificate from a district medical and sanitary officer furnishing particulars on three points. The first was his residence in Ceylon, which I think you will agree is very necessary to safeguard that country; the second was that he had, previous to the issue of the certificate, been residing for seven days in a place free from infection; the third point was that he was free from disease. By the second Government Order which is really the subject of this debate, the responsibility for the correct answering of these provisions on these matters was placed upon the District Medical and Sanitary Officer and I understand from a conversation with the Hon'ble Mr. Ahmad Tambi Marakkayar that in consequence the issue of certificates has been very much restricted, and that we are asking too much of the District Medical Officer when we require that he shall guarantee the place of residence here and the destination to which the man is proceeding in Ceylon. So on this point I can meet the Honourable Member, because it seems to me that the local officers, the deputy tahsildar or the tahsildar, would be in the best position to furnish a certificate in regard to occupation and residence. If he furnishes that certificate, it is a certificate which the District Medical and Sanitary Officer may very well accept. Therefore I propose to issue instructions now, that the District Medical and Sanitary Officer may accept certificates from local revenue officers, not lower than deputy tahsildars, on these two questions of residence and occupation. It follows therefrom that the only point on which he himself will have to certify is the question of the freedom from disease and that will largely remove the complaint that has been brought to the notice of the Council by the Honourable Member.

"There is only one other point, Your Excellency, which has been mentioned by the Hon'ble Mr. Ahmad Tambi Marakkayar, which I would like to notice; and that is, as to the certificates of persons being allowed to proceed to Ceylon on permits issued from there by the chairman of the plague committee. I understand that, in the first place, the person applying for the certificate has to guarantee that the man who is going over is proceeding to a certain place, and secondly when the man does proceed over there he is kept under medical observation for fifteen days. It seems to me that these two qualifications very materially affect the position and do not render this certificate such an impropriety as the Hon'ble Mr. Ahmad Tambi Marakkayar seems to suggest. In view of what I have said, I hope the Honourable Member will see fit to withdraw this resolution."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I would just like to say a few words in answer to the observations of the Hon'ble Mr. Gillman. In regard to the general position, it will be within the recollection of Honourable Members that two or three years ago I moved a resolution in this Council setting forth all the objections to the existing system and I may assure the Hon'ble Mr. Gillman that I do not wish to bring it under discussion on this resolution. But I continue to receive letters from friends in Ceylon to the effect that, notwithstanding the representations made by Your Excellency's Government in answer to the motion made in this Council, the annoyances and troubles have not in any way decreased. You may take the assurance that they continue to exist and if Your Excellency's Government can do anything to remove them, it will be a matter for very great satisfaction.

"Of course, one suggestion has been made that some representation should be made to the Colonial Office. I cannot say whether that would be feasible or not. The Hon'ble Mr. Gillman will be in a better position than myself to say whether it is possible or not; but if there is anything to be done to bring pressure on the Ceylon Government to modify the regulations I trust it will be done. It is true it is a Colonial Government independent of the Government of India; but I am perfectly certain that Your Excellency is aware of the means and methods by which a Colonial Government can be brought round to the views which may be entertained by Your Excellency's Government.

"As regards the suggestion of a certificate being given by the deputy tahsildar, may I point out to the Hon'ble Mr. Gillman that the procedure which he has indicated will mean two certificates; first of all, a man intending to go to Ceylon will have to go to the tahsildar and obtain from him a certificate of identity, and probably his position in this country, and satisfy him as to his address and whereabouts and his address and business in Ceylon. Armed with this certificate which he has obtained from the tahsildar, who after all is a touring officer, with this certificate and Sanitary Officer in some other station, and then see whether he is at headquarters and then obtain a certificate of health from him. I would, in order to obviate these objections to going to all places and trying to get certificates from two officers, suggest that, if possible, he may relax the rules so as to permit the civil assistant or sub-assistant surgeon at the headquarters of the tahsildar or deputy tahsildar to issue a certificate of health to the person who wishes to go to Ceylon. My Lord, these officers' certificates, those of the civil assistant surgeon or sub-assistant surgeon are good enough in India for all purposes; the Government accept certificates from them as regards health, age, fitness for Government service and such other matters in which certificates from medical men are necessary. In these circumstances I do not see why the Ceylon Government should ask for a certificate from the District Medical and Sanitary Officer alone. That is the point which I should like to place before the Hon'ble Mr. Gillman. If it is possible to arrange for the certificate of health as well as the certificate of identity at the same station, it would possibly avoid a certain amount of inconvenience which must necessarily be involved in going to two places and obtaining two different certificates from two different officers. I would ask the Hon'ble Mr. Gillman to consider this inconvenience and see whether it is possible to adopt the suggestion I have made."

(Mr. Ranga Achariyar ; Mr. Gillman ;
Mr. M. Ramachandra Rao ; Mr. Rama Ayyangar.) [5TH APRIL 1918.]

The Hon'ble Mr. T. RANGA ACHARIYAR :—"There was one remark made by the Hon'ble Mr. Gillman. I think the certificate required was freedom from disease. Is it freedom from infection or freedom from disease?"

The Hon'ble Mr. H. F. W. GILLMAN :—"That he comes from a place free from infection and that he is himself free from disease."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"That is a very large order, that he must be free from disease himself. What disease?"

The Hon'ble Mr. H. F. W. GILLMAN :—"From all diseases."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"Cannot some alteration be made? No medical officer can be in a position to certify that a man is free from disease. It may be enough if the man is free from infectious disease."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"Suppose a man has a bad tooth, does that prevent him from going to Ceylon?"

The Hon'ble Mr. H. F. W. GILLMAN :—"The word is 'disease,' and it means infectious disease."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Your Excellency, I have not heard from the Hon'ble Mr. Gillman the circumstances under which G.O. No. 349 was modified and the condition imposed in G.O. No. 150 was accepted by this Government. The wording of the first order is this—

"Under the Ceylon Quarantine Rules passengers proceeding to Ceylon have ordinarily either to produce certificates of good health and freedom from infection granted by district medical and sanitary officers in this Presidency or to undergo quarantine at the Mantapam camp. The Government hereby authorize all district medical and sanitary officers in the Presidency to grant these certificates in the form appended to these proceedings. They are permitted to charge a fee of Rs. 5 for an individual case and of Rs. 8 for a family. An officer in charge of the duties of a district medical and sanitary officer can grant the certificate."

Therefore, the original arrangement between this Government and the Government of Ceylon was that there should be certificates of freedom from infection, granted by district medical and sanitary officer of this Presidency, otherwise there should be quarantine at the Mantapam camp. This was apparently accepted by the other Government also. The reason indicated in the second Government Order for restrictions being placed and certain conditions being imposed is contained in paragraph 2 of the second Government Order which says :—

"The attention of Government has recently been drawn to certain cases of the indiscriminate issue of certificates of health. The Government direct that certificates should be granted only to known persons of fixed occupation who give a fixed and traceable address in Ceylon and to whose circumstances the medical officer is in a position to certify. A note prepared by the Chairman, Plague Committee, Colombo, explaining the requirements of the quarantine authorities so far as the issue of certificates is concerned is annexed to these proceedings for the information and guidance of district medical and sanitary officers."

"The indiscriminate issue of certificates has been the reason for the second Government Order, but what does the second Government Order state? It does not refer to additional safeguards that have to be taken in connexion with the issue of certificates, but it says that 'the Ceylon Government have now forwarded eight books containing medical certificate forms for distribution at the segregation camp at Mantapam and signature.' That is what it says; but the notes to the district medical and sanitary officer added as annexure to this Government Order say :—

"The address in Ceylon—street and town required. The district medical and sanitary officer must satisfy himself that this information is reliable by questioning the applicant and similarly the full name and address of the Ceylon resident to whom reference can be made must only be accepted after satisfactory proof is given."

"It does not come under any safeguards of the Quarantine Regulations so far as I can see. How could a district medical and sanitary officer go and ascertain except on information given that the man will go and reside at a particular place, the address being made clear to him. No. 2 of the instructions says—

"The district medical and sanitary officer must be satisfied that the man is really proceeding to the address specified. He cannot be sure that a coolie without property or ties will do so and should not therefore issue certificates to unknown persons of a class which is likely to sleep and live in any place convenient and not necessarily in the place and house to which he at the time of the departure proposes to proceed."

"This also comes under the previous clause. It only deals with the matter of ascertaining the whereabouts of the individual to whom the certificate is given. Here again the district medical and sanitary officer is expected to do a business which is clearly beyond his control. Thirdly,—

"By infection is meant 'infected with cholera, plague or smallpox.' This does not mean 'proclaimed infected,' but that cases of these diseases are known to exist in the locality specified."

"No. 4 is—

"The wording of the certificate that the 'applicant has been residing for the last seven days in a place free from infection' is not intended to mean that district medical and sanitary officers should encourage the establishment of camps in the neighbourhood of their office where

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(Mr. Rama Ayyangar ; Mr. Gillman ;
Mr. Ahmad Tambi Marakkayar ; the President.)

people would be kept under supervision by them but is meant to convey that the certificate should only be given to people whose place of residence is known to the District Medical and Sanitary Officer and that he knows they have actually been there during the previous week and that it is a sanitary and healthy place in sanitary and healthy surroundings."

"These are the four instructions that have been given. I ask, my Lord, whether there is, even as the Government Order stands, room for the contention that has now been put forward by the Ceylon Government in the matter of the detention of these people? I only request that the wording of the first Government Order which in effect has been explained in the second may be adopted as the final stand upon which this Government will support this case. The question is this. It is not that this Government have not got the power to issue instructions to their various local officers to report infectious diseases to the District Medical and Sanitary Officers, if they happen in villages of the districts in their charge. In fact if there is plague, cholera or smallpox in any village, a report of it must be made to the authorities as early as possible. If there are no specific instructions already given, that within two or three days or five or six days of the happening of any one of these diseases in the villages—if there is no specific rule asking for information to be given by the village officers or other persons responsible to the District Medical and Sanitary Officer—steps may be taken to assure such information being given properly. The next position will be that the District Medical and Sanitary Officer for the matter of that may have information from the assistant surgeon or sub-assistant surgeon in charge of the dispensaries or hospitals in rural areas. They will communicate with him immediately if there are any infectious diseases in the villages. Then if within seven days of the man reaching the District Medical and Sanitary Officer the particular locality is known to be free from such diseases, if he has not got information about any attacks of any one of these diseases, it may be taken that he is entitled to give a certificate that the person comes from an area which is not infected. He must be presumed to know, in fact, there is no doubt that cases of cholera, smallpox and plague are immediately asked to be reported to the officers concerned and wired to the District Medical and Sanitary Officer and also the higher authorities."

The Hon'ble Mr. H. F. W. GILLMAN :—"Also the tahsildar is informed?"

The Hon'ble Mr. K. RAMA AYYANGAR :—"Yes, the tahsildar knows it. The District Medical Officer knows it. Either of these officers is quite competent to declare that a particular village from which the particular person comes is not affected or infected in the sense of the Government Order that I have now read."

"Then the first question arises as to where is the necessity for two certificates. In fact only one certificate is necessary irrespective of the person coming from the infected locality; in fact the tahsildar's certificate would not add to it at all. Instructions may be given to the tahsildar or any other subordinate officer in any area to directly communicate—I believe there is already a rule requiring direct communication—diseases of this kind to the higher authorities. So that it might very well be presumed that the District Medical and Sanitary Officer is in possession of information as to the particular areas in his jurisdiction which are affected with the disease; so his certificate will practically answer the point that has been raised in the note to the subsequent Government Order."

The Hon'ble Mr. H. F. W. GILLMAN :—"May I ask how could he know that the man comes from a particular village?"

The Hon'ble Mr. K. RAMA AYYANGAR :—"That is the point on which the Government may make the District Medical and Sanitary Officer satisfy himself by getting some responsible person of the locality to testify to the identity of the person as coming from a particular village, that it would be quite different from making a man go and wait at the deputy tahsildar's or tahsildar's office, meet his clerk and induce him to grant a certificate, take it before the tahsildar, get his signature, and then go before the District Medical and Sanitary Officer's clerk, make him prepare another certificate, take it to the officer and take his signature and then go. We can simplify the difficulty that may exist. The Hon'ble Mr. Ahmad Tambi Marakkayar was telling me of ease after ease of getting plague passports from the Ceylon officer. The cost of getting the plague passport from the Ceylon officer—he would not give it out in the course of his speech—he put at Rs. 25 for a certificate. I do not want to dwell very much on details. But we do know what a certificate is. We do pay for it in criminal cases or other matters in Taluk offices or the District Medical and Sanitary office. Much discussion on that point may not be useful."

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR :—"I only meant the cost of getting passports for proceeding to the Straits Settlement."

The Hon'ble Mr. K. RAMA AYYANGAR :—"If it is the cost of going to the Straits Settlement I do not want to use it. My general remark is that it is necessary to avoid the production of a number of certificates in cases of this kind."

His Excellency the PRESIDENT :—"We are not discussing the general question. We are discussing how we can make it more easy for the District Medical and Sanitary Officer to certify that a man has resided for seven days in a place free from disease. I would ask the Council to concentrate their attention upon that point. We are really wasting the time of the Council by travelling over the whole ground. The District Medical and Sanitary Officers are required to certify that a man has resided in a place for seven days before he proceeds on his journey. Exception was taken to this provision last year, and it was pointed out that it was very difficult

(The President; the Raja of Ramnad; Mr. Rama Ayyangar; [5TH APRIL 1918. Lieut.-Col. Giffard; Mr. Ranga Achariyar.]

for the District Medical and Sanitary Officer to certify—a man may know it but he may not be willing to certify on his word—that it has been so. The Government have now proposed, in order to make it easier for these District Medical and Sanitary Officers to sign any such certificate, that they should have the authoritative information of the tahsildar or the deputy tahsildar on the matter which is not a health matter. It is a matter of fact whether the man has or has not resided for seven days in a particular place. That will make it easy for the medical officer to give the certificate. What the Government are anxious to do is to facilitate the granting of certificates. As has been stated by the Honourable Member, they wish to remove this particular difficulty. We need not work out future difficulties. We must do one thing at a time. The point is that we should remove this difficulty. If it is agreeable to the Honourable Member that the Government should take this step, we will take the step."

The Hon'ble the RAJA OF RAMNAD:—"How is it possible for the deputy tahsildar or the tahsildar to know that a particular man has lived in a particular village?"

His Excellency the PRESIDENT:—"As I understand the tahsildar is given official information that a certain village is free from disease. He can also find out that a certain person has been an inhabitant of that village. With that information he can identify the particular individual. The District Medical and Sanitary Officer cannot travel about the district to get information from those who know."

The Hon'ble Mr. K. RAMA AYYANGAR:—"It was in that connexion I was making a suggestion. The real question is as to what would help the District Medical and Sanitary Officer, and what will be the proper method of helping him. When I compared both the Government Orders the earlier and the later one, my point was that the Ceylon Government did not want anything more than that the place the man came from was free from these diseases, and that the person was a resident in the village for seven days; and there was the Medical officer's certificate. Those are the three things required by these Government Orders. The District Medical Officer's certificate was condemned in the meanwhile. But all the same the only point required is seven days' previous stay in a place free from disease; that should be known to the Ceylon Government. Therefore is it the tahsildar that will be the best man to know the thing under these circumstances? The District Medical Officer may get information from a person who knows and who he thinks is reliable and respectable, it may be that it is the village Nattamaikaran or the headman of the village or a person of such status as will satisfy the Government and also the District Medical and Sanitary Officer. Anything more than that will only complicate the matter, because if the man has to go to the tahsildar, some proof will have to be given before him if he is to issue the certificate and the same thing may be done by the District Medical Officer. Looking to the spirit of both the Government Orders and the contentions of both the Governments, I do not think it will be proper to put these persons to greater restrictions than those to which they were put before 1916. I hope there will be complete deliberation on the situation and a redress of the grievances."

The Hon'ble Lieut.-Col. GIFFARD:—"May I add a word from the point of view of a doctor? The District Medical and Sanitary Officers are, as their name implies, medical and sanitary officers. In their capacity of sanitary officers they do know in their own districts what is going on in the villages of the district and therefore they are able to say whether a village is infected or not. They are not able to say whether a particular man comes from a particular village or not, and the District Medical and Sanitary Officers would like to have their work restricted to what they know. They may be asked to give two pieces of information:—"In my district such and such a village is not affected; and this person is not infected." I personally do not think it will save Ceylon from epidemics if you bring a patient before me, and I say I find him well to-day. It does not prove that he will not get plague or smallpox or any other infectious disease within a week. They can also certify that sanitarily the village from which he is said to have come is infected or not and the person as he appears before them shows no signs of disease. I request this Council to remember these two points. In any Government Order that the Government may issue, we will loyally support them in every way as far as honestly can be done, but I think it is not wise and it is not fair to ask us to fill up the certificates on information which is not at our disposal."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"May I move an amendment?"

His Excellency the PRESIDENT:—"The Honourable Member has exhausted his right of speech."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"By asking a question?"

His Excellency the PRESIDENT:—"I thought the Honourable Member addressed the meeting."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"The question is bristling with difficulties and has caused sore grievance. I therefore suggest the following amendment: 'This Council recommends to His Excellency the Governor in Council that they be pleased to appoint a committee to make suggestions regarding the quarantine restrictions imposed upon Indian passengers proceeding to Ceylon.' The Government may take in the assistance of a committee in order to consider whether the quarantine regulations may not be improved. I understand that it is the desire of Your Excellency's Government to remove unnecessary restrictions which may exist. It is hardly possible in a full Council like this to make suggestions for the purpose of executive action; therefore I commend this amendment to Your Excellency's consideration."

[5TH APRIL 1918.] (Mr. Chidambaranatha Mudaliyar; the President; Mr. A. S. Krishna Rao; Mr. Gillman.)

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR seconded the amendment.

His Excellency the PRESIDENT:—"I think myself that this raises a much wider issue, as Honourable Members will see, than the original motion. I hardly think that the Council will desire to discuss it. It is much better to bring forward this resolution on another occasion. The Government are not prepared to discuss this amendment. It raises a much wider issue than the resolution. It reads thus: This Council recommends to His Excellency the Governor in Council that they be pleased to appoint a committee to make suggestions regarding the quarantine restrictions imposed upon Indian passengers proceeding to Ceylon. I hardly think it is definite enough to be brought in as an amendment. I am afraid I must rule it out of order. I think we had better continue the debate."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU:—"Your Excellency, I have been waiting for a decision on the amendment moved by my Honourable Friend Mr. Ranga Achariyar, as to whether it is to be discussed by the Council or not. As it has been ruled out of order, I feel it is necessary to place certain facts before this Council. In view of the discussion which took place in April last year, it is but desirable that we should ascertain as best as we can what has taken place during the interval. Two questions are raised by this resolution. One is, as Your Excellency has already pointed out and as the Hon'ble Surgeon-General has also pointed out, whether the Medical officers themselves are in a position to give information about the residence of the intending passengers; and it is with reference to that point that the Hon'ble Mr. Gillman said that the Tahsildar or the Deputy Tahsildar may be instructed to give a certificate to the District Medical Officer to enable him to certify about it. The other point raised by this resolution is whether it is necessary that District Medical Officers alone should have the privilege of certifying either to the health or residence of the intending passengers and whether that function cannot be delegated to officers subordinate to them."

The Hon'ble Mr. H. F. W. GILLMAN:—" (Interrupting) No question of delegation of the powers of the District Medical and Sanitary Officer is raised in the resolution."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU:—"If the former Government Order is allowed to be retained and the latter is abrogated, will not that follow?"

The Hon'ble Mr. H. F. W. GILLMAN:—"The former Government Order prescribed that these certificates should be issued by the District Medical and Sanitary Officers alone."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU:—"That will obviate some of the difficulties pointed out. Otherwise we shall be introducing a more complicated machinery for the purpose of issuing the certificates, one set of officers who, it is suggested, are to be the revenue officers certifying to the residence and another set of officers certifying as to the health of the person concerned. It is desirable to avoid new machinery and to simplify matters; while at the same time these restrictions are efficiently carried out. Your Excellency will kindly notice that even on the former occasion when this resolution was brought forward these suggestions were made to Your Excellency's Government. Your Excellency then said 'It is best, I think, to take what seems to be the ordinary commonsense view of things which has been created by certain circumstances—to leave the matter as it is and let the present system work in harmony and co-operation with the Ceylon Government; and if at any time we can obtain a favourable relaxation in regard to certificates or in any other direction to secure the free ingress of our people into Ceylon, let us do so. I am heartily with the Honourable Gentlemen with the general principles that have been referred to. But I doubt whether we have a strong case to press at the present moment. I should be inclined to say let us drop this discussion and resume it when circumstances present a more favourable opportunity.' I would only request your Excellency's Government to consider whether all the incidents which have taken place during the last twelve months are not sufficient to enable the Government to make further representation to the Ceylon authorities."

His Excellency the PRESIDENT:—"I hope the Honourable Gentleman will not raise a wider question. I do not want to restrict the debate. What we are trying to do is to make it easier for the District Medical and Sanitary Officer to grant certificates. We are afraid—we do not know, but it is possible—that the District Medical and Sanitary Officer may have difficulty in granting certificates, and we want if possible to obviate and remove that little bit of difficulty. We cannot get a perfect world. We are trying bit by bit to improve the machinery. The Hon'ble Mr. Gillman has offered to consider whether it would not be possible to assure the District Medical officer in regard to points which are not medical points at all. Therefore the Medical officer will have less difficulty because he will be assured of the identity of the people by officers who can speak to them. There will then be less difficulty in granting the certificate. We need not open the whole field of suggestion, because it is not opened by the resolution."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU:—"To help the discussion I think it will be better if the Hon'ble Mr. Gillman will inform us as to whether any inquiry has been made as to the importation of plague from Ceylon to India. I find that the Hon'ble the Raja of Ramnad stated on the last occasion "as a matter of fact we find a larger number of imported cases of plague in India from Ceylon than from India to Ceylon."

The Hon'ble Mr. H. F. W. GILLMAN:—"There is no information of plague coming from Ceylon to India."

(Mr. M. Ramachandra Rao ; Mr. A. S. Krishna Rao ; [5TH APRIL 1918.
the President ; Mr. Siva Rao ; Mr. Ranga Achariyar ;
Mr. Gillman ; Mr. Yaqub Hasan.)

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—" My Lord, I should like to propose a small amendment to give effect to the intention of the Hon'ble Mr. Gillman and that is "that the Government Order should be modified by permitting village officers to issue a certificate of identity for the information of District Medical Officers." Instead of having Tahsildar or Deputy Tahsildars to issue these certificates, I propose that the village officers who are equally responsible to the Government should be permitted to issue certificates of identity. As pointed out by the Hon'ble the Surgeon-General, the two matters which the Medical officer has to decide are as to whether the person is free from disease and whether the place wherefrom he comes is free from disease. If these are the only two matters he has to decide, the other matter is only the question of identity, whether a particular person belongs to a particular village. On that matter no better person can be selected than the village officer who can say whether such and such a person belongs to that village and intends to go to Ceylon. On the basis of that certificate, it will be open to the medical authority to examine the man and see if the village is free, according to his information. It seems to me, My Lord, that it is a very simple solution of the problem, I do not really see why the Hon'ble Mr. Gillman should insist on the Tahsildar or the Deputy Tahsildar giving a certificate of identity and parentage when there are hundreds of villages. If you throw the responsibility on a village officer the matter is very much simplified. If he issues a false certificate, he can be dealt with. I trust the Hon'ble Mr. Gillman would consider this amendment and accept it."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—" I second the amendment."

His Excellency the PRESIDENT :—" The Honourable gentleman has already exhausted his right of speech."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—" On the original proposition."

His Excellency the PRESIDENT :—" There is only one proposition."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—" Does it exhaust my right to propose an amendment?"

The Hon'ble Mr. P. SIVA RAO PANTULU :—" I second the amendment."

The Hon'ble Mr. T. RANGA ACHARIYAR :—" May I know whether your Excellency rules the amendment in order."

His Excellency the PRESIDENT :—" This debate is irregular. Honourable gentlemen have introduced irrelevant matters."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—" It is really in furtherance of what the Hon'ble Mr. Gillman has said."

His Excellency the PRESIDENT :—" I am not talking of that. I am talking with reference to the rules of order. I am sure the Hon'ble Mr. Gillman will be quite willing to consider all suggestions. The question is, we have to work out a system which will be satisfactory. The Council will be pleased to hear what the Hon'ble Mr. Gillman has to say on the amendment."

The Hon'ble Mr. H. F. W. GILLMAN :—" With regard to this amendment I would only like to say that the person who is to be satisfied is the District Medical and Sanitary Officer. We are prepared to prescribe that he may accept the reports of certain responsible officers."

The Hon'ble Mr. T. RANGA ACHARIYAR :—" I wish to rise to a point of order. Unless Your Excellency rules the amendment to be in order, the Hon'ble Mr. Gillman cannot speak."

His Excellency the PRESIDENT :—" Will not the Council hear what the Hon'ble Mr. Gillman has to say? We want to obtain an adjustment of the matter."

The Hon'ble Mr. H. F. W. GILLMAN :—" The Government consider that a certificate granted by a Tahsildar or a Deputy Tahsildar carries such weight that it should invariably be accepted by the District Medical and Sanitary Officer. We are not prepared to issue a rule that certificates may be issued by village officers on non-medical matters. There are village munsifs and village munsifs. If the District Medical and Sanitary Officer is prepared to accept on his own responsibility a certificate from an Honourable Member of a Council or a respectable member of society he is welcome to do so."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—" I do not know if I am in order in moving that this House do go into committee in discussing this matter."

His Excellency the PRESIDENT :—" What is the meaning of going into committee?"

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—" We can discuss the question without formal proposing and seconding."

His Excellency the PRESIDENT :—" Will the Honourable Gentleman quote the rule?"

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—" I cannot quote the rule."

His Excellency the PRESIDENT :—" We are doing it already."

The Hon'ble Mr. Yaqub HASAN :—" I wish to move an amendment (Laughter)."

His Excellency the PRESIDENT :—" It depends upon the amendment."

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The Hon'ble Mr. Yaqub HASAN :—" My amendment will simplify the matter. The resolution as amended will run as follows: 'This Council recommends to His Excellency the Governor in Council that necessary steps be taken to modify the quarantine restrictions imposed on Indian passengers proceeding to Ceylon'."

His Excellency the PRESIDENT :—" I think that will not be in order. I have already ruled that such an amendment will not be in order. Let us take the vote on this small amendment and see whether the Council will accept it. It is suggested that the resolution should be amended in this form, that the Government Order should be modified to permit village officers to issue certificates of identity for the benefit of the District Medical and Sanitary Officer."

The Hon'ble the RAJA OF RAMNAD :—" If the village officer is permitted to do this, it will highly complicate matters and will put people to great inconvenience. It is a great complaint of the zamindars that these village officers are not doing their duties properly and if you are going to burden them with this work also, I am afraid their regular work will suffer. I am entirely opposed to the delegation of powers to them and therefore I oppose the amendment."

The Hon'ble Mr. Yaqub HASAN :—" I am sorry Your Excellency did not allow me to move my amendment. I take it that the object of this resolution and the amendment now before us for discussion is that the quarantine restrictions should be modified. That is the object of both the mover of the original resolution and the mover of the amendment. This question has been fully discussed and the Government are in a position to know the feelings of the Council. Therefore if they are given a free hand, as I proposed in my amendment, they will take the necessary steps themselves to modify the quarantine restrictions."

His Excellency the PRESIDENT :—" The Honourable Gentleman has merely expressed his views in favour of his own amendment which has really nothing to do with the amendment now before the Council. I will now put the amendment to the Council."

The amendment of the Hon'ble Mr. Ramachandra Rao was put and lost.

His Excellency the PRESIDENT :—" I must ask the Hon'ble Mr. Marakkayar to reply."

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR :—" Your Excellency, I thought my resolution would be accepted to-day without any difficulty, as it was a matter of very great importance and it had been often admitted by the Government that this kind of difficulty must be removed as early as possible. As to the suggestion made by the Hon'ble Mr. Gillman to empower tahsildars and deputy tahsildars to give certificates of identity, on consideration, I find that it is a good suggestion. At the same time, as my Honourable Friend Mr. Rama Ayyangar has explained, he has not fully heard me. The question of going to sub-magistrates and other officials to secure passports for the Straits Settlements was brought to my notice. No doubt it is a hard job and they have to sacrifice a certain amount of their wealth and time. Besides, in addition to the multifarious work which these officers have, I do not know whether it will simplify the standpoint of the officers themselves and the standpoint of the passengers. There are so many complicated questions in which we have to decide as to how to grant certificates. The Hon'ble Mr. Ranga Achariyar has explained that the wording of the certificate is rather vague. It is 'I hereby certify that the above person has been residing in such and such a place and the place is free from infection.' The Hon'ble the Surgeon-General says that the District Medical and Sanitary Officer will surely be in a position to know the circumstances which render it likely that the place is exposed to infection. The wording is 'free from disease' and as my Honourable Friend Mr. Ranga Achariyar has stated unless it means 'free from infectious disease' that will complicate the matter. There is no man without disease. All these matters must be carefully considered and it is for this reason that the Hon'ble Mr. Ranga Achariyar moved an amendment to refer the matter to a committee to sit quietly, and discuss the whole matter and decide as to what to do and how to do. It is a very good idea and it is the same thing which I suggested yesterday to the Hon'ble Mr. Gillman. If that is accepted, the whole matter—"

The Hon'ble Mr. H. F. W. GILLMAN :—" What is it?"

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR :—" We can refer the matter to a committee suitable both to the Ceylon Government and our Government. It will be very convenient for us to decide the matter, whether these regulations are good or not. I strongly recommend that the matter should be referred to a committee consisting of both officials and non-officials to arrive at a decision and the recommendations of that committee may be forwarded to the Ceylon Government. That is a suitable way of minimising the difficulty."

"Secondly, with reference to the remark made by the Hon'ble Mr. Gillman regarding importation of cases from Ceylon referred to by the Hon'ble the Raja of Ramnad, I would bring to the recollection of the Government that some years ago a case of plague occurred in Tanjore; a Muhammadan who came from Colombo died and he was burnt. I brought it to the notice of the Government and the Government passed an order that no Muhammadan should be burnt when he died of any disease. Another case happened at Danushkodi of a Bombay Sait who, immediately he landed from Ceylon in 1916, was found suffering from fever and he died, and the authorities declared that he died of plague. The Tahsildar and the District Medical officer ordered the burning of that Muhammadan dead body. I got a telegram and I brought it to the notice of the Government and the Collector, that there is a distinct order

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that Muhammadan dead bodies should not be burnt. These are two important cases brought to the notice of the Government. So, what the Honourable Member says—that he does not remember any case of importation of plague from Ceylon—is not right. There are many cases imported from Colombo.

“With regard to the other remark as to the restrictions imposed by the Ceylon authorities on the permits issued by the chairman of the plague committee, he has to be under medical observation for fifteen days. According to the certificate issued by our medical officer he is put under observation for seven days after his arrival at Colombo. Therefore there is no hardship in getting permits from the chairman of the plague committee. All these points can easily be discussed in a committee so as to arrive at a certain conclusion and then decide the matter. So I would request the Government to accept the amended resolution moved by the Hon’ble Mr. Ranga Achariyar whereby we can decide the whole thing if the Government really think that the difficulties that Your Excellency’s Government’s subjects are undergoing are to be remedied. That is the only way to remedy them. With these few remarks I strongly recommend that the amended resolution be accepted.”

The Hon’ble Mr. H. F. W. GILLMAN:—“Your Excellency, the Honourable Mover has been addressing his concluding remarks on an amendment which has been ruled out of order. There is no question before the Council of appointing a committee to consider the general amelioration of the quarantine regulations. The question is not at all raised by the motion before the Council. There is no question of having certificates issued by any one except the Medical officer; even under the Government Order of November 1916 it was the District Medical and Sanitary Officer only who was authorized to issue the certificates. The question before the Council is to see if in any way the duties imposed on him can be relaxed, so that he has nothing to do except to issue certificates in regard to purely medical matters. I made a suggestion to the Honourable Member of the direction in which the Government are prepared to meet him if he is prepared to accept it. I will withdraw it, if he does not accept it. If he presses the resolution I do not know what attitude the Government will adopt.”

His Excellency the PRESIDENT:—“Will the Honourable Gentleman be good enough to say whether he will press the resolution.”

The Hon’ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR:—“Rather than to have nothing, I will have something and accept the proposal made by the Honourable Member.”

His Excellency the PRESIDENT:—“I should just like to assure the Honourable Gentleman and the Council that we are just as anxious as any Member of this Council—the Government are anxious as any Member of the Council can be—to enable these regulations to work smoothly. Our desire is to maintain good understanding and to endeavour to get a smooth working of these regulations.

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE IMPROVEMENTS OF CERTAIN CANALS BY PRIVATE ENTERPRISE.

The Hon’ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—“Your Excellency, I wish to move the resolution entered against my name—

“XXIV. This Council recommends to His Excellency the Governor in Council the opening up of the State-managed Buckingham and Vedaranniyam canals, their working, improvement and extension to private enterprise.”

“Your Excellency, I have had the attention of the Government drawn to this very important matter for some time past rather frequently, and I feel in many ways justified in doing that. This canal, Your Excellency, was intended mainly to facilitate traffic along the coast from one part of the Presidency to the other as also to help the inland traffic. I would just venture to quote a remark made by Mr. Russel in his report on the Buckingham canal. ‘The construction of the Buckingham canal has placed the town of Madras in cheap and easy communication with no less than five districts, and with the large and important towns of Cocanada, Bezvada, Masulipatam, Ongole and Nellore, besides smaller trade centres; and has entirely superseded the uncertain and precarious coast traffic, which formerly existed at numerous minor ports along the coast. The 196 miles of canal north of Madras town is of far more importance than the portion south of Madras. The former carries annually about six times the bulk and value of goods that the latter does, is a more efficient line of navigation, is commonly used by boats of 3 feet draught and of as much as 40 tons burden, and has had, until recently, an increasing trade.’

“So it is clear that the north canal is more important at the present day than the south canal. But I invite the attention of this Council and the Government to the fact that the canal and everything about it, particularly its maintenance is not anything like satisfactory and as such the convenience of the water-way through this canal will be greatly facilitated by more efficient maintenance. It is with that view that I invited the attention of the Government to make an additional grant towards the maintenance of this canal at the budget discussion last year. The Government were good enough to do as much as they could to improve the state of maintenance

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of this canal, and I am thankful to the Government for what they have done. But inasmuch as the southern portion of the canal was not what it might be, I thought it my duty to invite the attention of the Government to the improvement of the canal by extension by connecting the Negapatam-Vedaranniyam and the Buckingham canals. That the Government thought was not possible at the last budget discussion and at the meeting before this meeting. They thought it was not possible to make such a connexion, but they very kindly undertook to see that the canal which is now in an absolutely neglected condition between Porto Novo and Tranquebar would be examined and everything possible would be done to improve that portion.”

The Hon’ble Mr. H. F. W. GILLMAN:—“I never said that. I said that I would examine it.”

The Hon’ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—“We expect something more than an examination. Your Excellency, I venture to place before this Council this resolution which requests the Council to recommend to the Government the opening up of this canal to private enterprise.”

The Hon’ble Mr. H. F. W. GILLMAN:—“Which canal?”

The Hon’ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—“The Buckingham canal. It is essential to widen and improve and extend the canal. I was given to understand that the Government were not likely to consider any extension of this canal or for the matter of that any substantial improvement of it. I thought with regard to such an important canal as that, with the usual consideration that the Government extend to the improvement of railways in this country, they might also be expected to do something in the direction of improving the waterways.

“I will now place before the Council a few figures to show why I have thought it necessary to make a representation to this effect. From 1910-11 to 1916-17 I find that the canal has been working at a loss—I find that during the triennium ending 1910-11 the loss was only Rs. 21,755.

In 1911-12 the loss was Rs. 68,731	In 1914-15 the loss was Rs. 1,02,406
1912-13 „ „ 68,345	1915-16 „ „ 76,443
1913-14 „ „ 82,277	1916-17 „ „ 56,534

“Your Excellency, there is a very important feature of this canal which I earnestly invite the attention of this Council to; the canal has been constructed by the outlay of public money to the extent of Rs. 90 lakhs. That the Government should allow that canal to work at a net loss of Rs. 75,000 a year is, I venture to submit to this Council, a fact which cannot be looked upon with complacency. I may also point out that the condition of the canal was something very different from what it is to-day by means of the following figures. The total receipts of the canal were as high as Rs. 1,14,788 in 1896-97, and in a number of years previous to that also it was as high as this. What I am pointing out to the Government is that the canal which has come down to this miserable position is a thing well worth careful investigation. It may, I am sure, be argued that the East Coast Railway has had a good deal to do with the going down of this canal. But even after the introduction of the railway I find in many years the canal traffic was fairly high. The Council is perfectly well aware that the traffic in this country is going up like anything, and of late it has been very high indeed, so much so that I have often brought to the notice of this Council that the existing railways are not able to cope with the traffic even in normal times sufficiently quickly.

“If the Government cannot see their way to improve this canal at the cost of the Government themselves, I should think it but reasonable and fair that they should allow it to be improved by private enterprise; at least the Government should be prepared to do everything possible to help such a venture. The canal has about 451 miles of navigable distance, as it stands at present, including other canals, with which this canal is connected. Such a long and useful line of canal navigation, I venture to think, cannot possibly be allowed to continue in this absolutely useless condition, a condition of almost absolute uselessness because I think a net loss of about Rs. 75,000 a year would mean not merely uselessness but also a drag on our revenues. This canal is running close to the sea throughout its entire length and I understand from a reliable source that about 4 feet of water in this canal would be quite enough to allow motor boats to run through from one end of the canal to the other. If that should be the position, I wonder why the Government should not seriously consider the question of improving this canal and extending it, as I have previously advocated, to a small extent here and there, so that the south of the canal may be made equally useful as the northern portion of the canal and the canal put in a more efficient condition than it is to-day. By doing that, we shall be improving the interests of the public as regards the transport of goods from one place to another. I may remind this Council in this connexion that in the discussion on the resolution on high prices the other day practically every one including the Members of the Government agreed and felt that the difficulty was almost entirely one of transport. Why under these circumstances the Government should not make up their mind to do everything they could to improve this navigable canal is difficult to see. If the Government are not willing to sink more capital particularly at this juncture I thought it necessary to recommend to the Government at least to open up the way to private enterprise if it should be possible at this stage as well as at a later stage. If the Government should both abstain from doing this and also be averse to the opening of it by private enterprise, I can only say that it will not certainly be a wise policy or a policy followed in the best interests of the people committed to their charge. It might be said that the sea is close by and this canal need not be improved and the transport might well take care of itself

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through the means of these minor ports and through the sea. But I need hardly point out to this Council that the canal forms a much easier line of communication than the sea itself, and also a line of communication which is possible at all times of the year. Particularly, at the present not very affluent circumstances of the people of this country in general, the tendency of the people is not very keen in the direction of speculation. A canal which has been dug up at a cost of nearly one crore of rupees, if only it could be improved a little further, would go a great way to improve not only the existing interests at this critical juncture but would add very substantially to the easy line of communication between one part of the Presidency and another. Under these circumstances, I earnestly hope that Your Excellency's Government will see their way to do everything possible to facilitate and expedite the improvement of this canal both by their own act and by opening up private enterprise. With these words, I move the resolution for the acceptance of the Council and the sympathetic consideration of the Government."

The Hon'ble Mr. Yaqub Hasan :—"I beg to second this resolution. It is well-known that much money has been sunk in this canal, but instead of being useful as means of transport it is a source of much loss in working. If the Government are not prepared to attend to this canal, the next best thing will be to open it to private enterprise, and though I am afraid there will be a good deal of diffidence on the part of private merchants and capitalists to come forward and take up such an enterprise as this, especially after it has been shown that the canal is not working at a profit, yet if people like the mover of this resolution feel convinced that this canal can be made a profitable one, people might come forward to place some confidence in the project and take it up as a business concern. I would therefore hope that if the Government are not prepared to accept this resolution, they would at least do something to improve the canal themselves and make the investment in it a profitable concern. Last year, on an observation made at the budget meeting by the Hon'ble Mr. Gordon Fraser, the Hon'ble Mr. Gillman promised that he would try boats of certain draft in the canal below Bezwada. We do not know whether that trial was made and the navigable capacity of the canal tested in that manner. With these words I have much pleasure in seconding the resolution."

The Hon'ble Mr. H. F. W. GILLMAN :—"Your Excellency, I have listened with very careful attention to the speech of the Honourable Member and I find it extremely difficult to make out what he really does want. If his resolution was vague, I am afraid his address to the Council was vaguer. He asks that the working and the improvement and the extension of these two canals may be opened up to private enterprise. Let us confine our attention to the Buckingham canal as being by far the larger of the two."

"I will explain to the Council—I hope satisfactorily—why there is a deficit in the working. The policy of this Government and of every Government is to make canal traffic as cheap as possible and with that object the fees which have been charged on these canals have been kept at the lowest possible minimum. A boat which plies for the whole length of the canal has to pay the same charge as one which plies for ten miles. Although there is considerable deficit in the working, which amounts in the last five years to an average of Rs. 80,000 a year, I do not think it is in any way a slur on the administration. If the Council and the Honourable Member think that the canal is not perfectly useless, surely it is advisable to encourage traffic on that canal even if it means that a small additional charge has to be paid by the general taxpayer. The Hon'ble Mr. Chidambaranatha Mudaliyar referred to the fact that the receipts have fallen considerably and he quoted the figures for 1896-97 when the receipts were Rs. 1.14 lakhs and he compared them with the receipts at present which are in the neighbourhood of Rs. 70,000. If the Honourable Member will look at the figures, he will see that the East Coast Railway from Bezwada to Madras was opened in 1889. Immediately on its opening there was a drop of Rs. 30,000 due to competition by the railway."

"The Honourable Gentleman has referred to the unsatisfactory nature of the Buckingham canal; in fact he has gone so far as to characterize it as being absolutely useless. I think those statements are too strong. There is no doubt that this canal is a very difficult proposition for engineers, because it is crossed at several points by big rivers and the crossings are naturally silted during floods and it is at these places where the difficulty is found by boats in navigation. The Government who are greatly interested in this canal have recently sanctioned a dredger to keep the canal open. That does not mean that traffic is impeded. We have tried to experiment with the heaviest laden boat and sent it right through the canal and found that the canal is navigable. I think the policy of the Government is this: We have set our minds and we are fully intent on getting this Buckingham canal from Bezwada to Merkanam into thoroughly efficient working order. We are inclined to think that the statement about there being a likelihood of a lot of fresh traffic is not well-founded; at any rate we are going to give the people a chance of proving that these statements are correct. When the canal is got into thoroughly efficient working order after the employment of this dredger, we will find out whether our opinion is right or your opinion is right,—whether there is a large amount of fresh traffic or not. That is all that the Government can do in the present financial circumstances. Further, I do not see any justification for taking up the question of the further extension which is first of all fraught with engineering and political difficulties and about which we made inquiries and concluded that the prospects of success are not very bright. If the Honourable Gentleman considers that there will be a large amount of through traffic from, say, Cocanada on one side to Ceylon on the other, I think the surest and quickest way of shifting that traffic from one place to the other is by the ocean which runs along the line of the canal. The company:

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which the Honourable Member intends to form will find it much easier to build a fleet of brigs to take the goods from Cocanada to Ceylon, than to construct a canal from Porto Novo to Marakkanam and Negapatam. The Buckingham Canal is not a proposition which any private company would face. I would advise the Honourable Member to drop that idea altogether. He may rest assured that the Government are doing everything they possibly can for this canal. If they find after this has been done that there is a considerable extension of fresh traffic and think there is any possibility of the traffic growing further they will be perfectly prepared to consider the extension of the canal. For the present they would confine themselves to the improvement and maintenance of the Buckingham canal."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—"My Lord, I have heard with considerable interest the statement made by the Hon'ble Mr. Gillman. At least that portion of it which relates to the maintenance of the Buckingham canal in a satisfactory condition between Bezwada and Madras is a statement which will be welcomed in my part of the country. I am glad to know that Your Excellency's Government have decided to make it navigable for boats. I may say that in the early eighties when I came to Madras I travelled all the way from Bezwada by the Buckingham Canal twice, and it took me twenty-one days, quite a pleasant journey. In those days time was not very valuable to me. I am glad that the present transport difficulties of the water-ways are receiving attention. I am at one with the Hon'ble Mr. Gillman that specially the Buckingham Canal between Bezwada and Madras is certainly far too large an order for any private company. The capital outlay is seventy to eighty lakhs of rupees and the maintenance of it also costs a considerable sum; with repairs and various other improvements which have to be effected, I am afraid there is no possibility of its being undertaken by private enterprise. It may be that my Honourable Friend is trying to promote one, but whether it be a private company or not I am extremely glad to know that in the present circumstances these water-ways are receiving attention."

"There is only one other point that I would like to press. Last time when the matter was under discussion I mentioned that about the year 1900, that is my recollection, there was a considerable increase in the canal dues. I know at that time there was a great deal of agitation and the Traffic Manager of the East Coast Railway, Mr. Pope and other officers took up the cause of the railway. I remember at the time the Public Works Department yielded to the clamour of the railway, then a State concern; and increased the navigation fees. That is my distinct recollection. If this canal is to be restored and put into navigable order, I request that this question of navigation fees may be taken up and if necessary they may be reduced to the extent necessary to stimulate traffic all through. It seems to me that it was not at all a well-advised step to take to raise these dues at that time. It has had the effect of reducing the boat traffic. Heavy goods traffic in Madras used to come to our parts through these boats. I would ask the Hon'ble Mr. Gillman to see whether these dues could be reduced to stimulate the growth of the traffic. That question still remains to be examined. I would invite attention to the state of things that prevailed about the year 1900."

"About the other part of the resolution about the canal between Madras and Vedaranniyam, my Honourable Friend is in a better position to speak of its possibilities. Probably it is a shorter bit and he and the gentlemen of the South Arcot and Tanjore districts are interested in keeping up the canal in a workable condition by forming a company to work the smaller bit. It is certainly a matter in which Your Excellency's Government may ask for specific proposals to see how they could be improved. So far as that portion of the resolution is concerned, that stands on a different footing. If the Hon'ble Mr. Chidambaranatha Mudaliyar has any specific proposals for undertaking the construction or maintenance or upkeep of that bit of the Buckingham canal, south of Madras between Madras and Vedaranniyam or further down, it is a matter which deserves consideration. If proposals are made, I do not see why Your Excellency's Government should not examine them. I suggest to the Hon'ble Mr. Gillman to give consideration to this question. I see they have the same difficulties as we have especially in the last two or three years about transport of grain. It is what I think has been causing my Honourable Friend to repeatedly bring forward this matter before this Council. I must say we are indebted to him for urging the importance of water-ways and securing so far as my part of the country is concerned the reopening of the Madras-Bezwada canal in a workable condition. I am glad that the statement made has been satisfactory and I hope my Honourable Friend will take an opportunity of making specific proposals in regard to the canal south of Madras in which he seems to be interested."

The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU :—"Your Excellency, I fully agree with what the Hon'ble Mr. Gillman has said about the Buckingham Canal. Although the Buckingham Canal is deepened, I am certain there will not be any further traffic. The canal is only used for short distances, distances of 100 or 150 miles. It is only within those distances that the boats are used for taking produce. Cocanada which is connected with these canals gets produce only from Bezwada and places in the Kistna district where there is no railway communication. The income from the boats has fallen, because the number of boats has been considerably reduced after the railways were laid down. On account of this war a number of sailing ships are being constructed; I do not find that even one boat for canal traffic is constructed in our ports. If any boat gets under bad repairs it is abandoned because it is not paying for the boat owners to get it repaired. It is only for short distances where the boat is to go four or five days that it pays. If they take it for ten days then the expenses will become

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very high and the freight they get is not sufficient to meet the expenses. I do not think that even by deepening this canal there would be any further traffic to Madras from places in the north.

"As regards any private enterprise I am quite sure that nobody would come forward to take up that work. So, in these circumstances I hope my Honourable Friend will see his way to withdraw his resolution."

The Hon'ble Sir Francis Spring :—"Your Excellency, I had not intended to say anything on the subject, but the Hon'ble Mr. Chidambaramatha Mudaliyar has been writing and talking to me, on the subject of his resolution, for many months past, off and on, and I have always tried to dissuade him from any attempt to get to work on the lines that he has suggested. When you have deepened the canal, you have only got to the beginning of the business. It is just like making a railway without rolling-stock. You have to have a fleet of boats. You cannot carry on a heavy transportation business by means of independent boats, owned by independent owners. In order to carry any traffic worth mentioning, you must have a regular organization of boats just as you must have a regular organization of rolling-stock for railways. That means a great many lakhs of rupees to carry any traffic worthy of mention.

"As to the prospect of private enterprise, if the Hon'ble Mr. Chidambaramatha Mudaliyar and his friends have Rs. 50 or 60 lakhs between them, they would do better to put it into a ship-building industry at Porto Novo. Brigs carrying three or four hundred tons are trading everywhere nowadays. We had three or four of them the other day in the harbour. They will cost, I think, perhaps Rs. 75,000 each. Of these 300-ton brigs, if he and his friends have money, on the scale necessary to make a canal company efficient, they can build a certain number: it will be better to revive the defunct ship-building industry at Porto Novo and start making these ships. As for private enterprise for taking over these canals from Government let them start a company and come forward with an offer. The Government know that when the State-owned South Indian Railway was offered on lease to a company for working, a number of gentlemen in London came forward with an offer of one or one and a half million pounds of capital and leased the line for 30 or 35 years. Then the first charge against the earnings was the 3½ per cent interest on the whole cost. No offer will be of value except on some such lines as that. They will have to say, as regards a canal which has cost one hundred lakhs, 'we will guarantee interest at 4 per cent on that outlay, and we will guarantee to spend so much upon rolling stock.' Having got your barges, how are you going to move them? By coolies? I imagine the Honourable Member has not the faintest idea of what such a proposition involves. You cannot move any really large tonnage of traffic by coolies for each lighter. It has to be done in some other way, by some kind of power boat or some other means than the coolie haulage which he contemplates.

Then again what about the prospects of succeeding? I used to know some years ago a part of the canal very well. I have many times travelled up and down between Bezvada and Rajahmundry and between Bezvada and Masulipatam. There used to be a great deal of traffic, but it has gone under a good deal because of the railway competition. The traffic in those days was carried in private-owned boats and was very badly carried, very slowly, there was a great deal of robbery and it was altogether inefficiently done. The moment the railway came on the scene that traffic began to drop off, naturally, and in a few years there was none of it left. I do not think such canals can ever compete with railways. Just now the Honourable Member seems to think that it can because of the war conditions and the difficulties the railways are labouring under. But the moment the railways begin to work again under normal conditions, his company will come to a stop, I feel quite certain. If the Honourable Member and his friends have any money to spend I would suggest that they should spend 4,000 or 5,000 pounds on the building of a small fleet to carry goods by sea."

The Hon'ble Mr. K. Chidambaramatha Mudaliyar :—"Your Excellency, I am not surprised at the attitude of the Government or the other members of this Council. Every member knows the way in which the formation of a company to run a railway between Arantangi and Devakotta or for working the line between Tiruvalur and Vedaranniyam has suffered and is suffering in its attempt to run the railway or even to work the line. I am not at all surprised, Your Excellency, that it is looked on with very great doubt, very serious misgivings. After all there can be little or no doubt that water-ways, if only they are dealt with in the manner in which they have to be, are much cheaper than railways. Motor boats, I understand on good authority, can very well ply in four feet depth of water on this canal from one end of it right up to the other. In that view of the matter I cannot see how it cannot compete with railways. But if railways can have further traffic I wonder why the canals from the one end of the Province to the other cannot equally command further traffic. Further, as I have often observed in dealing with this question, the traffic is getting heavier and heavier day after day. The difficulties of transport even in normal times apart from abnormal conditions are very serious. As I have observed already, thousands and thousands of bags of rice and paddy at station after station are rotting like anything and even in ordinary times this spectacle is certainly not less observable. Under these circumstances the only thing that we can expect the Government to do to facilitate the transport of traffic from one part of the Presidency to another would be to think of improving a canal like this.

RESOLUTIONS RE IMPROVEMENTS OF CERTAIN CANALS BY PRIVATE
ENTERPRISE AND KISTBANDI FOR LANKA AND PADUGAI LANDS. 651

5TH APRIL 1918.] (Mr. Chidambaramatha Mudaliyar ; the President ; Mr. Gillman ;
Mr. K. R. V. Krishna Rao.)

"It is also observed that ships might be built and the ocean might be used. As I said in moving the resolution, the thing would be too costly for the poor condition in general of the people in this part of the country. The canal is here. It has been made at a cost of Rs. 90 lakhs; it is ready, and at the estimate even of the Government itself it would require perhaps a few more lakhs, about 10 or 12 lakhs, to make a complete water communication for 500 or 600 miles. If that is to be left and if the whole capital that has been sunk should be allowed not only to lie waste but also to entail a loss year after year of Rs. 75,000 for further maintenance, I wonder what can possibly justify the attitude of the Government in keeping up to the position at which they stand at present. I am particularly surprised that the Hon'ble Mr. Gillman has not met what exactly the resolution expected. The resolution simply says that the working, extension and the improvement of these canals may be opened up to private enterprise. I simply expected an assurance from the Government that it will be opened to private enterprise. We expected nothing further. It may be said that regular cut and dried proposals are not before us and so we are not prepared to say that it will be open for private enterprise. But he never said such a thing."

His Excellency the President :—"We quite understand the attitude the Honourable Gentleman takes on this resolution. If the Honourable Gentleman will resume his seat, the Hon'ble Mr. Gillman will explain the attitude he takes on the question."

The Hon'ble Mr. K. Chidambaramatha Mudaliyar :—"With these few remarks I hope the whole thing may be considered properly and carefully. The whole thing may be considered and the suggestion might be accepted."

The Hon'ble Mr. H. F. W. Gillman :—"The whole question of these canals has been considered and will be carefully considered, and you may rest perfectly assured that what you have stated to-day will be borne in mind by the Government. I am very thankful to the Hon'ble Mr. Suryanarayana Murthi Nayudu for his interesting and well-informed remarks which have thrown a good deal of light on the subject. He has said that the deepening of the canal will be of no use. I quite agree. We do not propose to deepen beyond the standard depth. What we are intending to do is to remove the obstructions which are periodical and which are caused by the existence of these river crossings. Under these circumstances I hope the Honourable Gentleman will see fit to withdraw his resolution."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE KISTBANDI FOR LANKA AND PADUGAI LANDS.

The Hon'ble Mr. K. R. V. Krishna Rao Pantulu :—"My Lord, the resolution that I have the honour to move runs as follows :—

'XXV. This Council recommends to His Excellency the Governor in Council that the kists on lanka and padugai lands in the Godavari and Kistna districts be collected hereafter in March and April instead of in February and March as decided in G.O. No. 454, dated 28th February 1916.'

"My Lord, at a meeting of the Council held on the 21st May 1914 my Honourable Friend Mr. Narasimha Raju moved a resolution recommending a revision of the kistbandi of the ryot-wari lands in the several districts of the Presidency, so that the payment of the first instalment of the kist might fall one month after the harvesting of the principal crop of the district. The view of Mr. Narasimha Raju in moving that resolution and recommending that the first instalment of kist might be made to be collected from the ryots one month after the principal crop of the district was harvested was to enable the ryots to sell the crop or raise a loan upon the produce and meet the Government demand and not be obliged to borrow at unreasonable rates of interest to meet the Government demand. The Government promised to inquire into the matter and also gave an undertaking that the kistbandi in the Vizagapatam district would be carefully gone into as also the kistbandi of lanka and padugai lands in the Godavari and Kistna districts. Upon that assurance given by the Government the resolution was withdrawn. Subsequent to the moving of that resolution in May 1914, the Government referred the matter to the Board of Revenue and the Board of Revenue have recommended that the kistbandi on lanka lands in the Godavari district may be collected in February and March instead of in January, February and March as was the practice before that date. As regards the kistbandi on padugai lands the Board similarly recommended that the kist may be similarly collected in February and March instead of in four instalments in December, January, February and March as before that time. Except with regard to padugai in the Razole taluk, the kist of padugai lands is now being collected in two instalments in February and March. In the kist of padugai lands instead of the kist being collected on patta lankas in four instalments, the Kistna district also instead of the kist being collected in two instalments in February and March. As it was ordered that it should be collected in the old Kistna portion in which the kist was being collected in three instalments, it was ordered to be collected in two instalments. Now I recommend in this resolution that the kist on lanka and padugai lands may be collected in March and April instead of in February and March in which the Government have kindly consented to collect since the resolution was moved in May 1914.

(Mr. K. R. V. Krishna Rao ; Mr. Suryanarayanamurti
Nayudu ; Sir Alexander Cardew ; the President.) [5TH APRIL 1918.]

"My Lord, last year the lanka lands in the Gōdāvari district were auctioned in the month of October and the ryots were put in possession of the lankas in December and it was not until the first or second week of December that the lessees of the lankas could get possession of them and they were able to lease them to their tenants and ryots. In the month of February tobacco seedlings were very tender and the ryots whose first instalment of kist fell due in the month of February were put to great hardship to meet the required amount. Not only the produce of these lanka and padugai lands had not become harvested but the produce which is chiefly tobacco was in mere seedlings. My Lord, with regard to tobacco cultivation which is the only chief cultivation in the lanka land, it is under a very great disadvantage at present. Tobacco has gone down in price chiefly on account of the want of transport facilities for export to Burma and other places and also on account of tobacco having been undertaken to be grown in Burma. Tobacco is a peculiar crop which cannot be sold and which will not be purchased by anybody unless it is fully harvested and unless the nature of the crop is known by the merchant. I therefore suggest that unless this small alteration of collecting the kist on lanka and padugai lands in March and April, instead of in February and March, is made, the ryots will be put to hardship. They have been put to very great trouble this year and they were not able to get even loans on the security of their crops because there was practically no crop and money-lenders would not estimate the crop since tobacco was in seedling in the lankas. With these words I propose that the kist on lanka and padugai lands be collected hereafter in March and April instead of in February and March as was decided in G.O. No. 451 of 1916."

The Hon'ble Diwan Bahadur K. SURYANARAYANAMURTI NAYUDU:—"Your Excellency, I beg to second this resolution. In doing so I have very little to add to what the Hon'ble Mr. Krishna Rao has said. The principal crop of these lands, lanka lands, is tobacco and it is harvested towards the end of February and in March. At present the kist is payable in February and March. So even before harvesting the agriculturists have to enter into a contract with the money-lenders at prices much lower than what they would realize if they waited for some time longer. Therefore instead of making the kist payable in February and March if they are to be paid in March and April it would be of considerable help and convenience to the ryots. I therefore support the resolution."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, I would remind the Council of what happened at the meeting in May 1914. Then we had, as we have now, the advantage of the advice of the Hon'ble Mr. K. R. V. Krishna Rao. On that occasion, he moved an amendment to the resolution. The amendment was that in the case of lanka and padugai lands the kistbandi might be arranged to be taken from the ryots in February and March. He said 'I suggest that the Government may be pleased to alter the kistbandi on padugai and lanka lands to February and March and collect the kist in two instalments rather than in three instalments.' After consulting the local officers, the Collectors of the districts and the Board of Revenue, the Government accepted the suggestion of the Honourable Member to fix February and March as the two instalments in which the kist was to be collected on these lands. Therefore, we must not be thought to be blameworthy for having followed the advice of the Honourable Member in 1914. He now comes forward and says we must go a month later still and the crop raised on these lands is largely tobacco which is not harvested until, at the earliest, February or even March. The Government are considering the whole question of kistbandi in regard to the Gōdāvari district and in that connexion I will take into consideration this proposal to make the collection still a month later. If the Collector of the district and the Board of Revenue think there is no objection to it, there will be no objection on the part of the Government to accept it. On that assurance, I hope the Honourable Member will be satisfied and perhaps withdraw his resolution."

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU:—"It is true that I proposed that the kist of lanka and padugai lands may be collected in two instalments in February and March in 1914. I thought then that it would meet the requirements of the ryots and that their hardships would be removed by that. I also thought that it would not be reasonable to ask the Government to postpone the kist collection beyond the 31st March. But now by experience I have found, and also from the complaints I have received from various quarters, that it is a real hardship to collect the first instalment in February and that is what made me request again the Government to postpone the kist in February and March and collect it in March and April. Since the Hon'ble Sir Alexander Cardew tells me that the whole matter will be inquired into and the opinion of the Collector and the Board of Revenue would be taken on the matter, I do not press this resolution. I would only place this for the sympathetic consideration of the Government."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE WEAVING SCHOOL FOR TELUGU DISTRICTS.

His Excellency the PRESIDENT:—"We will take the resolution of the Hon'ble Mr. Suryanarayana Rao and also that of Mr. Venkatapati Raju. They will not take a long time."

5TH APRIL 1918.] (Mr. Suryanarayana Rao.)

The Hon'ble Mr. A. SURYANARAYANA RAO:—"The resolution which I have the honour to move runs thus:—

'XXVI. This Council recommends to His Excellency the Governor in Council that a weaving school be started at some convenient centre in the Telugu districts, preferably at Pondur, Chipurupalli taluk, Vizagapatam district.'

"It was a rather agreeable surprise to me that the Hon'ble Mr. Venkatapati Raju also sent in the same resolution without knowing that I have sent up this resolution. That only shows that the Vizagapatam district people are very keen on having a weaving school at Vizagapatam. The weaving population of Vizagapatam district in 1911 was 61,228 on the plains, besides 14,875 in the Agency. Vizagapatam district also contains a population of 76,100 weavers. That is the highest population in the Telugu districts. In the Telugu districts and Vizagapatam especially this weaving industry is languishing for want of capital and encouragement. I specially bring the Vizagapatam district to the notice of the Government, because in Vizagapatam district a special yarn is produced. That is called home-spun yarn. It is manufactured with hand and it is so lasting and it is special to Pondur in Chinurupalli and also partly to Narasimopet in Ganjam. These articles are generally taken to Chicacole and sometimes to Vizagapatam for sale. It is called pattu salai. No doubt the price is higher than that of ordinary cloth, but it will last longer. I have got a cloth which I bought forty-five years ago and it still maintains its texture. Those who have worked in the Vizagapatam district know the value of this cloth. The Coimbatore Conference in 1908 recommended that a weaving school should be established in the northern parts but nothing has been done though one is working in the south at Madura. About ten years ago an attempt was made to start a sort of weaving industry, a weaving company at Rajam. A weaving company was floated, but unfortunately it became a one-gentleman's concern, and the gentleman who took most interest in that died, and for want of further encouragement and support the company died. We are not so much interested in the company, but the company also started a school and instruction was given in that school in weaving. With the death of that company the industry also died at Rajam. Rajam and also other places are chiefly weaving centres; in fact the villages are practically inhabited only by the weavers and the other classes are very few and all these people are obliged to give up their occupation on account of want of encouragement and they are now taking to coolie work and several of them have migrated to other places. Still there are a sufficient number who are ready to take up work if only some encouragement is given by way of capital and instruction. I read in the recent Government Order of 1916 that the Government contemplated the opening of a weaving school at Berhampur. I do not know if Berhampur has been noted for cotton cloth. No doubt Berhampur has been noted for its silk cloth and the indigenous manufacture is gradually dying down. Berhampur has now been supplanted by Rajahmundry which is now sending out silk cloths. I am particular about the cotton cloth industry. No serious attempt has been made to impart any education in these matters. In the course of conversation I learned from the Hon'ble Mr. Swamikannu Pillai that there was some school at Calicut and some attempt was made for five months. I do not know whether sufficient encouragement was given and whether any of the boys really knew that instruction was being imparted. I do not think these temporary steps would take us very far. I think we want a regular school where education in this direction can be imparted. I beg your Excellency to understand that I do not want a big building on a grand scale with several teachers employed in them and money being spent lavishly. My suggestion is that a modest attempt might be made to start a school. We may take a building on rent, or the building constructed at Rajam by the company may be again taken up for this purpose. As soon as the company came to an end, the building was put to auction and it was purchased by the Mahacompany of Bobbili and he has given it over to a reading room. I think the Raja is willing to place it at the disposal of the members of the bar and I am sure that the members of the bar will place it at our disposal for a school. My humble request is that a serious attempt should be made in this direction and the pattu salai industry should not be allowed to die out, because it is special only for these two taluks and not in any other districts. My resolution is generally worded; specially for the Telugu districts. My other friends might say that the experiment might be tried in other taluks or districts; there is no reason why my request should be confined to Vizagapatam. My reason is that the other districts are taking care of themselves and are faring very well. In Gōdāvari the business is getting on very well and the people are taking care of themselves; they have got capital to spend and they are an enterprising people. But unfortunately among these weavers there is no encouragement given to them by way of capital and by way of instruction. It is only fair that encouragement should be given in places where the business is languishing. There is no use of giving support to places where there is already a lot of capital and sufficient encouragement. That is why I suggest Vizagapatam. The Hon'ble Mr. Venkatapati Raju recommends Rajam; it is all the same as they are very near each other and they are both weaving centres. I therefore pray that your Excellency's Government will consider these two resolutions together sympathetically and see that something is done."

* The Hon'ble Mr. B. VENKATAPATI RAJU:—"The Hon'ble Mr. A. Suryanarayana Rao in Council to be pleased to open a weaving school either at Rajam or Pondur (Vizagapatam district) for the training and education of weaving classes."

(Mr. Venkatapati Raju ; Mr. Swamikannu Pillai.) [5TH APRIL 1918.]

The Hon'ble Mr. B. VENKATAPATI RAJU :—"In seconding this resolution, I need not add much to what has been said because there is not much difficulty on the part of the Government to accept the resolution. The other day on the motion of the Hon'ble Mr. Sarma in the Imperial Legislative Council, the Government of India sanctioned a recurring grant of Rs. 30 lakhs for opening technical and agricultural schools, and naturally we would get five or six lakhs for our Presidency. We can start some schools at some places with that money. Instead of keeping that money idle, we can open some institutions. A weaving school is a necessary institution. Therefore I expect that the Government would cheerfully fall in with the view of starting the school when the funds are ready and are given by the Government of India."

The Hon'ble Diwan Bahadur L. D. SWAMIKANNU PILLAI :—“ Your Excellency, the question of providing some form of technical education in weaving has engaged the attention of the Government for a pretty long time—starting with the recommendation of the Industrial Conference held at Ootacamund in 1908 that weaving schools should be opened at six places in the Presidency, of which Vizagapatam was to be one. There have been frequent representations made to Government since then by the people of Vizagapatam in order to carry this recommendation into effect. In 1909, Sir Arthur Lawley was approached by the people of Vizagapatam at Waltair and in 1912 a representation was made to Sir Murray Hammick when he was acting as Governor; so that the Government have had this matter before them for a pretty long time with special reference to Vizagapatam. In 1916 a question was asked on this subject in the Legislative Council by the Hon'ble Mr. Venkatapati Raju and the reply then given was ‘ the Government have sanctioned the opening of a weaving class in the Madras Technical Institute and have decided to await the results of its working before considering the question of opening a second weaving school. In the meanwhile they have organized a peripatetic weaving party to tour in the Northern districts to demonstrate to weavers the advantages of improved methods and appliances. This party is now in the Gōdavari district and the question of its moving to Vizagapatam is being considered.’ ”

In 1917 we learn from Mr. Innes' report that the peripatetic weaving party had actually visited Vizagapatam and stayed there for nearly five months. He says of this visit: 'In January last the party moved on to the Vizagapatam district and until the close of the year it was engaged in working in the Vizagapatam and Chipurupalli taluks. The weavers in the Vizagapatam district are less progressive than in Gōdāvari. Many of the looms were idle owing to the high price of yarn and the scarcity of dyes, and it was reported that many of the weavers were deserting their hereditary occupation and migrating to Burma. They were not enthusiastic about improved appliances, but about a dozen fly shuttle slays and a few dobbies were introduced.'

That is the history, till the year 1917, of the endeavours made to promote instruction in weaving in Vizagapatam. The Government are not in a position to give any further assurance in this matter than was given in 1916. The Madura Technical Institute is approaching completion; and owing to conditions which are well known to Honourable Members we have not been able to secure a weaving expert as yet. When the expert is secured, it is hoped that the weaving section of the school will be opened at Madura and then it will be time enough to think of extending it to other places.

The Honourable Member who moved the resolution pleaded for a small school and pointed out that the organization would not cost the Government a large sum of money. It has to be remembered that the whole difficulty lies in the world organization. If weaving instruction is to be carried on it should be carried on at a large number of places in the Presidency. It has to be done systematically and that means expense. The Government having started this experiment at Madura, are anxious to give the experiment a fair trial and then extend it to other places.

Again, in the matter of instruction in weaving, it is probably known to Honourable Members that it is of two kinds. Starting a school is not the only way in which weavers at any centre can be instructed. The more common method adopted in this Presidency has been to send out peripatetic weaving parties. They visit the district for long periods of five or six months or longer and if there is encouragement, the interest of the weavers is enlisted in the improvements they present to them in a practical form. This perhaps is more suitable to the circumstances of many weaving centres than the starting of a school. The fact was recognized long ago by Sir Murray Hammiok, when he had to deal with another representation in Vizagapatam. The difficulty with a school is that the weavers employ their children at their own work rather than send them to the school. There is no town or centre of weaving greater in importance than Conjeeveram. A weaving school has been working there for some years in connexion with the local cooperative weaving union. It is looked after by an enthusiast: nevertheless in such a large weaving centre as Conjeeveram, it has not been possible to draw more than a few children to work at the factory or attend the school which is maintained in connexion with the union. Therefore, the Honourable Member should allow the Government to go on with the experiment in Madura. It is probable that the time will soon come when Vizagapatam equally with other districts in the Presidency will receive its share of this experiment. Weaving is second only to agriculture as an industry of the people, and it is necessary that any attempt to impart instruction in weaving should be organized and that necessarily on a large scale. I hope that the Honourable Member will see fit to withdraw the resolution, considering the fact that the Government have been actively engaged in considering the question and that the time will soon come to do something for the Vizagapatam district."

5TH APRIL 1918.] *(The President ; Mr. Suryanarayana Rao ;
Mr. Rama Ayyangar.)*

His Excellency the PRESIDENT :—"If the debate is to continue, the Honourable Member would be very brief."

The Hon'ble Mr. A. SURYANARAYANA RAO :—"I will only take two or three minutes."

The Hon'ble K. RAMA AYYANGAR:—"It was only eight years,—"

His Excellency the PRESIDENT (*interrupting*):—"Probably we shall adjourn for lunch. It is now 2-15 p.m."

The Council adjourned for a short interval.

The Council re-assembled at 3 p.m. and the discussion on resolutions was continued.

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, we have had the history of eight or nine years and what I was going to say was that that period was very long for the improvement of the weaving industry in this Province where we have lots of centres with a very large population, having recourse to this industry. The real difficulty seems to be that weavers would not ordinarily allow the people to go into a training school like this or encourage them to do so. To adopt a really sound policy it will be necessary—that is the view that, I submit, the Government may be pleased to consider—to constitute these schools into factories also. The boys trained there will have to produce for Government for some time on pay and that will enable them to lay by something for themselves and to start the industry properly on the methods taught to them by the Government school. Even though the Government have decided to start a school in Madura, it has not been able to start one till now; because the building is not finished, we have not commenced work, and we have started peripatetic parties, I made inquiries and I found really that the capitalists who were having weaving concerns were inclined to keep these people from the schools and under their control so that they may not be away from them and they may not start a trade in opposition to them."

His Excellency the PRESIDENT:—"I hope the Honourable Gentleman will understand that we are merely discussing the starting of a weaving school at Vizagapatam. We are not discussing the general question on this occasion."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I would only submit that a weaving school when started may be of such use that the money expended on it will be fruitful. Those are the words that I wanted to say on this resolution, because it is only proper that we should encourage poor people and help them to maintain the industry and improve the position of those people who are now going away to foreign parts for want of proper encouragement."

The Hon'ble Mr. A. SUBYANARAYANA RAO :—“ Your Excellency, I have heard the Hon'ble Mr. Swamikannu Pillai very carefully and he seems to think that we should either have a school on a high scale or none at all. Probably, he thinks that I am asking for an expenditure of some lakhs for buildings, as in the case of the Madura institution, and probably he thinks that the Government are not in a position to spend so much now. On the other hand, I earnestly requested that a small beginning may be made and gradually it will develop itself into a big school if sufficient encouragement is given by the people and the Government. I already suggested to the Council that we might even have a building without laying out any amount, if we only request the Raja of Bobbili and the Members of the Bar at Rajam, the building where instruction was given till a few years ago in weaving. I do not mind, we could even have a thatched building; but to say that it is the policy of the Government to spend either large amounts or otherwise that no beginning would be made I submit, is not sound policy. As regards the peripatetic parties, to speak the truth, it was only yesterday in the course of conversation that I heard that such a party went to Vizagapatam. Till yesterday I never heard of it. I do not know what that party consisted of or how many of them went there and what work they did. I do not know what they reported. At any rate, the Collector did not give notice to any important people who might give him any help in the matter. I have not heard from people in the taluks. I do not think these parties will be of any use. As I stated at the outset, when the people are in a very backward condition, I do not think that these temporary parties will be of any use. It has been casually suggested that something might be done with the co-operative societies, and there again with regard to the co-operative societies, I do not think that anything can be done by the co-operative director or assistant director or registrar, because they do not go to the actual centres, but simply convene meetings at head-quarter stations. People are in a backward condition and that is the reason why more serious steps have to be taken for giving encouragement. I am sorry that the industry, the *patlu salai* industry is dying out and, even for ordinary wear, we are not able to get our cloth; but we have to depend upon the mill-made industry. These people can manufacture cloth at the same rate as mills are now producing. I am, therefore, anxious that the Government should do something and that the Government might start a school at once and I do not think that we can afford to wait any longer. If the Government will be pleased to consider the question favourably and if the Hon'ble Mr. Swamikannu Pillai on behalf of Government gives us an assurance that the question will be taken up as early as possible, I do not want to divide the Council. My only earnest request is that something must be done for Vizagapatam, at an early date. I am not anxious to divide the Council.

His Excellency the PRESIDENT:—"The Honourable Gentleman, I think I am right in saying, may rest assured that as soon as we can get our weaving expert and set the Madura

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institute going—that must be begun and as soon as we can do that we will develop this organization further. I quite understand the Honourable Gentleman's earnestness in the matter of the proper claims of Vizagapatam and they will not be forgotten."

With the permission of His Excellency the President, the resolution was then withdrawn.

RESOLUTION RE COMMITTEES TO HELP IN EXTENDING EDUCATION AMONG MUHAMMADANS.

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"Your Excellency, I beg to move:—

'XXVIII. This Council recommends to His Excellency the Governor in Council that with a view to extend and improve the education of Mussalmans in the Presidency a Maktab committee consisting of not more than six members be formed in each district and a provincial committee consisting of not more than ten members be formed at Madras; the Sub-Assistant Inspector of Muhammadan Schools to be the Secretary of each committee and the members to be appointed by His Excellency the Governor in consultation with the Muhammadan Educational Association of Southern India in the case of the provincial committee and other Muhammadan Associations in the district, if any, in respect of a district committee.'

"I do not claim any originality for my proposition. I only ask the Government of Madras to do for the development of elementary education among Muhammadans of this Presidency what the Government of the United Provinces of Agra and Oudh have done in the north. I have shown to the Honourable the Director of Public Instruction a copy of the Government Gazette dated Allahabad, February 9th, 1918, from which it appears that District Maktab Committees and a Provincial Maktab Committee were established there by Government some time ago and the special Government Resolution No. VI issued on the 25th August 1914, laid down certain regulations for the District Committees to follow. The Provincial Maktab Committee met for the first time on the 14th May 1916 and passed certain resolutions almost all of which were accepted by the Government.

"One of the resolutions requested the appointment of Deputy Inspectors of Muhammadan Schools to work under the guidance and control of the existing Inspector of Muhammadan Schools there. The United Provinces Government accepted the resolution and I gather from the proceedings of the Provincial Maktab Committee, dated the 31st December 1916, that the Deputy Inspectors have been appointed. Unlike that Province where the Inspector of Muhammadan Schools was appointed first and the deputy inspectors afterwards, we in this Presidency began from the bottom. We had Supervisors and Sub-Assistant Inspectors of Muhammadan Schools for several years. The former have been recently abolished and the number of the latter has been raised from 6 to 11. The next logical step should be the appointment of an officer of the grade of inspector to supervise and control the work of Sub-Assistants, who should also be an assistant to the Director of Public Instruction in the matter of Muslim education. If there be any technical difficulty at present in creating a new appointment, one of the existing Inspectors may be delegated to do this duty at least as an experimental measure. As matters now stand a Sub-Assistant Inspector of Muhammadan Schools is subordinate to as many Assistant Inspectors of general schools as he has the districts to supervise, who in their turn submit the reports or proposals of the Muhammadan Sub-Assistants to their immediate superiors—the ordinary Inspectors of schools. The last two officers have numerous things to attend to among which the subject of Muhammadan education can only form an item of comparatively minor importance. There was a proposal to do away with the intermediary of the Assistant Inspectors and to place the Muhammadan Sub-Assistants under the immediate control of the Inspectors, but I do not know what has become of that proposal.

"This is however by the way. The putting into effect of my proposition is not dependent on the appointment of a Special Inspector of Muhammadan Schools nor on any modification of the present system of inspection and control.

"For the information of the Council I may mention that Maktab is the lowest rung in the educational ladder of Islam. It corresponds to the primary or preparatory school of the European order, just as Madrasa does to a secondary school, Madrasatul-Uloom to a college and a Darul-Uloom to a university. The first words that are breathed into the ears of a Muslim infant as soon as it is born are Arabic and the first alphabets or *alif-bay* that a Muslim child, whatever be his or her mother tongue, learns are in the characters in which Holy Koran is written. The lessons in the first primer are so arranged as to enable a child to learn to read Koran with ease. Though this form of initial education is resorted to purely with a pious motive, this kind of training has its own value which cannot be gainsaid. One result of this predilection for the beautiful righthanded Arabic characters was that almost all the languages that Musalmans spoke came to be written in Arabic style. Persian, Pushto, Turkish and Sindhi are examples of this phenomena. Hindustani which was evolved out of the Persian of the Mussalmans and Bhasha of the Hindus is written in both the characters to which the two

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people are partial. Even the remotest southernmost part of this country has not escaped this dominance of Arabic over the languages spoken by local Mussalmans. The familiarity of Tamil speaking Mussalmans with Arabic letters which they acquired in their childhood in reading Koran has brought into existence a peculiar literature known as Arab-Tamil. The basic language is Tamil with a free admixture of Arabic words and pious phrases from Koran and it is written in Arabic characters. There is a large and lucrative trade in these books most of which, it is interesting to note, are printed in the Bombay presses that have made Koran printing a speciality.

"The fact that literacy is more widely spread among Mussalmans of even these degenerate times and of this the most backward Province of India than among other communities, is also due to the religious obligation every Mussalman feels of giving his children at least that amount of education that will enable him to read the Koran.

"A maktab therefore plays by no means an unimportant part in the education of a Mussalman. It will be a great pity indeed if in the general upheaval, as the old order changeth giving place to new, the maktab entirely disappears and is supplanted by an exotic colourless primary school from the curricula of which the religious and moral element is entirely excluded. The late Sir Syed Ahmad Khan foresaw this calamity thirty years ago. Ever since then the All-India Muhammadan Educational Conference had been drawing the attention of the community and the Government to the imperative need of preserving and developing the maktab, only adopting it to the modern needs. Its persistent efforts have at last borne fruit and attempts are now being made in the United Provinces of Agra and Oudh through the agency of the Provincial and District Maktab Committees and the Inspector and Deputy Inspectors of Muhammadan Schools to revive the maktabs and place them and Primary Islamia schools on a uniform basis, each adopting the good points of the other.

"There is a greater need in this Presidency for a similar action. With a little inducement and encouragement a keeper of a maktab who is also the sole teacher in it can be made to introduce secular subjects in his school and to employ an additional teacher or two for the purpose. When he accepts a grant from the Government his school comes under the supervision of the sub-assistant inspector and becomes a part of the system that pervades the whole of the Presidency. I am glad the Educational Department has of late become alive to the necessity of bringing more and more maktabs under the control of the department. 'Thirty-six schools with 2,325 pupils which were returned as Koran schools on 31st March 1916 have been brought to the list of recognized elementary schools and shown as public elementary schools for boys during the year 1916-17.' 'This', the Director of Public Instruction rightly concludes, 'indicates that some success is attending the efforts of inspecting officers to induce the teachers in Koran schools to add a secular side to their schools.' But considering that according to the departmental returns, which I consider to be considerably below the actual number, there were 1,065 maktabs in the Presidency whose strength rose from 40,381 in 1915-16 to 43,862 in the following year, a good deal still remains to be done in this direction. When I asked the Government in the February meeting of the Council to issue special instructions to the Sub-Assistant Inspectors of Muhammadan Schools in this matter they evasively replied that they had no reason to suppose that the inspecting officers were not doing their best in the matter.

"The question of the expansion of the elementary education is at present seriously engaging the attention of the Government and a large sum of money has been allotted for the purpose. But I am afraid that Muslim education will not benefit thereby to a proportionate extent. With a view to prepare a complete survey of Muslim elementary education I had asked in the February meeting for certain information as to the number, grade and location of Muhammadan schools, but I was told that the information was available in the lists kept in the Director of Public Instruction's office and that if I liked I might gather it from these books for myself. As I could not command leisure enough for the task and the department has not shown me the courtesy to furnish the information asked for, I am without the figures that are necessary for my object. If the survey is made as I proposed to do it will be found that the rate of our progress even in elementary education has not kept pace with that of other communities and therefore it is necessary that as much, if not greater, attention is paid to Muslim requirements in this stage of education as is done to that of the general population.

"My suggestion, if adopted, will prove materially helpful in this direction. I ask for a District Maktab Committee consisting of not more than six persons with the Sub-Assistant Inspector of Muhammadan Schools of the district as its secretary and convener. This will on the one hand create interest in the local people in the matter of their education and on the other hand establish co-operation between them and the sub-assistant. Meetings may be held once in three months and their proceedings be published in the District Gazette as is done in the United Provinces. Although there are Muhammadan Associations in almost every district that could be asked to undertake this work, I want a special committee to be created solely for this purpose. The objects of the existing associations are generally too ambitious and multifarious for their slender resources in men and money, and it will not be advisable to add one more item to their programme of work. The appointment of the members of the committee should however be made in consultation with the local Muhammadan Associations.

"It will perhaps be asked why these committees should not be constituted by the community itself and why should Government be expected to form them. My main reason for this course is this. At present the Government have entire control and direction of education. The Imperial as well as Provincial Governments have from time to time devoted their attention to

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Muhammadan education and tried to solve the problems connected therewith. There are special schools for Mussalmans maintained and managed by the Government, local bodies and by the community under the guidance of the department. There is a special inspecting agency of the Government for those schools. There should therefore be co-ordination and co-operation between the educational officers and the community in all the efforts of either towards the extension and improvement of Muhammadan education. Besides we cannot find in every district an educated Mussalman who has the aptitude, capacity or leisure for organizing educational work. In the Muhammadan Sub-Assistant Inspector of Schools, who is a graduate and often an L.T., we have an officer who has all the required qualifications for the post of a secretary of an educational committee. He is in need of the co-operation of the people of the district in organizing maktab and establishing new schools and the people are in need of his guidance to make their own efforts in this direction more systematic and fruitful.

"The sub-assistant will give the committee an idea of what is being done by him in the district to advance Muhammadan education and enlist their help and co-operation in establishing new schools and in converting purely Koran schools into schools of recognized type. Each committee will watch the progress of the Muslim schools in the district and look after the interests of Mussalman pupils in the mixed schools and in time begin to provide pecuniary aid to poor pupils, organize prize distribution, sports, etc., for them. By and by, these committees, at least the more enterprising ones among them, will make themselves capable of undertaking larger functions and may have a joint-secretary to collaborate with and supplement the work of the official secretary. These committees will in time make themselves useful also in the sphere of secondary education and direct most of the children to proceed to secondary schools after the second or third standard and let only such children go to the upper elementary standards as are not fit for some reason or other for secondary education.

"In the network of committees throughout the Presidency with the provincial committee at their head at Madras there will be a handy organization that would be utilized at a short notice for the carrying out of any scheme of education that the Government may take into hand from time to time. The future is pregnant with many a project for the expansion of elementary education, the Muslim counterpart of which will present several problems of its own. It is not therefore a day too soon to bring into existence the committees of the description I propose and to train its members for their increasing responsibilities. The committee will thus be educative in a double sense; they will educate themselves for the effective discharge of their responsibilities as well as promote the education of those committed to their charge."

The Hon'ble Mr. A. T. G. M. AHMAD TAMBI MARAKKAYAR:—"Your Excellency, I beg to second the resolution. As the Honourable Mover of this resolution has explained the position so clearly, I do not think I have much to say with the exception of a few observations that I wish to make. The drawback or the backwardness of my community in education, if I may so call it, is that they have to go to their religious schools and study Koran for about four or five years compulsorily; and after completing the Koran and their religious education, they have to go to their secular schools when they become grown-up boys. After a few years, they find it difficult and shameful to sit along with the younger members of the sister communities, and owing to shame they leave the schools and go away. This is the important point and this is the embargo on account of which my community is kept behind. The Government will, I hope, see their way to remove this embargo, by forming such a committee as the one suggested by the Hon'ble Mr. Yaqub Hasan or consider the suggestion that I made to the Secretary to Government, Education Department, in my letter of last month in arranging the study of religious education in Muhammadan Municipal schools. Your Excellency might remember that I sent a resolution on the same subject at the last meeting, which was rejected. Unless some such thing is done, my community will not be able to come forward in education. I know Your Excellency's Government are doing everything to promote the education of Muhammadans, but there is no use if this thing is left hanging. So the resolution moved by my Honourable Friend for forming maktab committees is most essential and I hope the Government will see their way to accept this resolution. I do not think that, in accepting this resolution, there will be any heavy expense on the part of Government. As the Honourable Member suggested, the services of one of the Sub-Assistant Inspectors of Muhammadan Schools can be utilized. There will be no extra appointment or extra expenditure with the exception of a small amount of grant. Under these circumstances, I fully trust that the Government would accept this resolution."

The Hon'ble Mr. J. H. STONE:—"Your Excellency, I am instructed to oppose this resolution. The Honourable Member who moved it has given us an account of the maktab which, I confess, differs a little from what I had been accustomed to suppose them to be. The maktab, he has given us to understand, are the lowest rungs of the educational ladder. As a matter of fact, I do not think the maktab of this great Presidency are fulfilling that function. If they are the lowest rung of the ladder, one would suppose that the boys who attend them would ascend the ladder and go to high schools and colleges. That, I believe, has not been the case. I am informed that maktab are schools to which the little Muhammadans go in order to learn Koran; and when we say 'learn Koran,' we use the expression 'learn' in a very limited sense. They learn certain passages of the Koran by rote, without being told what those passages mean. I think the Honourable Member who seconded the resolution had rather this in mind, because he spoke of this Koran study as being an embargo on education and pointed

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out that Muhammadan boys had a serious disadvantage in spending four or five years in the study of Koran before beginning their studies in a recognized school. I do not think the two Honourable Gentlemen were altogether in accord in their views about maktab and as to the desirability of having these committees.

"I do not for a moment say that the department has been so successful as we could wish in getting these maktab teachers to add secular studies to their courses. Honourable Members have given figures, which are not exactly encouraging; but when we reflect that these additional Sub-Assistant Inspectors for Muhammadan Schools have been only quite recently appointed, we may hope that as time goes on they will be more successful than they have been so far. What I want to point out is that the experience in the United Provinces is not necessarily any guide for us. The United Provinces system of recognition of elementary schools is a good deal more exacting and inelastic than ours. We are quite willing to recognize a maktab as a elementary school and give it a grant if it will fulfil elementary conditions. In the United Provinces, such a school to be recognized would have to use, notice the wording, 'a special set of text-books.' That is not so with us. We do not prescribe text-books, but we leave great freedom and discretion to schools in the matter of the use of text-books. That is an important point. Then the only thing which is necessary for an elementary school to be recognized is that it should have a teacher capable of teaching. We do not insist upon his having passed any examination of a general or technical kind. Our rules for recognition of elementary schools are so elastic and our requirements are so low that I do not think there is any difficulty for maktab, if they wish to add instruction in secular subjects besides the teaching of the Koran and qualify themselves for recognition. You have these maktab, roughly speaking, in each village and the villagers are interested in these maktab and they consider it highly important that their boys should go through this instruction in the Koran, but apparently they are not interested in anything else; they do not wish their boys to have anything but the Koran teaching; otherwise they would have brought some pressure to bear upon the maktab teacher to add some secular branch of instruction. You have the maktab teacher in the village, the people of the village, and the sub-assistant inspector. They are the three parties to any arrangement. If the people of the village want any secular instruction, and the maktab teacher almost invariably does not want to add it—he is perfectly satisfied as it is—surely nothing could be done by a committee in the district, still less by a committee in Madras. The sub-assistant inspector can do much and we have insisted that he should do something; he will have influence in the village and he may increase the number of pupils. Each maktab will receive one visit a year from the inspector, so that he may give the system a better chance. Let us see what the sub-assistant inspectors have succeeded in doing in inducing maktab teachers to add secular instruction to their schools. From what I know of the matter,—I have been indebted to the Hon'ble Mr. Aziz-ud-din for the information—the maktab teachers are very difficult to deal with and it is very difficult to get them to see the importance of secular education and develop their schools into elementary schools of the normal type."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, I am not at all surprised that the Hon'ble Mr. Stone opposes any association of the people in the matter of education, because the Hon'ble the Director of Public Instruction thinks that educational experts might have sufficient knowledge and they do not want any light thrown by any popular representative. Now, what the Hon'ble Mr. Yaqub Hasan wants is that a committee be appointed. It is not a stereotyped committee, but it may be suggested that it is an amendment thereof; to see that the views of the people to secure proper instruction to their students be permitted and it is said that if such a committee is appointed they will be helpful to the educational authorities. Why the Hon'ble the Director of Public Instruction should take some pains to say that other Provinces are not more liberal and that we appoint our teachers without qualifications I cannot understand. That is exactly our complaint. It is our advice, that you should employ proper men who give proper instruction. He says 'we do not prescribe text-books.' That is another reason. We want proper text-books, so that our students may learn some useful things instead of being taught by ignorant teachers; we want proper teachers. For that, the advice of the people is absolutely necessary. Under these circumstances, why the Director of Public Instruction is opposed to any such help from the parents of the children, I cannot understand."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Your Excellency, I heartily support this resolution. I am glad that the Hon'ble Mr. Yaqub Hasan is setting an example for other communities to follow and I am afraid that the Educational Department does not view with that sympathy, with which they ought to, these eastern institutions for education. The pial schools are well-known institutions in this country and I dare say some of the older generation of us, including myself and the Hon'ble Mr. Rajagopala Achariyar, have gone through a course of training in pial schools. I can say from my own personal experience that what I learned in those pial schools, whether it be in the shape of religious education or moral education or secular education, serves me indeed in good stead in carrying on my duties in the profession to which I belong and also my duties as a citizen. I am afraid unfortunately the supervising agency, whether it be in this department or in the Medical Department or in the various other departments which concern the welfare of the people, show a contempt—perhaps I shall not use that strong word—they have got a disregard to eastern institutions. It ought to be the duty of the officials of the State to try and collect information how far we can help the indigenous institutions of the people and place them on a right basis. I think in that matter the help and

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co-operation of a committee such as that proposed in this resolution will be of great value to Government and to the Hon'ble Mr. Stone himself in the discharge of his duties as Director of Public Instruction. He has himself told us to-day what valuable aid he has received by consulting the Hon'ble Mr. Aziz-ud-din on the subject. I dare say there are several such people from whom he can collect information, and if he puts them on an organized basis, I think it will be of great use in the spread of education. We are all aware that the Government are taking keen interest in the spread of education, but unfortunately these old institutions are dying out for want of both organisation and supervision in the village or town. The Hon'ble Mr. Stone referred to the fact that the villagers were themselves apathetic. Why are they so? Because the village community has died out, the village community which used to take interest in those matters for some reason or other has lost that vitality which it used to possess and it is gradually disappearing and I hope the day will come when these village institutions will be revived. I am glad to notice that in Bengal they have introduced a Bill for improving self-government in villages and it is only yesterday that a Bill was introduced in the Bengal Council for village self-government; and I hope on some near day a similar Bill will be introduced here. I am aware that the villagers are not alive to their own wants. It is the duty of the Government and of the officers of the Government to help villagers in the matter of putting these old institutions on a satisfactory basis. We want these committees to do that work. In the words of this paper which has just been put into my hands by my Hon'ble Friend Mr. Yaqub Hasan, 'the Inspector of Muhammadan Schools, United Provinces, should begin work with visiting the headquarters in the various districts in these Provinces and submitting report as to the condition and needs of the existing maktab and Islamia schools, if any.' Similarly let us take stock of the existing agency for education and see wherein they require help, whether and how we can put them to work on a better basis, how their system of education can be better developed and improved, how the mixture of eastern and western methods may be made. In all such things the co-operation of a committee of non-officials will be very useful. I am glad that the Muhammadans are pioneering such things and I hope other communities will follow, so that these old institutions may be revived with great advantage to the people and the Government."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I have tried to follow the remarks of the Hon'ble Mr. Stone to find out if there are any reasons for not accepting this resolution. He merely stated that he was instructed to oppose this resolution. When I enter into details, it is no doubt pointed out by him that these committees may not be of much use. But he has not even suggested that the appointment of committees in the manner suggested would cause inconvenience or would produce any harm or dislocate the system of education. No such suggestion has been made. I do not want the Government to be committed to the particular form suggested or to the constitution thereof with reference to the number and other things suggested in the resolution. The main point to be decided upon by the Council is whether, in the interests of Muhammadan education, it is or is not desirable to appoint a local committee—whether it be in the district, village or fika to be settled later on—for the purpose of taking necessary measures in that direction. That is the point for consideration. Regarding that I believe there ought to be no difference of opinion whatever. Representatives of the communities concerned inform us that there are several difficulties in the matter of furthering the cause of Muhammadan education; and they suggest that, if this method is adopted, it will enable them to make a further advance. What prevents this Council from accepting that suggestion and giving that system a trial? It is pointed out by the Hon'ble Mover of the resolution that in the United Provinces similar committees have been started and are now working satisfactorily. In reply to that, the Hon'ble Mr. Stone merely remarked that there are some differences between the way in which the recognition of elementary schools is carried on in the United Provinces and the way in which it is carried on here; and he said that the rules are more stringent there than here. Is that any justification for not adopting the present proposal to popularize and encourage Muhammadan education? I do not think this Council will be satisfied with that circumstance alone as one which will prevent us from trying that experiment in this Presidency. I believe, my Lord, that even though a decision might have been come to and even though it might have been thought fit to oppose the resolution, the system is worth a trial. It may be started in some places at once and that in some districts; and we can see how it is welcomed by the people and then gradually extend it. There is no reason whatever for not even initiating the experiment."

The Hon'ble Mr. K. RAMA AYYANGAR:—"My Lord, the day before yesterday I pressed for a central committee to go round the various parts of this Presidency and start such committees as would take charge of elementary schools and improve them. The spirit is the same. The Hon'ble Mr. Yaqub Hasan wants permanent committees of this sort to spread Muhammadan education. I was not able to follow the Hon'ble Mr. Stone in his arguments. When I read the wording of the resolution, the resolution simply says 'with a view to extend and improve the education of Mussalmans in the Presidency, a maktab committee consisting of not more than six members be formed in each district and a provincial committee consisting of not more than ten members be formed at Madras.' The question is whether, by the words 'maktab committees,' the Hon'ble Mr. Stone means such committees as would not include secular education. I really do not know whether that word causes any difficulty. If it does not,—and it could not—the word cannot mean that as it is—a committee might be of Muhammadans and restrictions might be imposed by Government that they shall start schools when they combine secular

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education. I do not think that the help that is offered and that would be forthcoming when members of that community help the Educational Department, that help ought to be thrown away. That is the only way to dispose of the matter properly. They will be improving properly and there will be a steady attendance at schools. As I said, any amount of inspecting agency without such help from the locality or from the community will not really successfully improve the state of elementary education."

The Hon'ble Mr. Yaqub HASAN:—"Your Excellency, I must express my grateful thanks to my Hindu colleagues for the valuable support they have given to my resolution. They have to a certain extent met the objections which the Hon'ble Mr. Stone had to accepting this resolution. By the half-hearted way in which the Hon'ble Mr. Stone spoke I feel that he in his heart has every sympathy with this resolution, but he is instructed to oppose it, simply on account of a certain Government policy. I cannot understand what difficulty there can be to adopt my suggestion, a suggestion which is based upon actual practice in a sister province. There, similar committees have been working to the satisfaction of the Government. They have been for the last two years doing a good deal of good in this direction and if such committees were to be established in this Presidency, they would be equally good and useful. The Hon'ble Mr. Stone said that his information about maktab was of a different nature to what was conveyed in my speech. I can understand his difficulty, specially when he has told us that he had consulted in this matter another Muhammadan colleague, a member of this Council, the Hon'ble Mr. Aziz-ud-din. As this name has been mentioned I am afraid I cannot help making reference to it. The other day, the Hon'ble Mr. Aziz-ud-din delivered a speech at Vellore in which he made certain criticisms and he was taken to task not only by the local Urdu Press but also by the leading Urdu papers in the Punjab and the United Provinces. That shows how far he is acquainted with the system of Muslim education and how far he can be considered an authority on that subject and what value my community sets on his opinion about the teaching of Koran. He is reported to have said that maktab were not useful institutions and that the teaching of the Koran by rote should be done away with. The Hon'ble Mr. Stone said that even the Member who seconded my resolution was not in accord with me. I do not think that that is the case. The Hon'ble Mr. Ahmad Tambi Marakkayar said that four or five years are spent in the study of the Koran so that when a boy finishes his Koran and goes to an ordinary elementary school he finds that he is much older than the boys of the class that he is placed in and so he said that Muhammadan boys were handicapped in that way. But from this it cannot be inferred that he wanted to do away with the teaching of the Koran. We want the Koran to be learnt by every Muhammadan child, but at the same time, we want that, while he is learning the Koran, he should be taught other subjects, that is to say, that secular subjects should be added to the teaching of Koran in maktab. The Sub-Assistant Inspectors have been trying to induce the keepers of the maktab to add a secular side to their schools and bring them under the recognition of Government. As I have said in my speech, a good deal has to be done in this direction. In the Educational returns, 1,036 schools are shown as private maktab and only 36 schools out of them were brought under Government control in the course of five years. That is a very slow rate of progress. I know for a fact that there are thousands and thousands of maktab in this Presidency and if a secular side is added to them you can imagine what an amount of good they will do to the community. The Sub-Assistant Inspectors are no doubt doing their best and they are thankful to them for it; but at the same time, the community also is doing something in this direction and what I want is that the community and the Sub-Assistant Inspectors should co-operate in attaining this object and the maktab committee will be the common ground for their co-operation. The Hon'ble Mr. Stone said that the experience of the United Provinces cannot be a guide for us here. I do not see why it should not be so. He said that our system of the recognition of elementary schools was very elastic. In that case, the experience of the United Provinces cannot but be a guide to us. As regards text-books, I am afraid that when the Hon'ble Mr. Stone read in the United Provinces Gazette that the Provincial Committee of the United Provinces appointed a special maktab text-book committee, he came to the conclusion that the preparation of text-books was the principal function of the Maktab Committee and that unless text-books are prescribed maktab there will not get Government grant. There is no such thing as that. The text-books in this Province also are not very satisfactory. I want the committees to suggest some reform in this direction also. That is however a secondary matter. The Hon'ble Mr. Stone does not see what useful purpose these committees will serve. He said there were the villages, and there are the maktab and if the people of the villages did not want a secular side of education to be added to maktab, nothing could be done. The Hon'ble Mr. Ranga Achariyar has rightly pointed out that people are not always alive to their own interests and that things calculated to be of good to them have to be done in spite of themselves. The Hon'ble Mr. Stone wanted the people of the villages and the Sub-Assistant Inspectors to consult one another, in the matter of improving maktab. I also want the people of the villages and the sub-assistants to co-operate in this matter. The difference between him and me is that I am not satisfied with this irresponsible way of consulting the people. People should be consulted through proper committees and not in an irresponsible way. The other day it was said that the Director of Industries can go round and consult anybody he likes and there was no need of Advisory Committee for him. Why do the Government fight shy of allowing people to be associated with officials in committees. The Corporation of Madras appointed a committee the other day to go thoroughly into the question of elementary education for children of this town. If children of this town require a special committee to solve

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the problem of their education, how much more necessary it is that the whole Muhammadan community of the Presidency with so many millions of children to educate should also have similar committees to do similar work ?

"In conclusion, the Hon'ble Mr. Stone said that the sub-assistants were doing their best in bringing maktab under Government control and by next year he would be in a position to know what further should be done in this direction. That gives me a hope that if I bring this resolution next year there will be some chance of its being accepted. There are precedents of the Government having accepted many a suggestion, but only after they were persistently brought to their attention over and over again. If they would accept the suggestion at the very first stage, they would place us under greater obligation and would remove the chance of producing discontent in us. It would have been better if Your Excellency's Government had accepted this resolution at this stage rather than putting it off to some future occasion. I purposely made my committee a very small one. The Sub-Assistant Inspector of Muhammadan Schools is to be the secretary and the appointment of members is also to be by the Government. I have not introduced any elaborate system of election, but I have put the scheme in such a way as the Government may find it acceptable. Even then, if the Government do not accept it, I can only say that I am very sorry about it. If they would only reconsider this matter my community will be very much obliged and will ever feel grateful."

The Hon'ble Khan Bahadur AZIZ-UD-DIN SAHIB :—"Your Excellency, I just wish to offer an explanation under rule 12, clause (2). The Hon'ble Yaqub Hasan has made several false statements against me and it is only proper and reasonable that I should rise to explain what I said."

The Hon'ble YAQUB HASAN SAHIB :—"Your Excellency, I rise to a point of order. The Honourable Member is entitled to give explanation only about a speech delivered in this Council and not about a speech delivered anywhere else."

His Excellency the PRESIDENT :—"The Honourable Gentleman is quite within his right if he wishes to refer to something which took place during the debate."

The Hon'ble YAQUB HASAN SAHIB :—"I submit that, after my speech, no other member has a right to speak."

His Excellency the PRESIDENT :—"I am aware of that, but the Honourable Member asked for permission for a personal explanation in regard to what was said in the debate."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"Your Excellency, I rise to a point of order. Whenever any member addresses another member, unparliamentary language should not be used."

His Excellency the PRESIDENT :—"The Honourable Gentleman may leave it to the chair. Will the Honourable Gentleman please resume his seat."

The Hon'ble Khan Bahadur AZIZ-UD-DIN SAHIB :—"Your Excellency, with a view to support his argument in regard to these maktab committees, the Hon'ble Mr. Yaqub Hasan has stated that at an educational conference at Vellore over which I presided I said that maktab were bad because the Koran was being taught in them. That is entirely false; for what I stated was that in the maktab the Koran was merely read in Arabic and the pupils did not understand its meaning and that it would be quite satisfactory if along with the Arabic text-books its meaning in Hindustani was also taught to the boys. The Hon'ble Mr. Yaqub Hasan was not present at that conference, but the Hon'ble Mr. Ahmad Tambi Marakkayar was present and a number of Ulemas of Vellore were present and every one of them will bear testimony to it, in the near future; in fact, they have taken up this matter on hand to dispel the false impression that has been created by an Urdu paper, at the instance apparently of those disposed to create misunderstanding between myself and the general Mussalman public. The fact is: it is commonsense that along with Arabic its translation should be read; otherwise reading the Koran in maktab is useless. The other observation which I made in regard to the maktab was that kindergarten system should be taught, that is, along with the Koran, other secular teaching should also be introduced so that the minds of the boys could be improved and these maktab should be such as to prepare the boys for higher education and fit them for higher education even in colleges. That was briefly what I stated. I challenge the Hon'ble Mr. Yaqub Hasan to say that anywhere I stated that the teaching of the Koran was bad or that it deadened the intellect of the boys. What I said was that along with the Arabic Koran the translation also should be taught. What is taught in the Koran and what is forbidden in the Koran and what was allowed in the Koran for Mussalmans must be known to the boys. As regards the Hon'ble Mr. Yaqub Hasan's claim that I am no authority in educational matters, I think it does not deserve any notice and I shall leave that credit to the Hon'ble Mr. Yaqub Hasan who is from the United Provinces and who does not know much of this Presidency or of Mussalman education to pride himself about. This is what I said and what the Hon'ble Mr. Yaqub Hasan has represented is entirely incorrect and he cannot support his argument by stating a fact which is not true."

The Hon'ble Mr. J. H. STONE :—"Your Excellency, I should like to say one word about pial schools, although it is not quite germane to this discussion. The Hon'ble Mr. Ranga Achariyar seems to imagine that pial schools have ceased to exist or that the department does not encourage pial schools. What does he suppose all these teacher-manager schools to be if not pial schools? They are all pial schools which complying with very small conditions get

RESOLUTION RE COMMITTEES TO HELP IN EXTENDING EDUCATION 663
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recognized. There are very many such schools coming up to the standard of recognition. To imagine that the department has been indifferent to pial schools or that our system of elementary education is not based on the pial schools is a mistake. I am rather sorry that I said that I was directed to oppose the resolution. I did not mean to say that I was doing it against my conscience, as the Honourable Member said. I am sorry I did not make myself clearer. The precise point in the resolution which I opposed is that these committees should be appointed by Government. If members of the Muhammadan community can frame suitable committees in suitable areas, for raising the maktab schools in grade or for introducing secular subjects, nobody would be better pleased than myself. If they will do it of their own initiative, I do not think there is any reason for the Government to appoint such committees."

His Excellency the PRESIDENT :—"Before I put the resolution to the Council, I wish to emphasize what the Director of Public Instruction has said. The essential fact about maktab is that it is a school which gives only religious instruction. Government welcome most heartily the signs of a stir among the Muhammadan community and their desire to improve the equipment of their young people in general education. It is possible that where Muhammadans so wish it, the beginnings of a general education can be added to the maktab, to the work done by the maktab. A number of gentlemen who have addressed the Council on this occasion have jumped to the conclusion that because the Government do not see eye to eye with the Honourable Gentleman who moved this resolution, who takes a warm interest in matters educational, because the Government do not see eye to eye with him in this particular detail, that the Government are hostile to any development of education among Muhammadans. I venture to think that the Muhammadans in this Presidency know better and they know perfectly well that the Government are most anxious to do everything they can to encourage their aspirations towards better education for the young people. I could enumerate quite easily, to remind Honourable Gentlemen, the various concessions and advantages which are directed towards that end in the interests of the Muhammadan community. In this matter, we believe also that we are acting particularly in accord with the desires of the Muhammadan community, namely, that in this particular matter, the adding of secular education to schools which are really religious schools, we are better advised to leave that to the voluntary action of the Muhammadans themselves, better advised to have nothing to do formally as Government and better advised not to take active part or give Government sanction and authority to these local committees which might well be formed voluntarily to help in this way. Therefore, it is not from a desire to hold back or delay the advance of Muhammadan educational betterment, but because we believe that this is the line of least resistance; especially in those matters where religion is concerned, it is much better to leave it to the growth of public opinion among Muhammadans and the influence of their own leaders in the different parts of the Presidency. That is the real motive of Government. I am perfectly certain that the Honourable Gentleman who moved this resolution knows that that is the case. We are sorry to differ from him; but we share his aspirations for the benefit of the Muslim community, but we cannot hold out any hope for this year or the next year. It will be far too short a period to watch its results. We cannot, therefore, co-operate with him for some time, but none the less we are heartily with him and we are prepared to do everything that we can to develop the educational interests of the community which he represents. I now put this resolution to the Council."

The resolution was then put to the vote and lost.

His Excellency the PRESIDENT :—"There is only one Resolution No. IV on the agenda."

The Hon'ble Mr. K. RAMA AYYANGAR :—"The Hon'ble Mr. Ramanuja Achariyar will move it at the next meeting."

THE BUDGET DEBATE.

His Excellency the PRESIDENT :—"There is nothing left but the Budget debate which I suggest we resume. At any rate, we may employ the available time in continuing the Budget debate."

The Hon'ble the Rev. GEORGE PITTENDRIGH :—"The feature in the budget with which I am more immediately concerned is the provision made for the expansion of education. I suppose at no time in the history of education has the Government made it possible to take so large a step forward as in the present budget. An increase of 20 lakhs in the budget over the revised estimate of last year has, I presume, broken all records. One element in that increase is the 5½ lakhs from the Government of India for the development of primary education."

"With regard to this I have only to express the hope that in the effort to secure this development due regard will be paid to the claims of aided education. It may be pointed out that apart from this grant from the Government of India there is an increase of 3 lakhs in that grant-in-aid. That is true, and managers of aided institutions will be grateful for this increase. But only a little over 1 lakh of this increase will be available as teaching grants to the multitude of colleges, secondary and elementary schools that receive aid under the grant-in-aid system, the rest will be spent in teaching and stipendiary grants in training schools and in providing playgrounds, both no doubt admirable objects."

"I should like to point out that there is a very grave danger that, in the pressure for money, aided institutions, which have the first claim upon Government, may suffer. If we take the figures in the Financial Statement it will be seen that the expenditure on Government schools—General has risen steadily from 19½ lakhs in 1914-15 to over 31½ lakhs in 1918-19, whereas the

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expenditure on grants-in-aid to all classes of institutions has risen during the same period only from 32 lakhs to over 38½ lakhs. Thus the expenditure on Government schools has been rising out of all proportion to that on aided education. Not only so but to this should be added also an increase of 1½ lakhs on Government Colleges—General during the same period. It is figures such as these that give one pause, and lead to the question how far aided education is receiving its rightful measure of support from Government.

The present system of giving only half the net cost in secondary schools and colleges is telling very heavily on aided institutions with the steadily increasing cost of education. Half of every rupee of increase has always to be found by the management. Every attempt at development therefore is hindered by lack of funds. I would plead, therefore, for a more generous interpretation of the Grant-in-Aid Code in regard to these institutions.

I would only say in conclusion that managers of elementary schools are grateful to Government for the increased grants to teachers in elementary schools.

With our interest in local administration in this Council I have sometimes wondered if we do not sometimes forget that aided institutions are the mainstay of education in the collegiate and secondary grades, not those under municipalities and district boards. Take this simple test. The fees collected in colleges managed by district boards and municipalities amounted in 1916-17 to Rs. 30,000, in aided colleges to Rs. 5,36,000. In secondary schools the fees in the former class amounted to 5 lakhs in aided secondary schools to 23 lakhs.

The Hon'ble Mr. K. K. R. Kavalappara Muppil Nayar:—“My Lord, I rise to take advantage of this customary privilege of making a few general remarks, in winding up the proceedings of this session which deals with the finances of our presidency.

Let me first of all congratulate the finance member for the fairly normal budget, he has managed to present. We are well nigh the end of the fourth year of the war, and its early stages, when people held strange and faint views on this something rather new to them, are long past. General scarcity and high prices, with their inevitable economic disabilities, are making the lot of the people very hard. The suffering which at the outset began in large centres, has now made itself felt in every nook and corner. Some sacrifice, however varied in form or degree, is the result, not only in this or that country, but all over the world. As evidenced by repeated announcements, India is doing her bit in the struggle, and our presidency has its share. Throughout the Empire, every true subject's foremost anxiety is, how best to help the Allies, in winning this war, and achieving those noble objects for which we were forced to take up arms. These conditions are worth remembering, in judging the task, that lies before a finance member.

For the same reasons, I can also understand the tight hold that is laid on the public purse. Our pet proposals have their own financial aspect. The present circumstances, it is needless to say, are hardly encouraging for us to approach the Government with suggestions more suited to normal conditions. I shall therefore as far as possible refrain from dealing with any of them and shall content myself with mere touching on the following two or three points.

I wish to bring to the notice of the Government the anxiety felt by the janmis of Wynad in connexion with recent rumours about resettlement there. The peculiar customs of Malabar, and its still more peculiar tenures, the particular privileges and rights of the janmis, and the special conditions of the taluk mentioned—all these, desire a careful handling of the subject. The High Court decision in S.A. No. 78 of 1888 showed how defective was the system of settlement till then in vogue, at least, so far as Malabar was concerned; and as a result thereof, steps were taken to carry out a settlement, recognizing the janmi as the person responsible to Government for the land revenue. This important change, in the outlook, is evidenced by a proclamation published in the *Malabar Gazette Supplement*, dated 1st November 1895, and which runs as follows: “It is hereby notified for general information that His Excellency the Right Hon'ble the Governor in Council has after mature consideration decided that the Revenue Settlement of Malabar shall be conducted with the janmis in the case of all private janmam lands.” In Wynad a revision settlement was carried out with reference to the above proclamation. Malabar was thus differently treated in the matter of settlement. This recognition, by the Government, of the singular features in Malabar, clearly shows the absolute necessity for a consultation with the janmis, so vitally concerned in the matter, before finishing a preliminary inquiry. I shall not here dilate on a detailed discussion of the question until more light is thrown on the Government's proposals. Meanwhile, I am, however, aware that the Government has been approached by some of the leading janmis of the place, with a petition on the subject. I pray that careful and sympathetic consideration may be had over the matter.

The next point I wish to touch on is in connexion with the reply the Government was pleased to give to my question No. 86, at the meeting on the 12th February last. The Government were pleased to answer that my suggestion will be considered. The desirability of having a West Coast Regiment is obvious. The customs, manners, and language, of Malabar, are so different from other parts of this country that the advantage of having a separate regiment for the West Coast needs no great backing at my hands. In fact, I consider it an essential measure, in the interests of the recruits, and in furthering the prospects of recruitment. I shall be thankful to be told, that the Government have done the necessary in the matter.

I next wish to turn to a discussion that took place in this Council, on the 6th April 1916, in connexion with a resolution, so ably moved by my Hon'ble Colleague Mr. Ramachandra Rao, and elaborately supported by the Hon'ble Zamindar of Polavaram. It was concerning the position of the local Government in dealing with the grievances of the travelling public, which

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the Honourable Mover characterized as nothing better than the duties of a post office, in that it simply conveyed to one party what another had to say. The speeches clearly showed the difficulties we labour under. Sir Harold Stuart then took a sympathetic view of the matter and said ‘the Railway Board have recently gone some way in making an attempt to carry out a policy of decentralization which may lead us to hope that they should be willing to listen to proposals for further action in that direction.’ If, therefore, the Honourable Member would modify his resolution slightly, the Government would be able to accept it. I would suggest that for the words ‘a representation should be enlarged’ the following be substituted: ‘he should take such steps as may be found possible to secure the enlargement of the powers of the Local Government.’ The resolution was accepted in the amended form. Now, my Lord, I do not remember having heard what finally resulted from the correspondence with the Government of India, and if the Local Government have improved their position so as to enable them to deal with questions affecting the public in railway matters. For all practical purposes it appears to me that we are as helpless as we were. For one small instance, and as a reason for raising this subject now, I may mention that last year about this time I represented the difficulties experienced by the travelling public of Malabar from and to Madras and these parts. I brought it up again, and I was told that my question has been sent to the Agent. I subsequently received a communication from the Secretary to the effect that nothing could be done in the matter. The whole difficulty, as far as I can see in these matters, is that the Local Government, even when fully convinced of the reality of a grievance, has no effective method of making the railway authorities understand. I do not want to waste the Council's time by referring to what has already been, I hope, so clearly pointed out by me. Of course, I am not unaware of the particular difficulties, at present existing, in all railway arrangements. But as a perusal of what I said last year and of what I wrote in this connexion will easily show, I was extremely modest in my request. I did not ask for a separate train, and I did not want a proportionate treatment with what I would deliberately like to call merely, the branch line between Pōdanūr and Mēttupālaiyam. I simply asked for a set of one first, second and third class carriages through to Malabar. Surely the West Coast does not deserve the present scant treatment, and I request the Government may be pleased to take up the question.

I propose to speak only on one other small matter—about the Pulamanthol bridge. I had fairly good hopes that something might be done in this connexion this year. The necessity felt for the above bridge is great, and that part of the country will be particularly grateful, if matters could be pushed through. To overcome the difficulties in obtaining iron materials (which, anyhow, will not be required until, considerably much later) the feasibility of an arch bridge there may be considered.

Before I sit down, I assure your Excellency, on behalf of the class I represent, our earnest desire to co-operate, as always, with the Government and to sacrifice all that we may be called upon to, in bringing success in this war to our benign Raj whose subjects we are proud to be.”

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR:—“Your Excellency, I wish to make a few remarks regarding the application and administration in this province of a new legislative measure that has just been passed by the Government of India. What ever may be the liberal-mindedness and spirit of sympathy that may be shown by the legislature in conceiving, drafting and eventually passing a legislative measure, it is in the application and administration of such a measure depends its popularity or otherwise; and even in the case of legislation undertaken by the Imperial Government for the whole of British India, the application and administration of it has always and rightly been entrusted to Provincial Governments. For it is the Provincial Government that understands fully the needs and conditions of particular territorial areas within its jurisdiction that can best administer the law framed for all the provinces in common. It is in this view that I have ventured to offer a few remarks for the sympathetic consideration of your Excellency's Government.

The new legislation that I have referred to is the new Income-tax Act, which practically recasts the whole of the Indian Income-tax Act of 1886. The Select Committee that sat on the Bill bestowed considerable attention on some of the provisions of this Bill in the light of criticism and suggestions submitted to them through the Imperial and Local Governments by various public bodies, associations and communities and also by the different Provincial Governments, and they finally submitted to the Imperial Legislative Council their report and the original Bill as amended by them in some respects. And the Hon'ble Sir William Meyer in presenting the report of the Select Committee has made a very important speech in which some assurances were also given. When the amended Bill and the Select Committee's report finally came up for discussion, certain amendments of a material character, moved by some of the Honourable Members, were accepted by the Government of India in a sympathetic spirit and I hope that when this new Act, with the rules framed thereunder by the Government of India, along with the official report of the final debate in Council are published in the *Gazette of India*, we shall be able to grasp and appreciate fully the changes adopted. I know there will still be left sufficient scope for your Excellency's Government to amplify the provisions for further facilitating the working of the Act without hardship to the assesses. The result of the working of the new Income-tax Act being the basis for the application of the Super-tax Act, any amount of care and reasonable sympathy exercised by your Excellency's Government will not be too much.

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"The super-tax is being collected from the assesseees for the first time now in addition to the income-tax, and there is already in Chettinad anxiety with reference to some big amounts people have been called upon to pay by way of income-tax and super-tax and in cases where their incomes for income-tax itself have been put down, according to them, on conjectural basis. I learn that notices of assessment for income-tax and super-tax have already been served on some of the members of my community to pay Rs. 1,27,000, Rs. 80,000, Rs. 60,000 and Rs. 50,000 and so on under the two heads of tax together. It is quite natural that the assesseees would object to these amounts, if they think that their real taxable income has not been properly ascertained but has been magnified, and if their objections are not allowed, they would put in revision petitions to the Board of Revenue. And unless all reasonable facilities are given to the assesseees to put their causes fully before the authorities and a just order passed thereon, they would naturally be disheartened to continue their business under trying circumstances.

"I therefore request your Excellency in Council to direct the publication of the draft of rules that this Government may deem it necessary to frame under the new Act, so that the assesseees may have ample time for submitting their criticism thereon to your Excellency in Council for consideration. The Government may perhaps be in a hurry to issue the rules. But as this is a matter of great importance I earnestly request your Excellency's Government to afford the public an opportunity to offer criticism and suggestions on the rules to be framed by this Government before they are finally issued.

"In conclusion, I would request your Excellency to do everything that may be possible to encourage the Indian merchant to do his business cheerfully and enable him to pay his taxes to the Government without a feeling of dissatisfaction."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"We have got a meeting to attend. I think it would be convenient to adjourn."

The Council then rose for the day to re-assemble on Saturday the 6th April 1918.

R. A. GRAHAM,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Saturday, the 6th day of April 1918.

P R E S E N T :

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.I.E., Governor of Madras—*Presiding*.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O.

The Hon'ble Mr. L. E. BUCKLEY.

The Hon'ble Mr. A. BUTTERWORTH, C.S.I.

The Hon'ble Mr. M. E. COUCHMAN.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble Lieut.-Col. G. G. GIFFARD, C.S.I., I.M.S.

The Hon'ble Mr. R. A. GRAHAM.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. A. R. KNAPP.

The Hon'ble Mr. S. B. MURRAY.

The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).

The Hon'ble Mr. J. H. STONE, C.I.E.

The Hon'ble Diwan Bahadur L. D. SWAMIKANNU PILLAI Avargal, I.S.O.

The Hon'ble Mr. C. G. TODHUNTER.

The Hon'ble Mr. T. RANGA ACHARIYAR.

The Hon'ble the Rev. G. PITTENDRIGH.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU Garu.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

The Hon'ble Mr. P. SIVA RAO.

The Hon'ble Mr. K. SADASIYA BHAT.

The Hon'ble Mr. K. RAMA AYYANGAR.

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU.

The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTURAMALINGA SETUPATI Avargal, Raja of Ramnad.

The Hon'ble Mr. B. VENKATAPATI RAJU.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.

The Hon'ble Mr. K. KUMARAN RAMAN KAVALAPPARA MUPPIL NAYAR.

The Hon'ble YAQUB HASAN SAHIB Bahadur.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR SAHIB Bahadur.

The Hon'ble Mr. GORDON FRASER.

The Hon'ble Mr. C. H. HIGGINBOTHAM.

The Hon'ble Sir GHULAM MUHAMMAD ALI SAHIB Bahadur, Khan Bahadur, G.C.I.E., Amir-i-Aroot or Prince of Aroot.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.

The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMUSTI NAYUDU Garu.

The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Bobbili.

(Mr. Venkatapati Raju.)

[6TH APRIL 1918.]

The Council re-assembled at 11 a.m. when the budget debate was resumed.

The Hon'ble Mr. B. VENKATAPATI RAJU :—" Your Excellency, I do not rise either to congratulate ourselves or the Government on the budget but on that account I shall not feel less thankful to Sir Alexander Cardew for the substantial addition he has made to the Educational grant and strong financial support he has given to medical institutions and increase of salaries granted to sub-assistant surgeons and peons.

" According to the latest interpretation though we are prevented from roaming from China to Peru in discussing the general administration, nothing prevents us from offering any remarks we please on the budget.

" I must first of all say that we are much handicapped for contributing effective criticism for want of detailed information of the various heads of expenditure and the Government very strongly say that they have not got any more detailed figures than what was published in the civil budget estimates.

" I regret that while a sum of over 17 crores of rupees should be raised from four crores of men in our Presidency besides local cesses, etc., making each man on the average pay Rs. 5 or one-sixth of the Government estimated income, it is still contemplated in the budget that a sum of eight lakhs will be the increased receipts this year and it is no wonder that a large number of people are leading a precarious life from day to day.

" It is gratifying to note that an economic inquiry will be made in the near future into the condition of the agriculturists but we should not pass the statement of Sir Alexander Cardew unchallenged that it is not the duty of the Government to inquire into the condition of the masses, whether landlords oppress or any other class oppress another class it is equally the duty of the Government to find out the real malady and suggest appropriate remedy.

" The noting of budgetary receipts is one of the essential prerogatives of the nation in all civilized countries and where it was absent as in India it behoves on the Government and the people to carefully scrutinize all budget proposals. Of course the Government will not raise any objection whatsoever for the abstract propositions but we cannot get support in the concrete.

" The vital problem that concerns the Government and the people is to devise means for the promotion of greater happiness of the masses of the people and to secure to them decent habitations amidst sanitary surroundings and to impart to them knowledge that is necessary to help them in eking out their livelihood in these days of struggle for existence. As Mr. Joseph Chamberlain had stated 'are we not to pay some regard to the rights of a poor man under God's charter to live and breathe in the world'.

" It is the duty of the Government to do something to make the life of all its citizens and above all the poorest of them, somewhat better, nobler and happier and prevent any of its dutiful subjects from starving for no fault of theirs. We must raise the level of agricultural prosperity. No less than 300 crores would be wanted before agricultural indebtedness is wiped out of the country. Co-operative banks are only a drop in the ocean of debt in which the agriculturists are immersed.

" I have not congratulated the Government on the prosperity budget for the prosperity of the country does not depend upon the ample revenues and progression of its expenditure but it is to be tested as Mr. Chamberlain puts it by the general well-being of the population, by the contentment and comfort of the masses of the people and if these things are absent and if they are imperfectly secured it is the business of the statesman, it is the duty of every patriotic citizen to call attention to such defects in our system and to labour without stint and without ceasing for their removal.

" In our budgets year after year we notice that economy, retrenchment and reform are conspicuous by their absence though they are admittedly the essential factors for the growth of the prosperity of any country.

" It is not good statesmanship to save by starving useful objects of expenditure such as irrigation, sanitation and technical education, to save for the purpose of showing good balances at the end of the year which would be necessarily swept away by the Imperial Government for some reason or other or kept away beyond the reach of utilization for a long time to come or indirectly influence the supreme Government in reducing their Imperial grants finding that we are overflowing in the riches. Bengal and Behar can advantageously be referred to in this connexion. They presented deficit budgets. Bombay Government obtained permission to spend on education and sanitation large amounts. Sir William Meyer stated that in Bombay the expected increase of 35 lakhs of Excise Revenue is allowed to be utilized for expenditure on education and sanitation and they were further permitted to draw from their provincial balances and generally observed that if improvements occurred in the Provincial Revenues we would consider very sympathetically the possibility of allowing the provinces to increase their outlay. The Government should have utilised to full advantage this generous permission to provide for increased outlay on useful purposes.

" Our Government thought, on the other hand when plague and pestilence, cholera and small-pox pervade the whole country and malaria claims thousands of victims and people clamour for pure drinking water and villagers complain congestion of house-sites and want of village roads, the only useful economy they could suggest is the reduction of sanitary grants. In 1915-16 they sanctioned 33½ lakhs, 1916-17, 17 lakhs, 1917-18, 16½ lakhs and in 1918-19 provision was made for only 14½ lakhs. In the matter of minor sanitation in 1911-12 (11.64 lakhs), 1912-13 (30.64), 1913-14 (21.84), 1914-15 (25.19), 1915-16

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(Mr. Venkatapati Raju.)

(6.10), 1916-1917 (5.15), 1917-1918 (4.96) in 1918-1919 (5 lakhs). But the Government at the very same time is very careful in increasing the expenditure on police out of all proportion to the income.

" In 1891 police expenditure amounts to 39 lakhs and ten years after in 1901 it increased only to 44 lakhs. In 1911-1912 we spent 63 lakhs and in 1912-1913 (88 lakhs), 1913-1914 (92), 1914-1915 (109) including village police and talaiyaris costing 15 lakhs. In 1915-1916 (110.10) in 1916-1917 (115) in 1917-1918 (117.41) and in 1918-1919 (120.73) lakhs.

" Is there any wonder if people complain of the unreality of budget discussion that no non-official suggestion will have any real effect on the Government while one cheerfully fills up our expenditure on police starving other useful objects. Can we not usefully reduce the expenditure by one-third by reducing the strength of the police corps by one-third by appealing to the Imperial Government that our peaceful presidency does not need so much police assistance. The Government should not lean too much on police batons but rely on the goodwill of the nation. No other cultured country spends so much on police disproportionately to the revenue of the country. I am afraid the Government gives scope for the people to think that the administration is drifting to depend largely on the help of the police to an undesirable extent as a matter either of administrative expediency or political necessity. My appeal to them is to show more sympathy to the people as exhorted by His Majesty our beloved Emperor and people would love you and then you need not waste so much money on useless appendage of police.

" Even old men would tell us that during the last 20 years though we have trebled the expenditure on police, neither the safety of the person or property is appreciably increased or crime diminished and lost property is recovered to any appreciable extent.

" When costly police system was unknown in ancient India and our presidency was under the Vizianagram Empire of Krishnadevaraja, protection of person and property was proverbial as historians would bear us out. We can follow the system of employing the C.I.D. for finding out the oppressors of the people instead of sowing sedition in sermons and books.

" Education.—There is an increased grant of 20 lakhs this year. I should not say that we should be grateful for gratitude is due for favours conferred but not for a bare act of justice. But my complaint is that education system requires thorough hauling up; otherwise all this large expenditure is sheer waste of money.

" British Indian Association of Calcutta rightly suggested that primary education should be given extended scope, not only but also elementary instruction in agriculture, sanitation and hygiene, etc., should be included. Exclusive instruction in three R's is likely to bring into contempt the occupation of their fathers. It has given the sons of cultivators, traders and artisans ideas of domestic life and comforts which they can never hope to realise. It has made them expensive and useless members of their families with little inclination to follow the occupation of their fathers. It has disorganised the social economy of the country by creating paucity of manual labour and lack of men for menial services while intensifying the spirit of competition for clerical offices and it has instilled into their minds hopes and aspirations which could only end in disappointment and discontent.

" Therefore my suggestion is that schools and institutions should be opened in large numbers in rural areas to teach the sons of agriculturists and artisans various handicrafts and improved methods of agriculture. To set an example to the Government the patriots of India are bestirring themselves to open national schools all over India and I am sure in course of time they would become State institutions when educational experts see eye to eye with the people what is good for their children to learn.

" Lord Ronaldshay rightly condemned the present system of education and university examinations. He ridiculed Madras question papers. He bitterly complained of the system which compelled all and sundry to study a literature which is not their own and which has no relation whatsoever to the daily experience of their own lives. He was surprised that Indian Philosophy finds no place in the curricula. Knowledge for knowledge sake is an old shibboleth invented for the altered circumstances of this century. Scientific knowledge should be imparted and people should be taught those things that are really beneficent and useful in their after-life. Utility should be the first concern in these days of feverish competition. We need not be guided by the advice of those who have no interest but their own. The poor are subject to the most desperate privations and children are naturally stunted in their growth and dulled in their intellect for want of proper nourishment and appropriate teaching. Give them what is wanted for them but not what others think that is good for them.

" Sir C. Simpson of this town in his evidence before the Indian Cotton Committee suggested improved seed cultivation and cleanliness of the stuff and for which he urged the Government to spend money on education and training of the working classes. Sir William Meyer made supplementary grant of 30 lakhs for technical and agricultural education. Let us utilise the amount to be allotted to us fully without any delay whatever. When I am on this subject of education, I would suggest the abolition of the posts of Personal Assistant to the Director of Public Instruction and the Manager of the Superintending Engineer, III Circle, who are sticking up to the post for 10½ and 11½ years respectively. The Government thought their transfer is unnecessary as their heads suggested that it was undesirable. If transfer cannot be effected the other course open to us for suggestion is abolition of the posts and the savings may be added to the general revenue.

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"The Kollair Lake Ryots' Association memorialised the Government on the urgent need of effecting necessary repairs in the Kollair outlets, Uppatenu and Thammilera and to carry out the drainage proposals of Mr. V. T. Srinivasa Ayyangar, the Executive Engineer of Kistna district, than whom we do not find a more sympathetic, hard-working, honest Government subordinate. Let the Government do something in that direction without any delay.

"It is high time for the Government to start a college for commerce instead of satisfying ourselves with a school.

"We are not devoting proper attention for the increase of forest revenue. Although forests in India are equal in extent to those of Spain, Portugal and Belgium, the revenue is only Rs. 3 per acre in our country. Agriculture can advantageously be extended and valuable timber can be grown and also bamboo and elephantgrains can be grown for paper to a greater extent than what is being actually done by manufacture, the appointment of necessary staff and expenditure of money on good roads for transport and purchase of suitable machinery to help the increase of revenue.

"Soil survey of various districts should be undertaken without any delay by appointment of experts and provision be made in the budget for the same.

"Official members should be made to take a larger share in the debates and proceedings of this Council for it was admitted by the Imperial Government that it would be waste of manpower and brain capacity to keep distinguished members idle for days whenever Council meets. It is public waste of money. Till reform is effected to give the official element a greater part in our deliberations and to give more reality to our proceedings, voting by proxy should be adopted to relieve them to attend to their legitimate work and thus save arrears of work and public money.

"Larger proportion of expenditure is found in the sale of general stamps than court fees. One is four times greater than the other. Some economy could be effected in that direction.

"Survey and Settlement.—If the second party is utilized for survey of the estates, it was suggested that there would be a saving of a lakh and half for general taxpayer. Why should we not induce the zamindars to utilize their surveyors till they are wanted if we cannot dispense with them altogether.

"Land Revenue.—It is generally said that 10 per cent of this income is the proper expenditure for realizing the same. 127.21 lakhs for realizing 305.59 hours a proportion of 45 per cent. Even if we include the Imperial share we are spending 127 lakhs for raising 511 lakhs which will be about 25 per cent. The question for serious consideration is whether we cannot more economically manage this vast concern. Of course it requires high capacity of statesmanship, broad outlook and have sympathy and willing hand to achieve the splendid result of reducing this abnormal expenditure by the employment of less costly agency. The Government profess sympathy to the masses. The money thus saved can be earmarked to ameliorate the condition of masses. The Government can profitably employ their staff in finding out the real wants of the people and suggest suitable remedies instead of troubling themselves with the differences between class and class and one community and another. Harmony in the people and union amongst several communities would be a great help to the smooth working of the administrative machinery.

"Excise.—It is true we are realizing more than 4 crores (416.23 lakhs) on excise from 4 crores of men. The people should necessarily spend double the amount on liquor before Government get 4 crores. Thus on the average Rs. 2 per head is a ruinous expenditure in this country. The Government is appealed to devise means to save the people from the demon of liquor. It is too much to expect from the Government that they would forego such a useful source of income though millions of people are poisoning themselves and making their families destitute.

"In England there is a census every year of the livestock, horse, cattle, etc. There is also a provision of 27½ millions of acres of permanent pasturage and no wonder if they have 28 million sheep, 1½ million cattle, 1.7 million horses and 3 million pigs. We can profitably compare it with the small number of the stock in our Presidency which thus diminishing with a provision of 3½ lakhs of acres where fodder crops are raised. The census is not quite complete as we include estimates with actuals throwing doubt on accuracy of the figures (vide season and crop report of 1916-17). Government should employ special agency for the growth of proper fodders needed for the use of livestock.

"In the matter of sugar industry our thanks are due to Dr. Barber of Coimbatore for the splendid service he has done to sugar cultivation. India with its 2 million acres under sugarcane cultivation produces only 2,500,000 tons of sugar to which we have to add palm sugar of ½ a million. India requires 4½ million tons of sugar for consumption. There is every possibility of increasing the yield even to 2 tons per acre as compared with 4 tons produced in Java and 9 will be added to the wealth of the people. The present defects as noticed by the Government experts are unsatisfactory cultivation, inadequate manuring and inferior nature of and defects in the methods of manufacture as there is a loss of 25 per cent. Government should employ sugarcane expert and Engineer to look after this in helping the cultivators, send out some to Java to study sugar industry there and we can profitably follow their sample by sending Indians to those countries at State expense.

"Instead of highly paid sub-collector and assistant collector being employed to attend to the criminal work, few judicially trained officers can well be employed and great economy could thus be effected.

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"Though it is not possible to the Government to appreciate any criticism for economical expenditure as they naturally think that the distinguished service is not in need of another advice how to husband the country's resources and how economically to spend the revenues for the good of the people, but seeing the all-round ruinous growth of state expenditure year after year exhausting the resources of the country and crippling the useful and beneficent objects which would improve the condition of the masses and add wealth contentment and happiness, it is the duty to place the Indian view of the matter fearlessly ignoring the smiles and frowns. Your Excellency I may tell you that the people look to you, Sir, to see that before you lay down the exalted office you will do something for the good of the country in general and this Presidency in particular so that they may be enabled to cherish your name with affection and reverence along with the benefactors of Indian Empire and it is never too late, Sir, to help the aims and cherished aspirations of the Indian people."

The Hon'ble Mr. P. SIVA RAO:—"The budget is on the whole satisfactory. When we remember it is after all an 'economy' budget prepared under war conditions, I congratulate the Finance Member on it, that he has succeeded in presenting a suitable one in spite of the limitations he was working under. By limitations, I refer to the injunctions issued by the Government of India that the local Governments should not draw on their balances and that no money should be spent on new schemes unless they are found to be imperatively urgent. There has been a phenomenal rise of Rs. 20.66 lakhs under the head of expenditure on Education. The provision as observed by the Hon'ble Mr. Pittendrih has beaten all records. The expansion of elementary education, the opening of new board high schools and middle schools, female education, Civil Engineering school at Vizagapatam, the opening of manual training centres, the raising of the ceded district college into a first grade one, the medical inspection of schools and the opening of night-schools are some of the useful objects on which this excess provision is to be spent. The claims of the poorer district boards have for the first time been recognised in the revised budget last year and in the current one.

"A provision of 2.50 lakhs has been made for the transfer of the management of the district headquarter hospitals to Government. A medical school will be opened at Bellary with effect from the month of July. The pay of the Sub-Assistant Surgeons has been increased. The District Registrars' offices at Nellore, Vizagapatam, Kurnool and North Arcot have been restored. A separate District and Sessions Court will be newly erected at Anantapur. These are some of the welcome features of the present budget.

"While we are glad to note these improvements, we cannot but share the regret with the Finance Member that the 'large balances' shown in the budget are not immediately available for expenditure for the general tax-payer in Madras. The actual receipts of the year 1917-18 are expected to exceed the budget estimate of the year by about 21.36 lakhs. The opening balance of the year was 11½ lakhs higher than was expected. There was also a short fall in the expenditure. The result was that the closing balance for the year rose by about 39.74 lakhs. As the revised estimate shows the closing balance for the year 1917-18 comes to 193.57. The closing balance for the current year is estimated at 196.91 as against an obligatory balance of only 20 lakhs prescribed by the Government of India. These large balances are lying idle in the coffers of the local Government. They do not seem to have been utilized by the Government of India; nor are they realizing any interest; as was suggested by the Hon'ble Mr. Venkatapati Raju, the Government will seriously consider the desirability of defraying the Provincial loans and advances out of these balances. I am sure that there will also be short falls and lapses of expenditure and abnormal receipts for this year also, with the result that the provincial balances will be unduly swollen.

"In the Draft Financial Statement under the head of miscellaneous and unforeseen charges a sum of Rs. 5.80 lakhs had been entered. In the Revised Financial Statement it was raised to 10.80 lakhs. The additional receipts of 6.50 lakhs shown in page 61 of the Revised Financial Statement should have been allotted in some suitable manner instead of being consigned to the reserves. I take it that any addition to the reserves is a sure means of swelling the balances which have already overgrown.

"Unallotted expenditure.—In the present budget a sum of Rs. 14.50 lakhs has been shown as unallotted: over which the Finance Committee has some power of disposal and a sum of .39 lakh is available for recurring expenditure. This is how it is worked out. The total income is estimated at Rs. 834.24 in 1918-19 of which Rs. 816.54 represents the total obligatory expenditure distributed under various service heads. The rules 2 to 6 of the rules for the discussion of the Annual Financial Statement page 107 contains the provisions in the matter. Under the present system every available pie is allotted by the Government as being obligatory expenditure and a paltry sum of Rs. 14 lakhs is thrown open to the Finance Committee for their recommendations. It means that the Finance Committee appointed by the Legislative Council have got the disposal over 14 lakhs out of a total income of 834 lakhs. There is no reason why the Government should not throw open more sums for the disposal of the committee. This shows how powerless we are in the matter; what a poor hold we have on the public purse of our country. As the result of the resolutions moved in the Council we have been able to snatch an additional provision of about 1.55 lakhs only.

"Abnormal growth of excise revenue is really an alarming sign of the present budget; from about 344.97 in the year 1914-15 it has grown to 393.72 lakhs in the year in question. The Finance Member has shown that the consumption has not increased whereas the taxes, license fee and other duties have been enhanced. In other words the policy of the Government

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has been explained to be the maximum revenue and minimum consumption. I for one am not satisfied with these results. Any amount of increased duties cannot check the drinking evil. It only means that for the same stuff or thing they are paying more. It cannot but lead to the impoverishment and economic degeneration of the people.

"The system of local finance should be improved. It is at present inadequate, irregular and unreliable. I was very glad to welcome the announcement that some radical revision of the system was to be looked for in the near future. I was very glad to hear the other day in the course of the discussion started by the Hon'ble Mr. A. S. Krishna Rao about the transfer of excise revenue to local bodies—I was very glad to notice the announcement of the message of hope held out by the finance member that, as a part and parcel of the constitutional reforms to come, there will be an adjustment of the financial relations between local bodies and the Local Government and between the Local Government and the Imperial Government. A hope was held out that so far at any rate as the excise revenue is concerned there was a proposal to provincialise the whole of it; and there is a likelihood that the local bodies would have if not the whole of it, at least an appreciable portion of it. This, my Lord, is a welcome announcement.

"The finance member rightly remarks in the revised financial statement 'I cannot say that the system of doles from provincial to local funds which at present prevails is one which can be regarded with unmixed satisfaction. It fails in the essential requisites of certainty and regularity and there can be little doubt that before long some radical revision of the fiscal system obtaining in this respect must be made.'

"This, my Lord, is a welcome announcement. We sincerely trust and hope that before long the financial resources of the local bodies will be placed on a sounder basis. From time to time it has been pointed out that the resources of local bodies are scanty. In fact the smallness and inelasticity of the revenues of local boards have been noted by the Government of India in the last resolution issued by them on the policy of local self-government in India. It was also conceded that there was no margin for extra taxation in the country and it is very hard to devise any new methods of taxation. So, we had to fall back upon the Government for the transfer of some of the growing heads of revenue. It has also been expressed in evidence before the Decentralisation Commission that the wonder is not that local bodies have not been able to do better, but the wonder really is that they have been able to do as well as they have been doing; and the Decentralisation Commission unanimously found that the finances of local bodies are too small to allow them to keep up even the normal standard of administration. That being so, it behoves the Government before long to attempt a satisfactory solution of the whole matter. One of these methods has already been suggested and I trust that that mode of the transfer of the definite share of excise will be carried out.

"In this connexion I may point out, your Excellency, that in the case of district boards, the distribution of the imperial grant of Rs. 14 lakhs on one-fourth basis did not work satisfactorily. I am very glad to note that in the case of poorer district boards which did not get much, the principle has been recognized that they should receive substantial help from the Provincial funds. I take this opportunity of thanking the Government for giving effect to this principle which I took care to advocate in aid of the resources of poorer district boards. I know, your Excellency, that it excited some opposition in some quarters due mainly to the reason that this additional grant of Rs. 5 lakhs was allotted for village and other roads and naturally my Honourable Colleagues asked why should all this money for the improvement of village and other roads be given only to the Ceded districts and why should not other district boards have a portion of it. If only the Government had given these grants under 'contributions' in aid of general resources as they have been giving in the case of Koraput and the Nilgiris, there would probably have been no objection on the part of the Honourable Members of this Council. I seriously suggest, in order to obviate this opposition or objection that, hereafter, some principle may be recognized of helping the poorer district boards and if instead of grants being placed under this head 'for the improvement of village and other roads', these grants are put under the head of 'contributions to local bodies', then there will be no opposition whatever.

"Now in regard to education I have already said that it has received adequate attention at the hands of the Finance Member. The Government have taken a wise move in starting four complete secondary girls' schools in the Presidency; and I make a request in starting four that the claims of the Ceded districts may not be forgotten. Similarly I make a request in connexion with the opening of six manual centres to be opened this year, that one may be located in the Ceded districts. While hailing with satisfaction the very liberal provision under the head of Education, I cannot help thinking that there is still considerable room for expansion, e.g., the secondary education should also be carefully fostered and developed. Indigent and deserving pupils of all classes should be given free studentships. I suggested up to 10 per cent of the number on the rolls. The scheme is expected to cost about Rs. 40,000. It is hoped that the Government may not shirk this additional expenditure. Research scholarships should be founded. Students should be financed to go to Europe to study industries. Lastly education should be placed on a scientific basis. Popular scientific literature should be organized. Research laboratories should be inaugurated which have for their object the discovery, publication and also the diffusion of truth. I must say in this connexion that the Province of Bengal has been taking the lead in this matter.

Coming to the head 'Medical' we welcome the scheme of the transfer of the management of the district headquarter hospitals. But at the same time I may be allowed to say that there is a growing feeling in the country that the local bodies have been unduly divested of their legitimate control over these institutions. My Lord, there is much to be said in favour of

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enlisting local co-operation and sympathy on behalf of these institutions. The control which these local bodies hitherto enjoyed may be shadowy and infinitesimal; but at the same time there are no strong reasons why local bodies should be deprived of all control. They must be taught to exercise these functions and they must be trained in the art of controlling them. I appeal to the Government to consider seriously the question whether or not they would not be well advised in restoring the management of these hospitals to local bodies themselves. One argument may arise: 'We have been paying two-thirds and why should we forego our control?' But that is not the only view to be taken in regard to this matter. In the case of secondary high schools, for instance, in the Ceded districts, the whole of the net cost is borne by the Government, but at the same time the local bodies are allowed to have management of them. The Government may therefore seriously consider the problem of restoring the management of these hospitals to local bodies. It may be said that local bodies have expressed their willingness to hand over the management to the Government. I may say that they were under a temptation to do so because they were hard pressed; and when this measure of financial relief was offered to them, they did not consider this aspect of the matter. They only consider the substantial help they got from Government and therefore they readily consented to the transfer of the control."

His Excellency the PRESIDENT:—"I may remind the Honourable Member that the time limit is quarter of an hour, but the Honourable Member has been speaking for more than 20 minutes."

The Hon'ble Mr. P. SIVA RAO:—"I am sorry, my Lord, that I have exceeded my time. But I shall finish my remarks soon. I may say that the Medical school to be opened at Bellary will be a great boon. I cannot help thinking that the unani and the ayurvedic systems of medicine should supplement the western system of medicine. As it is, medical relief in rural areas is grossly inadequate for the purpose. I suggest that grants may be given freely to local bodies to open ayurvedic and unani dispensaries and schools and institutions. I also suggest that some examination might be held to test the qualifications of candidates in these systems of medicine and steps may be taken to appoint some experts to investigate into the efficacy of Indian drugs and serious attempts might be made to translate and publish important works on eastern medicines.

"Coming to sanitation, I find that the provision under this head is grossly inadequate. In the year 1918-19 it dwindled down to Rs. 9.44 lakhs. The provision of Rs. 1.62 lakhs for expenses in connexion with epidemics such as plague, malaria is totally inadequate. Plague has been very severe last year in this Presidency and the Government will do well to inaugurate a vigorous policy to combat with it; and they must also provide liberal grants to local bodies to successfully combat with these epidemics.

"Coming to agriculture, I may say it is unfortunate that no additional agricultural farms or schools are to be opened this year, in spite of the recommendations of the agricultural conference, that schools should be attached to agricultural farms wherever they now exist. That recommendation has not been given effect to.

"As regards irrigation, I have been advocating the starting of protective irrigation works in the Ceded districts which form the famine zone of the Presidency; and that tank repairing works, tank restoration works should be pushed through vigorously.

"The last point that I wish to touch upon is the re-organization in the subordinate services. In view of the economic condition now prevailing, the Government should seriously consider the desirability of reorganizing the subordinate services. The Public Services Commission dealt with only the superior services. It is time that the Local Government should improve the prospects and salaries of the subordinate services, for instance the provincial judicial service. District Registrars and Sub-Registrars have sent up memorials for revision of their pay.

"I may remind the Council of the justice due to the poor village staff, the karnams and others, by granting them travelling allowance and batta. All these questions have to be solved one day or other.

"As regards informal panchayats, a sum of Rs. 1 lakh was announced for financing them. I wish to know from the Honourable Member how it is to be distributed. I do not see any provision for it in the current budget, though there is one in the revised estimate.

"I now come to our Legislative Council and see how it has been working. The latest figures furnished to the Hon'ble the Raja of Ramnad show how powerless we are and what little power we have for moulding or shaping the policy of Government. Questions and resolutions have been mercilessly disallowed for one reason or another and sometimes on very flimsy grounds. The rules are strained, twisted and distorted beyond all measure. No attempt is made to construe them liberally. Since 1909 the number of resolutions received was 924 out of which the number admitted was 715, the number withdrawn 195 and the number accepted 66. Lastly I may be allowed to refer to the welcome departure introduced into the Viceregal Legislative Council to enable officials to take active part in the deliberations of the Council. I might also suggest that the convention or the rule now prevailing that all Government officials should vote with the Government solidly might be relaxed. In some matters at least they might be allowed to vote according to their conscience, irrespective of the mandate of the Government."

The Hon'ble the RAJA OF RAMNAD:—"My Lord, it is indeed an agreeable surprise that the Government should have been in a position to close with a balance of Rs. 193.57 lakhs for the year 1917-18 and should expect to close with a balance of Rs. 196.91 lakhs for the Budget-year 1918-19 in spite of the continuance of the world-wide war, whose havoc have

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been felt in this Presidency in a larger measure in the year under review than in previous years. We sincerely trust that the noble cause, which prompted Great Britain to wage war against Germany, will help her and her allies to have a decisive victory before long and thus restore an ever-lasting peace to this world. Though from the closing balance the budget may be characterised as prosperous, I think when the expenditure side is taken up for consideration, it does not give absolute satisfaction. No doubt, the Government have provided large sums of money for various departments, such as Education, Local Boards, Sanitation and other departments; but there is a general feeling that the Government have not done all they could. While what they have done is more than what has been done in previous years, yet, it is believed that they can afford to give much more to these and other departments which really affect the welfare of the people. The fact that the Government have been able to show such large balance justifies this grievance. The Hon'ble Mr. Rama Ayyangar, a Member of the Finance Committee, with whom I had a talk on the figures of the budget, tells me that the Government will have much more as closing balance in the coming year than what they themselves anticipate. If that is so, —and I believe, it must be so—then, I beg to submit that still larger contributions to local boards and other departments like Education, Sanitation, etc., should be made.

Under 19-A. Law and Justice, I find that Government provide for an expenditure of Rs. 2.29 lakhs over the revised estimate of Rs. 85.26 lakhs, and in the details furnished I find no provision made for the re-organization of the Judicial Department and for giving more pay to the over-worked judicial officers. In this connexion I am reminded of the promise made by Government to obtain early sanction in this matter from the Government of India when my friend, the Hon'ble Mr. Ranga Achariyar, moved a resolution on the subject not long ago in this Council.

The Government have provided Rs. 3.32 lakhs over the revised estimate of Rs. 117.41 lakhs for expenditure on Police, and in the details it is said that the sum is intended for giving increase of pay to the constabulary. While the expenditure every year on Police is rapidly going up, as was pointed out by the Hon'ble Mr. Ranga Achariyar in last year's budget discussions, we find in the Administration Report that the number of grave crimes is also increasing. It seems a great misfortune that this should be so, and I request the Government to kindly undertake an investigation at an early date into the cause of this phenomenon. The increment in pay, I may be allowed to observe, apparently does not contribute to the increase of efficiency, and increase of crime therefore seems to be left unchecked. In the matter of detection of crimes, and recovery of properties also, there is a considerable percentage of fall year to year and this only strengthens my belief of the inefficiency of the subordinate police.

In passing, I may be permitted to mention that there seems to be some discontent in the Police Provincial Service that their claims for promotion have not been receiving due consideration from the Government in recent times.

It is a matter for congratulation that a sum of Rs. 20.63 lakhs has been provided over the revised estimate of Rs. 92.25 lakhs under the head of Education, and I have no doubt that the expenditure will be amply justified, for it needs no mention that anything that is spent on education in this country must be considered to be a highly profitable investment.

Under the head of 'Sanitation', I find a reduction of Rs. 1.83 lakhs; I know not why there should be a reduction. While there is an increase of Rs. 3.80 lakhs under the head 'Medical', there is a reduction under the head 'Sanitation.' Though I don't pretend to know the exact work of both departments, their requirements and necessities, yet, from my experience of the public health of Madurai, Tanjore, Trichinopoly, Ramnad and other southern districts, I can fairly say that the provision made must be insufficient. The death rate due to smallpox and cholera has been something shockingly enormous, and I have no doubt that if these departments had been more efficiently and elaborately equipped, they would have been able to combat these diseases at an early stage and thus prevent a considerable percentage of mortality.

Under the head Miscellaneous, I find that a sum of Rs. 10.95 lakhs is provided over the revised estimate of Rs. 4.41 lakhs, and it is not known how this amount is intended to be spent. I understand from the Members of the Finance Committee that they are themselves not aware how this sum would be spent. If so, may I request the Government to publish the various items of expenditure intended to be met from this allotment beforehand and invite public criticism thereon, and incur the expenditure actually thereafter in the best manner possible? When the surplus is rapidly rising, it does not stand to reason that the Members of the Finance Committee should have the option of recommending to Government expenditure only to the extent of Rs. 15.04 lakhs. I trust this also will receive favourable consideration at the hands of the Government.

For want of leisure, I have not been able to go through the Budget with a critical eye, and what struck me from a cursory study of it, I have placed before the Government; and I have no doubt that the criticisms coming from the other Members of this Council must enable the Government to rectify the errors and realize in a large measure the necessities of the various localities and departments.

The zamindars of this Presidency, as I said last year in the budget speech, ought to be ever grateful to Your Excellency's Government for the starting of the Rajkumar College to educate their children, and though public opinion seems to be somewhat divided as to its usefulness, it cannot be gainsaid, judging from the success that attends such institutions in other parts of India, that the institution is bound to prove of incalculable benefit to the children of the zamindars who have a very large stake in this country. But as I said on the last occasion, much of its success would depend on the lines on which the affairs of the institution are carried.

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(The Raja of Ramnad.)

The institution, I venture to submit, should not be made entirely a Government concern, but should be one under the control of a Committee composed partly of Government nominees and partly of elected representatives. Unless such a system is introduced, I am afraid the institution may suffer for want of popularity. The zamindars of this Presidency must also feel grateful for the great honour done to them by a few Rajas and zamindars among them in this Presidency, including my humble self, getting His Majesty's commission in the army; as most of us are known to belong to what is known as the 'warrior race,' we appreciate this signal honour all the greater. I have no doubt that what the Government have done will serve as a best stimulus to the people living in our parts of the Presidency to freely and fearlessly recruit to both sections of the army—combatants and non-combatants. Whatever the politicians may say, there is not the slightest doubt that the once-existent martial spirit in several communities in Southern India has deteriorated very considerably for want of opportunities, and in the case of some, I may even say, it has practically died out. Unless Government start schools for giving military training for young boys and thus prepare them for enlistment in the regular army when they become grown-up men, any system of recruitment must necessarily be less successful. On two occasions, I endeavoured to bring a resolution to this effect before this Council, but Your Excellency disallowed the same as not concerning this Government; and yet the Government will adversely comment on want of co-operation from non-officials in recruiting work. But whatever that is, I earnestly appeal to Your Excellency's Government to kindly move the Government of India in the matter and do what is possible at an early date. The assurance given by His Excellency the Commander-in-Chief to raise a citizen army and arrange for training, only the other day in the Imperial Legislative Council, has given universal satisfaction, and we sincerely trust that the announcement will become an accomplished fact before long.

There is a general feeling in this Presidency that, as the result of agitation by sectional movements, the claims of seniors in public services have been overlooked and their juniors have been promoted for no fault of the seniors except probably their birth! I am certainly not opposed for securing representation of all castes and communities in Government appointments without impairing the efficiency of the service; but then, that should be secured gradually and only when appointments are made by nomination. It is needless for me to lay stress on the fact that, if the claims of seniors are overlooked on communal considerations in the Government departments, a good deal of heart-burning and discontent among the seniors in service will be the only out-come, and that is certainly a thing which, in the best interests of the service and the Government, it must be the endeavour of the Government to prevent.

Speaking in this Council last year, I appealed to Your Excellency's Government to take early steps to remedy the existing state of things in religious and charitable institutions in this Presidency, and though the Government, I dare say, must have been convinced of the absolute necessity of taking prompt steps in the matter, yet, that nothing should have been done as yet makes those who are interested in the well-being of these institutions feel keenly disappointed and sad, and I hope the Government will take steps to rectify matters in this direction at an early date.

One other matter which I would like to bring to the notice of Government is the great disappointment caused to the public by the refusal of Government to hand over to an Indian Company the running and management of the Tiratturapundi-Vedaraniyam line in spite of the resolution of the District Board approving the arrangement. There is a general feeling—whether well-founded or not—that the Government is not helping indigenous Indian concerns, and I am afraid that impression is only becoming stronger by such incidents. I need hardly say it will not be in the best interests of Government that such impressions should gain ground. I hope the Government will kindly reconsider the matter, if the decision should rest with them, or move the Railway Board to permit the Indian company to run trains in this line and have the management of it as resolved upon by the Tanjore District Board.

It has given universal satisfaction to the landholders and zamindars in this Presidency that the proposed amendment of the Irrigation Cess Act has been permanently dropped and the threatened appalling misfortune to these people has been thus averted. If this had not happened, it would have given rise to enormous and endless amount of litigations, and the zamindars and landholders, whose resources are already crippled, will eventually become highly impoverished before they finally succeed in establishing their natural rights. This proposed legislation at a time when the country had become convulsed by the horrors of the present war, had shattered the spirits of the zamindars and landholders to a degree not known before, and the relief caused by permanently dropping the measure had, I would like to mention, given them an added strength and enthusiasm to play their part as citizens of this great Empire in sharing the national burden and trouble consequent on the present war.

Before I resume my seat, I must congratulate the Government on the two important Bills now introduced, viz., the Children's Protection Bill and the Food Adulteration Bill, and I have not the slightest doubt that they will have an easy voyage in this Council. Their working and application are bound to produce incalculable benefit to the young children of this Presidency and to every one who may, by the application of the Food Adulteration Bill, expect to get a fairly good supply of milk, ghee and other food provisions. The year that is passing under review had seen great events, politically and otherwise, and I sincerely trust that the Government will be in a position to meet the several demands made by various public bodies adequately in the best manner possible before long; and as the result of it, the coming year would be a year of contentment and prosperity.

(Mr. K. R. V. Krishna Rao.)

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The Hon'ble Mr. K. R. V. KRISHNA RAO :—"My Lord, in spite of the war conditions there is a closing balance of Rs. 196.91 lakhs against the closing balance of Rs. 193.57 lakhs according to the revised estimate for 1917-18. According to the budget estimate for 1917-18, the closing balance was Rs. 153.83 lakhs and this closing balance has now gradually risen up to Rs. 196.91 lakhs. The policy of underestimating the receipts and overestimating the expenditure is being closely followed. However much that may be unnecessary in private finance, I think it is necessary that in public finance the figures under receipts and expenditure must be as accurate as possible. However the Finance Member deserves to be congratulated on the lucid budget that he has presented to us this year.

"My Lord, I would suggest in this connexion that the receipts under Land Revenue and under Excise should be made wholly Provincial, and I trust that Your Excellency's Government will make a strong endeavour to appeal to the Government of India to make these two heads of revenue entirely Provincial. I also hope that Your Excellency's Government will make over a portion of the excise revenue to local bodies to supplement their own resources.

"The expenditure under Survey and Settlement in the year 1917-18 according to the budget estimate was Rs. 12.12 lakhs, whereas in the year 1916-17 it was only Rs. 10.83 lakhs. The expenditure under this head was increased in 1917-18 by Rs. 1.92 lakhs over that of the previous year. In the coming year it is proposed to spend Rs. 13.98 lakhs under this head—that is Rs. 1.23 lakhs more than the revised estimate for the year 1917-18 or Rs. 3.15 lakhs over that of 1916-17. In the year 1914 we moved a resolution requesting the Government that the expenditure under Survey and Settlement as also under the Land Records establishment should be curtailed as far as possible. A committee was appointed and the whole question was examined and a report submitted; but in spite of these best endeavours the amount of expenditure under this head was found necessary to be increased and though the explanation is given for the increase of expenditure under this head, I trust, my Lord, it is high time that the expenditure on survey and settlement should be curtailed and reduced and there should be some finality aimed at in the survey operations in this Presidency.

"The zamindars of this Presidency are indeed obliged to Your Excellency's Government for dropping the Irrigation Cess Amendment Bill and I trust that Your Excellency's Government, looking to the justice of the case, will permanently drop this measure and also endeavour to introduce an amendment of the Estates Land Act at an early date.

"According to the budget estimate an amount of Rs. 20.66 lakhs is proposed to be spent on education over and above that of the revised estimate for 1917-18. This is indeed a very welcome feature. Out of this amount, a sum of Rs. 4.50 lakhs is proposed to be spent annually from 1918-19 towards the expansion and improvement of elementary education and about 677 schools are going to be opened in this province. My Lord, this number of 677 elementary schools is a very small number indeed; and I hope and trust that the Government will very soon frame a scheme for making elementary education more diffuse by opening more schools in this province. I hope that at least 1,000 schools will be opened in 1918-19. I also trust that the Government will soon undertake to provide free and compulsory education at least in municipal areas. I may say, in this connexion, that Bombay is ahead of our province, in at least having a legislative measure for introducing free and compulsory education in municipal areas.

"Our thanks are due to the Government of India for the provision of Rs. 30 lakhs of recurring grant for industrial and agricultural education; and I hope that out of this Rs. 30 lakhs' grant our province will receive a liberal share. I hope that this Government will apply to the Government of India for it, bringing to their notice the needs of this province and obtain a liberal share of this amount and see that an agricultural college is opened for the Northern districts—a commercial college on the lines of the Bombay Commercial College. I also suggest that agricultural schools and commercial schools are also necessary to be opened in this province. I hope that this Government will take advantage of this grant made by the Government of India and open such schools in this province.

"More veterinary hospitals are also necessary in this province and it is urgently necessary that some sort of check and restraint should be placed over the export of cattle to countries outside India. It has been a growing evil and people have been complaining that the best breed of cattle are being taken away year after year from this Presidency to countries outside India. My Lord, unless some proper check is placed over that exportation of cattle, I think that the agricultural condition of the districts will suffer and the best breeds of cattle will be depleted from this Presidency.

"Though it has been decided that a mechanical engineering school should be opened at Cocanada it has not yet been actually opened. A sum of Rs. 25,000 was budgeted for last year and the same amount is continued for the coming year. I hope and trust that the mechanical engineering school the opening of which has been suspended for some reason or other, will soon be established.

"My Lord, with regard to the scientific and miscellaneous departments, I congratulate the Government on having provided Rs. 3.76 lakhs over and above the revised estimate of last year. Out of this amount a sum of Rs. 1 lakh is to be spent for extending soap manufacture. In this connexion, I would like to point out that it is necessary to have a qualified and thoroughly experienced mechanical engineer at least as an assistant to the Director of Industries. I believe that the Department of Fisheries is going to be included in the Department of Industries. I believe that the Director of Industries will hereafter be a civilian officer, as I find from the quarterly civil list. Such being the case, I think that a thoroughly experienced and qualified mechanical

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engineer who is also well acquainted with modern machinery and engines should be an assistant to that Director and I suggest that when making the appointment of assistant Director these qualifications will be carefully considered and a mechanical engineer will be appointed. Hitherto, my Lord, mechanical engineers of great experience have been the Directors of Industries. We had Mr. Alfred Chatterton and Mr. Tressler. But now that the Director is going to be a civilian, it is necessary that at least the assistant director should be an experienced mechanical engineer.

"Another point that I would like to bring to the notice of the Government is as regards suits filed by private individuals against Government. In several suits filed by private individuals against Government, matters are not being properly inquired into before they are asked to launch into litigation. Unfortunately, after suits are filed, parties are asked to withdraw them on the condition of decrees being given to them. I can quote the instance of a number of gardens in Kistna and Godavari districts which were enfranchised—they were called the *asal minaha* gardens. I think that before they were enfranchised preliminary inquiries were not made and the whole legal aspect of the matter was not examined. A number of suits were filed and in every one of these suits there was a decree against Government. When I asked the Government to give up the policy of driving private parties to the court to vindicate their rights, they did not accept it. Instead of every one of these people being asked to file suits in cases which were not already decided, it would be advantageous, on the ground that a decision is already come to in suits filed against Government, to say that no further suits need be filed by private individuals."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"My Lord, I have to congratulate the Honourable the Finance Member on the fact that he and his able secretariat have emerged unscathed at our hands. It is due to various causes, the causes being their own excellence and our being inefficient in dealing with the budget. Speaking for myself as a Member of the Finance Committee, I am sorry to say that I have not been able to take that real and active part in shaping the financial proposals of the year, which we are expected to do under the resolution which Your Lordship will find on page 83 of the Manual. That is due to various reasons. The first is that we are novices in the art and we are dealing with experts on the other side, secondly because we have not got all those facilities which are at the disposal of the Government. With a view to facilitate our work and to secure our co-operation, I made a suggestion to the Government last year that the budget figures might be accompanied by marginal notes, giving the comparative figures for at least three or four decades, so that we may be able to compare and contrast the growth and diminution under each head and to make suggestions. I am sorry to say that that suggestion has not been accepted. I wish to emphasise the importance of that suggestion and I hope that the other non-official members like myself, who have to grope in the dark in this mass of figures will urge upon the Government the desirability of having that assistance; otherwise, our presence in this Council in discussing the budget is nothing but an ornament and it is of no use.

"I conceive it to be my duty to make suggestions, so far as the revenue side is concerned, how best to raise the revenue of the country, without, at the same time, causing irritation or irksomeness to the people. I should have been glad to make suggestions to reduce, if possible, direct taxation and to increase the sources under indirect taxation. But unhappily as it is, the facilities afforded, so far as figures go, do not give us much help in that direction. I should suggest that this Government should urge upon the Government of India that we should provincialize two important sources of revenue, so far as this presidency is concerned, namely, land revenue and excise; and if we had the disposal of funds that we raise under these heads for the benefit of this Province—we have a clear claim for the sole and exclusive enjoyment of that revenue so far as our province is concerned—then the monies raised under each of these heads may be spent for the benefit of the people, from whom it is raised, and then we will not be in such hot haste to introduce resettlements and do other things, which only cause annoyance and irritation to the people, we will then have enough to spend on our local needs, if we had not to share half and half with the Government of India; and we would be able to spend the whole of the amount easily on our growing needs and for the good of the public and at the same time minimise the irritation which our Land Revenue policy unduly causes.

"My Lord, you take it from me, whatever your official sources may tell you, that the discontent among the agricultural classes is growing deeper, and I cannot but venture to say that it is bound to grow unless we change our Land Revenue policy and afford the people facilities in forest matters and in various other communal concerns and they feel that the Government are not helping them as much as they ought to in these matters and they also feel that the Government are only anxious to raise revenue from them at unreasonable times. The period of payment of kist fixed for them is unsuited to their conditions; they have to borrow for of payment of kist and they are not allowed time to pay the kist till they are able to realise the price of paddy and they are able to sell it at a better profit. There are innumerable ways in which the Government can minimise the rigour of the present Land Revenue policy; and I hope to see the day when our province will have control both over land revenue and excise and when we shall have the pleasure of raising as much as we want and not be in a hurry to raise revenue for the benefit of the Government of India.

"Again, we should have been glad to suggest sources for revenue in indirect methods such as productive expenditure. In this connexion, I may mention that we are neglecting a valuable source of revenue—it may turn out to be very valuable—namely, the manufacture of sandalwood oil. The neighbouring state of Mysore has very cleverly and opportunely taken

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advantage of it. We have a lot of sandal wood in our forests. A private company was about to be floated, and but for the new law would have got it. I hope that the Government will take up this question in right earnest and produce productive sources of revenue. This Council will only be too glad to approve of any expenditure on productive enterprises. There is no fear of our getting into competition with any existing trade; on the other hand, it will benefit the country, and the Government will set an example to the people, besides adding to their own resources for the benefit of the public.

"In this connexion so far as the revenue side is concerned I wish to draw the pointed attention of Government to what I consider a neglect of their duty under the statute with reference to their supervision, in passing the rules which are framed by the High Court in the matter of raising fees in numerous miscellaneous ways. Litigation in the High Court is already very costly; but the recent rules which have been framed are, I am sorry to say, making matters worse bearing very harshly on the litigants, though adding to the revenues made in the High Court. All sorts of fees are imposed and representations have been made to the High Court and I am glad to say that we have been promised some revision by the High Court itself but I wish the Government would scrutinise the rules before they give their sanction to them. I appeal to the Government that, before giving their formal sanction, they would examine them carefully and then alone gazette them. I may mention one instance for elucidating my remarks. For instance if a case has to be adjourned, you have to put in a petition on a two rupee stamp paper. Hitherto, we were merely mentioning the matter to the Registrar and the case would be adjourned, but now every time we want an adjournment we have to pay two rupees. No doubt this augments the revenue of Government; but it has to come out of the pockets of the client and the litigant is made to pay it. Anything which makes litigation more costly than it is ought not to be encouraged. The litigant already pays the institution fee, the process fees, the printing and translation charges and to these is now added the adjournment fee. My Honourable Friend Mr. C. G. Todhunter, when he was in the High Court, was, I think, responsible for introducing some of the novel rules. There are the miscellaneous fees and we are increasing the miscellaneous sources of income. I do not think that it is right that we should go on adding to these sources in these various ways. When the clients pay the court fees which are fixed, they are entitled to have justice administered to them. I do not see why the people should be compelled to pay for translation. If a learned judge does not know the language of the party, why should the party pay for translation and printing. Even if there is no printing the new rules enable the High Court to appropriate the printing fees. Even if no pie is incurred as printing charges, the High Court is entitled to appropriate the fees. This is by no means wholesome. Therefore, with regard to the revenue side of the budget, I wish to make this suggestion—that the Government should have an eye on these miscellaneous sources of income, referred to on pages 12 and 13.

"Now going to the expenditure side of the budget, I am sorry to see some loose budgeting at page 44. There you find, for instance, a lump sum of Rs. 10,000 under the head of Inam Commissioner, without any explanation as to what it is, again a lump sum of Rs. 50,000 at page 151, again lump sums of Rs. 22,000 and 73,000 at pages 96 and 107 respectively. I think some particulars might be given with regard to these large sums of money so that we may know on what purposes these sums are proposed to be spent.

"Again I ask Your Excellency's personal attention to the growing expenditure on the furniture department, under your Excellency's personal control. I see that during the last four or five years there has been an expenditure of Rs. 1.87 lakhs on furniture and I see that a provision is again made for Rs. 46,000. I do not know why it should be necessary to spend to the extent of Rs. 40,000 or Rs. 50,000 every year on furniture."

His Excellency the PRESIDENT:—"What is it you say is under my personal control."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"That is Government House. That is why I ask your Excellency's personal attention to this matter because the heads of departments may not scrutinize this amount.

"Then comes the General administration, the cost of which is also going up by leaps and bounds. I do not know if there is any officer who will act as a sort of check on the various departments; and if there is no such officer, I do not know whether the public funds would not be usefully spent in having an officer whose duty will be to keep an eye on the various items of expenditure and to put a sort of warning or check on expenditure, as the tendency of each department is to multiply its expenditure. That will be a useful office, useful both to departments and the public. I do not know whether there is such an officer. If there is none I would heartily suggest to the Government the desirability of appointing such an officer.

"Then again with reference to page 73 I wish to draw the attention of the Council to the provision made year after year for temporary Judges in the High Court and I do not know when the day will come when that item will disappear from the budget. It is not at all a wholesome thing to have such a provision in the budget.

"I am glad to see that the representations made in the Council as regards process service establishment have received due recognition so far as this year is concerned, but I do trust that a little more speed and steam will be put in effecting the necessary reforms to improve the pay and prospects of the hard worked judiciary. We have had promises, and I am sorry to say for the last six or seven years, that they will be attended to, promptly attended to; but for some reason or another the thing is still hanging and I fail to see any sign, even in the present budget, of that thing coming on. That is causing a great deal of heart-burning. It is not

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right that officers should be kept in that state. I hope that the Hon'ble Mr. Gillman will keep his word and see that the thing is brought into force next year.

"I entirely endorse the remarks of the Honourable the Raja of Ramnad as regards the promotion of officers whether in the executive or in the judicial line. No considerations of policy ought, I submit, to weigh with the Government in performing their duty. The Government, it must be remembered, are a source of power and justice; and power should be exercised, tempered with justice. That should be recognised; and in the case of this Government who are responsible only to themselves, that recognition of justice becomes all the more incumbent. I, therefore, ask that they should not allow themselves to be guided by any other consideration than that of real merit in the matter of making promotions. I quite admit that in making original appointments other considerations might come in, but those considerations ought not to have any weight with the Government in making promotions in the various branches of the service. Again, I do not know whether any useful purpose will be served by those grants, which are referred to on page 121 of the budget, to criminal settlements. I have seen hostile criticisms as to the way in which these criminal settlements are worked. I see that the Government themselves are not satisfied with the working of these settlements and the question is whether the time has not come for the Government to examine the whole thing and to see that no further expenditure should be incurred in running these settlements by Government or private agencies.

"On page 146 there is a reference to the Leper hospital which is a very useful institution. I hope there is no foundation for the statement or for the fear that the Government are going to drive out Indian patients from this hospital to other places. I received telegrams and letters expressing fear that the Indian patients are going to be subjected to some such treatment and I have promised to look into the matter. I dare say that there is no foundation for this fear. It is a very useful institution and every effort ought to be made to keep these unfortunate people happy and contented.

"I see that on page 151 a lump provision is made for contribution to private hospitals and dispensaries. I would like to ask whether any portion of that provision is utilized for the encouragement of the Unani and the Ayurvedic systems of medicine. They are serving a very useful function of Government; it is impossible for the Government to provide western aid to all the people in the land. In the remote villages it is difficult to get any aid at all. Some medical aid is better than no aid. I should, therefore, appeal to the Government to see if they cannot devise some means of keeping up the *vaidiyans*, to enable them to keep body and soul together, so that they may be useful to society. I know from my own personal experience that Indian medicines have succeeded where European medicines have failed. I know in my own case where the English medicine has failed to reduce the fever, the Indian medicine prescribed for me had the desired effect. I appeal to the Government that steps may be taken to encourage the indigenous systems of medicine. If the sum of Rs. 50,000 that is provided in the budget for contribution to private hospitals is utilized for the purpose I mention, the Government will be doing something to encourage the eastern systems of medicine.

"I come last to the Madras Corporation. The Madras Corporation stands in the position of an over-fed beggar for some days and threatened to be starved at once. For the last six or seven years, the Government were very liberal to the Corporation giving them Rs. 10 lakhs, Rs. 11 lakhs and Rs. 9 lakhs each year and encouraging them to extravagance; and all of a sudden they turn a deaf ear and say 'we will not give you anything.' If you turn to page 162, sudden they turn a deaf ear and say 'Grants to the Madras Corporation for water-supply and the drainage the entry against the item 'Grants to the Madras Corporation for water-supply and the drainage works' is nil. It is cruel indeed to feast a man for days together and make him fast altogether. We are unable to carry on our usual improvements; we are saddled with the drainage works and even the restricted programme we are unable to carry out. Our application for a loan is still pending and unless you ask us to close down the special works I would appeal to the Government to make a substantial grant out of the surplus of Rs. 10 lakhs, so that the Corporation may go on with their works. These are the remarks which I wish to offer."

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR:—"Your Excellency, I shall be content with making a few observations at this budget debate.

"It is a matter for congratulation that the Finance Member has found it possible to make fairly large contributions to such important items of expenditure as 'Education' and 'Sanitation.'

"My community is grateful to Your Excellency's Government for the encouragement shown to the advancement of its education; and it is sanguine that, under the patronage of Your Excellency, the time will not be far off when its children will fall in line with those of the other sister communities in the matter of education.

"I take this opportunity to convey the sincere gratitude of my community for the sympathetic announcement, made in the Government Press communique, dated 7th January 1918, regarding the establishment of a Muhammadan College in Madras. It will no doubt be a great boon, and Your Excellency's name will long be cherished if, during the regime of Your Excellency, this college is established. I can assure you that the leaders of my community will heartily co-operate in this movement.

"Your Excellency is aware that some of the Provincial Governments have already enacted measures for making primary education compulsory within their respective municipal areas; and I am sure our Government will not lag behind the others in this matter. They have,

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I presume, the report of the Education Committee before them, and we expect that very soon they will be able to place before the public a Bill providing for the compulsory primary education of their boys and girls.

"Here I should emphasize on the need for the imparting of religious education in Mussalman primary schools. For children belonging to my community, religious education is compulsorily taught; and, as no religion is taught in the primary schools at present, they are first of all sent to purely religious institutions where they spend about four or five years and then only join the primary schools. I may say that this is the reason why our boys get very much grown up when they enter secondary schools and colleges, and they leave off study as soon as they feel shy to sit along with younger boys of the sister communities. This difficulty could be removed if religious instruction is imparted in primary schools, at least, to boys of my community. If no provision is made for such religious instruction, I am afraid a new difficulty might crop up in future. Now, primary education is going to be made compulsory in this Presidency sooner or later; and this necessarily means that a certain age, say, six or seven, will be fixed as the school-going age, at which all the boys should be sent to primary schools. And, if no religious instruction is imparted in these schools, our boys will not be able to attend them at the notified age, as it is essential that they should be given some religious education before they are allowed to go to schools where only secular education is imparted. This would, I am afraid, mean that Mussalman parents and guardians will have penalties inflicted on them for not sending their wards to primary schools at the proper school-going age. The only penance, I submit, Your Excellency, for all these difficulties in that religious instruction should also be imparted in primary schools where Mussalman boys attend.

"I have brought this matter to the notice of the Government by writing a letter to the Secretary to Government, Education Department, on 19th February and by sending notice of a resolution, for the March session of the Council, for providing a certain sum in the budget for imparting religious instruction in all Municipal Muhammadan elementary schools, which, however, was disallowed by Your Excellency.

"I am not here unmindful of the fact that the neutral policy of Government in regard to religious matters makes them incapable of enforcing compulsory religious instruction in schools under their control. I submit, however, that this neutrality will not be violated if Government direct that students should be given instruction in the particular religion which they profess. If instruction be given in one single religion for all students belonging to different communities, then it may be called a violation of the Government's neutrality; but if every boy, at his option, is taught his own religion, I do not think anybody can say that that is any violation of the principle.

"I am glad the Government of India have found it possible to make a supplementary grant of £200,000 for the advancement of technical and agricultural education, and I am sure the share allotted, out of this grant, to the Madras Government will not be a small one, as this Presidency stands behind the other major ones in regard to technical education. At the last meeting of the Council, I brought in a resolution for the opening of an Industrial school at Negapatam, which was, however, vetoed by the Government, who stated that sanction had already been accorded for the opening of one or two such schools in some other towns. I have already fully explained the industrial importance of Negapatam, and, I think, I may cherish the hope that our Government will now view my request somewhat more favourably, because of the forthcoming Imperial grant for the promotion of technical education.

"I cannot avoid mentioning something about the Hindu-Moslem disturbances that have yet shown no signs of decrease. Only five days ago, Your Excellency, I received a wire from the Muhammadans of Kasaragode informing me that a big riot took place there between the Muhammadans and Hindus when the latter attempted to pass the mosque in procession with tom-tom; and that the police had to quell the riot by the use of fire-arms which resulted in the death of some Muhammadans and caused severe injuries to several others. I had to submit a question in regard to this affair. I beg to say, Your Excellency, it may look as if the Government themselves encourage such riots if they do not now come forward and pass some order or other which would exterminate the root of these riots and make their recurrence impossible. The only way by which this could be achieved, I submit, is by passing an order that beat of tom-tom and play of music should not be done in front of, or at a distance of less than fifty yards from mosques. I have been making representation after representation on this vital subject, but I am sorry to say the Government have always refrained from doing anything on the plea that that is a matter in which they are impotent to interfere. I request that necessary recommendations be made to the Government of India and the Secretary of State for the issue of such orders as may be necessary to put a stop to such disturbances and riots, which only go to embitter the closer relations of the two great communities of India, the Hindu and the Mussalman.

"I take this opportunity to make a request to Government that they might now consider the desirability of providing for the separate representation of Mussalmans in the local bodies. I understand the Government have issued an order (No. 987 M., dated 2nd February 1918) inviting proposals from the different municipalities for the increase of the elective strength of their respective councils. I submit that this is a favourable opportunity for giving effect to my suggestion. I should not be considered to be laying too much stress on the fairness or otherwise of 'separate representation', but, I think, all would agree that the circumstances under which my community is placed make this particular device absolutely

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essential for its proper representation on the local bodies, and other general institutions. I request, therefore, that this suggestion of mine may receive favourable consideration at the hands of Your Excellency's Government.

"The question of the supply of refreshments at the railway platforms has been, I am glad to see, engaging the attention of Government for some time recently. They have appointed the Senior Government Inspector of Railways to investigate into the matter. In this connexion, the grievances of my community, who form the major class of the travelling public on account of its mercantile predilections, require redress. It is difficult for them to procure food and other refreshments at the stations on the South Indian Railway line. Almost all the refreshment room men at these stations are Brahmans; and they, I am sorry to say, shun the approach of Muhammadans as that of the untouchables. The Muhammadans, naturally, resent such treatment. The result is that they could not procure food or eatables at the stations; and it is especially a very hard job for them to undertake long journeys with starvation facing them. I brought the hardships undergone by Muhammadan passengers, in this respect, to the notice of the Secretary to Government, Public Works Department, who has sent a sympathetic reply, stating that the whole question of 'Refreshment rooms' is being gone into by the Senior Government Inspector of Railways. I request that my suggestions may be placed before the Government Inspector, so that he may not overlook the claims of my community when making his recommendations to the Government.

"I have to touch upon the medical wants of the Negapatam public. I referred to this subject at the Budget discussion last year, but no action has been taken with regard to my request. The Negapatam Municipal hospital possesses as many as 15 wards, and the number of patients for the year 1917 is, 1,446 in-patients and 42,491 out-patients. The work, as is evident from the above figures, is becoming increasingly heavier, and the present staff is inadequate to meet the requirements. I realize the stringency on finance just at present, and I would, therefore, confine myself to making a request for only the very urgent wants of the hospital. There are five wards for female patients, situated at the northern end of the hospital and these badly require the services of a lady apothecary or sub-assistant surgeon. If funds permit, I may also urge the necessity for the employment of a trained nurse, who would be in a position to train up midwives. The Negapatam Municipal Council is not in a position to provide funds for this increased staff, as the water-supply scheme has fully absorbed its income. I trust, therefore, this request of mine will meet with sympathetic consideration at the hands of the Surgeon-General and the Government.

"One other matter I should like to dwell upon is about 'communications.' The roads in the Tanjore district are not in a satisfactory condition. In view of the present state of affairs, with regard to railway communications, which necessitates the considerable curtailment of passenger trains, I suggest that, in the interests of the general and trading public, steps be taken to maintain the existing roads in good condition, and to create metalled roads between one important town and another.

"Finally, I should be failing in my duty if I do not refer to the all-absorbing topic of the present day—the Great War; and I need only say that we all fervently pray to God Almighty for the speedy victory to the Allies."

The Hon'ble Mr. K. SURYANARAYANAMURTI NAYUDU said.—"Your Excellency, I should like to make a few observations on this occasion. Before doing so I must congratulate the Hon'ble Sir Alexander Cardew on the presentation of such a prosperous budget as this at this present state of the war. We are all aware that at this time when our entire attention has been concentrated on one subject, viz., how best to carry on this war to a successful termination, it is not possible for the Government to inaugurate any large scheme of industrial advancement for the benefit of the country. I am not going to blame the Government for not doing any such thing now. All that I pray for is that, in a few months, we shall have a better time, and shall be in a position to look to internal advancement. In these days when the Indian sky is thick with theories as to the political future of the country, problems which are really of vital interest are, I am afraid, likely to be lost sight of even by the Government. Whatever form of Government the country may have, unless there is industrial and agricultural development in the country soon after the war, I am afraid the future of the country is very dark. His Excellency the Viceroy already struck the right note when he said that industrial development ought to be the first line of advance in the country. Under the present conditions of India it is the State that has to take the initiative. I hope Your Excellency's Government will bestow due attention to encourage the existing industries and to pioneer new industries suitable to our Presidency. I thank the Government for making a provision in the budget for opening a mechanical and industrial school in Cocanada and I trust steps will be taken to open the same without any further delay. In this connexion, I can just think of another course of action for Your Excellency's Government to consider towards industrial advancement even during the war. There are Public Works Department Workshops in some places, and these can be conveniently converted into small industrial schools for training some lads as mechanics. This matter may immediately be looked into and accomplished without much expense.

"The condition of the canals in the Godavari and Kistna districts I am afraid is getting more unsatisfactory, and they have become less navigable as no silt clearance was made for several years. The question of improving these canals, I hope, will be taken up by Your Excellency's Government at once during the present hot season, as it will help to some extent to relieve the congestion of railway traffic.

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"Last year the Hon'ble Mr. Gordon Fraser stated that we have not been really feeling the effects of the war, but it cannot be said so this year. We do feel now severely the economic effects of the war. The incomes have everywhere fallen including, strange to say, I understand even of those in the legal profession, while prices of the necessities of life have risen 100 to 200 per cent and in some cases even to 300 per cent. Therefore the Government have to institute inquiries into the economic condition of the country and be ready with a programme of work soon after the war.

"The drains in the Godavari and Kistna deltas are getting from bad to worse, and unless improvements are effected without any further delay the matter will be very serious for the agriculturists. Last year on account of heavy rains and defective drainage the deltas suffered considerably, and the yield of paddy was not even 50 per cent of the normal crop. Since the estimates submitted to the Government have now been sanctioned I hope Your Excellency's Government will take necessary action to start the works at once. Along with these the improvement of the irrigation channels under the Kovur-Manjer junction canal must also be taken up as lands there are suffering in both ways.

"Owing to the present condition of the trade and the paucity of steamers the minor ports are suffering considerably, and the Port Conservancy Board of Cocanada is not in a position even to maintain its establishment and carry out the urgent works of the port. At its meeting in the last month it was considered if it was desirable to further raise the landing and shipping dues and wharfage by 100 per cent but fearing that even the little trade we are having at present will be diverted to other places, it was resolved to apply to Government for a free grant just to meet the present requirements. I hope Your Excellency's Government will give favourable consideration to the Board's request and come to its rescue.

"I am thankful to the Government for introducing a Bill for the prevention of food adulteration which, I am sure, will be passed into a law very soon, and I hope a similar Bill will be soon introduced for the prevention of adulteration of all agricultural products, as the Indian products are looked upon with less favour in foreign countries due to this adulteration and consequently realize lower prices, and ultimately affect the commerce and prosperity in the country."

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU:—"Your Excellency, we have seen the fourth of our war economy budgets and it exceeds its predecessors in working out a larger surplus and closing balance, greater receipts and shorter expenditure.

"We are however in adversity in the midst of plenty owing to war conditions which we confidently hope will soon end, and we are not to touch upon these balances for financing any schemes which may not be held to be reasonably important and pressing.

"The Government of India has been achieving the stupendous task of maintaining the financial equilibrium, without additional taxation, on the strength, it may be, of these provincial balances, and we are glad to contemplate that we in Madras are relatively more favourably situated than our sister provinces.

The expenditure, we believe, has reached its low water mark in the present year.

There are one or two matters which may however be regarded as emergent in view of the war conditions themselves and the Government of India might have been addressed to relax their hold to a small extent so as to give us a little liberty of action.

"I mean that the provision made for Industrial and Scientific development in the presidency is utterly inadequate to meet the requirements of the time.

It has been universally acknowledged that the present is the time for great opportunities for building the industries of the country and prepare them for meeting the demands of the people so as to avoid foreign competition and make India self-reliant.

After this war of bloodshed is ended and England emerges victorious from the field crowning itself with fresh glory, we have to face another stupendous economic warfare with other nations in which we are sure to find ourselves in a state of utter helplessness and unpreparedness. Our Department of Industries is doing something but we feel we are not making sufficient headway onwards towards achieving our object.

"Experiments conducted on a small scale and on objects of little practical utility for the industrial development of the country cannot be of much use.

"We are sincerely grateful to the Government for the endeavour that is being made and we also fully realize that under present conditions suitable men and material cannot be had for pushing forward industrial advancement. But all the same a beginning should be made on a sufficiently large scale to be of real utility and as may be seen from the conditions obtaining here, State initiation and endeavour and State aid in starting and financing industries are of the utmost importance, and they cannot be too earnestly pressed on the attention of a sympathetic Government. A real and adequate endeavour should be made by taking stock of the present situation, after a careful survey of the economic and industrial conditions prevailing and their possibilities and then starting on the process of reconstruction with a definite scheme and purpose.

"There has been a smaller expenditure in the current year under grants in aid of industrial schools, and miscellaneous expenditure.

"The present budget makes provision of '06 for the appointment of an oil and soap expert, of '09 for a weaving expert to be recruited from England, '25 for opening a mechanical engineering school at Cocanada and making enhanced provision for expenditure on grants in aid of industrial schools and miscellaneous experiments.

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"It is a notorious fact that prices have gone up enormously even in respect of articles of indigenous production and there is considerable profiteering on account of the war in all parts of the country.

"It is indeed a pity that the glass manufacture should have been dropped. The pencil industry is giving us some small hope. The Trades school, and the Leather school and the Madura Technical Institute have been doing some work, but progress is very slow and not at all encouraging.

"Food and clothing are the chief articles of consumption and any endeavour made in starting industries facilitating the production of these articles will go a great way in relieving poverty. We plead for more weaving schools and more peripatetic parties imparting instruction, and more mills supplying yarn and cloth of indigenous manufacture.

"Agricultural industries also should form an important branch.

"Sugarcane-crushing and jaggery-making plants more expensively distributed would result in greater production and profit and the Government should be pleased to make provision for establishing such. From the last administration report we learn that only two sugarcane-crushing and jaggery-making plants were in use during the year—one in the Coimbatore agricultural school and the other near Hospet—and the example was followed and resulted in the erection of two more similar sets by private parties.

"The Government is really to be congratulated and we express our gratitude unreservedly on the increased provision made for expenditure on education as also the development of primary education, the increase being substantial, 9.82 being contributed as recurring expenditure from the Provincial revenues alone, apart from the Imperial grants.

"The establishment of the night schools is a new and satisfactory feature.

"I would however respectfully urge the claims of the voiceless aboriginal population in the Agency tracts of Ganjam and Vizagapatam and their needs do not seem to have been sufficiently noticed by the Government. Since the opening of these schools in the Agency, no further advance has been made and I hope that the Government will be pleased to keep a watchful eye on the progress of education in the Agency and in the backward Uriya community of the Ganjam and Vizagapatam districts.

"There is another point on which I wish to make a few observations and that is the subject of sanitation.

"There is a provision of 6.00 for grants to local bodies for minor sanitary works, but the grants to district boards and municipalities for water-supply and drainage schemes have been reduced.

"The expenditure budgeted for in connexion with bubonic plague, etc., appears to be inadequate considering the extent to which the disease is prevalent in several districts of the Presidency and the demands that are likely to be made by the local bodies on the Provincial grants to augment their resources in combating this terrible malady.

"On the credit side, the congratulations of the Council are due to the Government on a prosperous season and increased revenues, but the increase being chiefly due to Excise, Forests and Income-tax, a few observations on these increases may be pardoned.

"Leaving alone the Income-tax the other two branches of revenue have been showing a remarkable tendency towards expansion. We are assured by the Government that the increase in the Excise revenue does not mean an increased consumption, but is derivable from the policy of maximum revenue with minimum consumption.

"We regret to learn that the experiments carried on for removing the shops from roadside to avoid the temptation of travellers and the substitution of coffee to the hostels have not been successful and did not result in the diminution of consumption. The evil is generally prevalent and gradually spreading in spite of the best endeavours of the Government and the people and too much caution cannot be exercised in checking the evil as much as possible. Hence it is that the increased revenue from this source is viewed with considerable alarm and misgiving and the importance of the revenue as the chief item of receipts tending to outrun the land revenue even cannot be ignored. It is true that the increased revenue thus gained may be spent on other works of public utility, but it should not be at the expense of the moral, physical and mental stamina of the people.

"One word more and I have done. The forest administration is one in which there is considerable friction and the large amounts of fines and forfeitures extending over 2 lakhs of rupees discloses the way in which it is worked and felt. The budget estimate of the receipts is 48.45 and the debit side is 30.17. The net gain is thus comparatively small in this branch of the administration.

"The Government may be pleased to consider whether such a disproportionate expenditure would be necessary for the realization of the revenue, the net forest gain counting so little.

"Under the Civil Justice all the officials concerned—Munsifs, Sub-Judges and Provincial Service District Judges and Native High Court Judges—are doing hard work and provision has to be soon made for the confirmation of the temporary courts and greater scope afforded for their promotion by appointing them Presidency Magistrates also, at least one appointment being thrown open to them as was once being done, and I pray the people of the Telugu districts may be given their adequate share in these appointments in their proportion including at least one High Court Judgeship.

"My Lord, on the whole while expressing our gratification at the efforts that are being made for making adequate provision for the needs of the people we cannot too frequently nor too

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emphatically urge upon the attention of the Government the growing demands and the incessant calls upon the public purse in the interests of the moral and material advancement of the people. "I am sorry that the Hon'ble the Raja of Bobbili has not been able to continue to be the President of the District Board of Vizagapatam and his resignation has been availed of to deprive Vizagapatam district of the privilege, but I hope the privilege will be restored soon."

The Hon'ble Mr. GORDON FRASER :—"Your Excellency, it is difficult to realize how the present war and the abnormal Imperial expenditure throughout the Empire leave our Provincial budget so unaffected. In commerce and trade another year has passed comparatively satisfactorily under adverse conditions. There is, of course, serious disorganization ; but this cannot be otherwise in view of the cessation of the foreign trade except for Government requirements. The great difficulties we have to face are shortage of tonnage, restriction of railway transport and curtailment of financial facilities. All these difficulties are unavoidable and are entirely due to the war—a fact fully realized by the commercial community.

"It is an ill-wind that blows nobody any good and the opportunity arising from the dislocation of foreign trade should be taken advantage of to promote and push forward the development of industries in this country. There are many ways in which the foreign-made article can be replaced, though not by an equally good or serviceable one, yet by one made on cheaper terms under the present circumstances. The Board of Munitions is, in my opinion, going the right way to work and the progress made up to date is satisfactory.

"As regards the railway and coasting difficulties, one cannot regard these with optimism. They are not likely to improve and I would ask your Excellency's Government to keep in the fore-front of your programme of expenditure the necessity of keeping up to a high standard of utility all roads, bridges and waterways in order to assist, in however slight a degree, this pressing difficulty regarding transport.

"The utility of the canals is a much debated point, and the Hon'ble Sir Francis Spring has pointed out clearly the very great difficulties that exist in using the canals to a large extent. In regard to this one must bear in mind that the canal traffic is almost certain to drop down to its former stagnant condition, as soon as the railway and the coasting traffics resume normal working. Every effort should be made, however, to render the canals as serviceable as possible during the present difficult times.

"An active interest by Government in local ship-building would also help as there is full occupation at remunerative rates to be found for all vessels launched and under sail during the present war conditions.

"I would like to refer to our principal industry, the tanning industry. There has been considerable controversy on this subject during the year, but the urgent necessity of obtaining supplies of tanned hides is full justification for the various restrictions Government have found it necessary to impose. The output of tanned hides has increased very considerably, but unfortunately the supply of avaram bark has not kept pace with the demand. I do think that this is a matter that requires the most urgent attention of Government. I am aware that a special officer has been appointed as Controller of Tanning Materials, but so far tanners have obtained no relief. The position in fact is worse than it was, and the conviction is growing that the supply of bark does not exist ; in fact that it is not the method of collection that is at fault but that the bark is not there to collect. I hope therefore that Government will make a definite statement as to the actual position and the steps now being taken to meet it. If the avaram bark is not to be had, and this seems to be the case, then tanners must make up their minds to use other tanning agents available although they may be far less suitable for the purpose required. The result will of course be inferior tanning, but this cannot be helped. This question of avaram bark is more important than appears at first sight if Madras is to retain its pre-eminence in the East Indian tanned hides industry. This is shown by the speech of the President at the general meeting of the Upper Indian Chamber of Commerce—he is evidently out to take the industry away from Madras ; in his speech he states : 'While I cheerfully recognize the work which has been done and is now being done by the Munitions Board, it must be admitted that their efforts have been considerably hampered by a scarcity of tanning material, and it is disappointing to find that Local Governments have only very recently been urged to take measures at once to increase and systematize the cultivation of *Cassia auriculata* the bark of which is the principal agent in the tanning of East India cow-hides. Gentlemen, this is no new thing to us. In 1907 in this hall I stated, and I repeat the remarks I made then with redoubled conviction, that with an abundant supply of *Cassia auriculata* bark the tanning industry of these Provinces would be revolutionized—I might with equal justice have said the tanning industry of the whole world—so far as cow-hides are concerned. It has been demonstrated by private enterprise that the *Cassia auriculata* shrub which grows wild in the Madras and Bombay Presidencies, and the Mysore and Hyderabad States, takes kindly to almost any soil in our provinces and that it can be raised at a comparatively small cost and will yield a return in two years. It is deplorable to think that so valuable a tanning agent should have been utterly neglected, simply because India's output of tanned leather has been for years restricted owing to the prohibitive tariffs imposed by our trade rivals.'

"Unless steps are taken at an early date to increase the supplies of avaram Madras tanners and the Madras Government will waken up one day to the fact that Madras is losing a very valuable industry.

"The introduction of the new Income-tax Act will, I hope, do much to remove the friction and dissatisfaction between the Revenue authorities and assesses, especially in regard

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to allowances permitted for depreciation. The new Act removes a great injustice under which all industrialists have suffered and the allowances laid down for depreciation are but justice to those who take the risk of investing their money in plant and machinery. I think in the past Your Excellency's Government were at fault in not allowing fair deductions for depreciation as the subject was dealt with under the rules of the Local Government.

"When drafting the new rules for the administration of the new Act under clause 43, I do trust that Your Excellency's Government will see fit to submit them for non-official opinion. I would suggest that, before sending the draft rules to the Government of India for approval, they should be submitted to, say, half a dozen leading communities such as the Madras and South Indian Chambers of Commerce and the Chetti community.

"There is no doubt that the rules under which the Act is administered are just as important as the clauses of the Act itself.

"I think the practice of arbitrarily assessing on turnover for the purposes of income-tax is too prevalent and should only be resorted to with great care and discrimination. On the other hand, more respect should be shown to certificates submitted by auditors. Unless this is done, the present tendency of Indian firms to pay high fees to auditors of first-class standing in order to avoid the great trouble and inconvenience of submitting their account books to the revenue authority will be nipped in the bud. They will not spend money on audits, only have them refused by the revenue authorities and eventually find themselves assessed arbitrarily on turnover.

"Finally, I am very glad to see the large increase in expenditure under Education. From an industrial point of view I consider elementary education the most pressing need of our Presidency. Without it the labouring classes will never aspire to occupy a better position than they do at present and will not be worth more as labourers than the small pay they now receive.

"In conclusion I congratulate Sir Alexander Cardew and Your Excellency's Government on the budget presented to this Council."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Your Excellency, one year more has rolled on and we have to examine now the revised budget for 1917-18 and the budget for 1918-19. My Lord, I cannot but refer to the remarks I made last year confirming my remarks for a number of previous years. Once again the budget for 1917-18 is proved in the revised figures to have been a failure. We expected to close in the revised estimate of 1916-17 with a balance of 140.85 lakhs as against the budget of 99.21 for that year. We actually closed the accounts of 1916-17 with a balance of 152.38 amounting to about 11½ lakhs more than the revised estimate which was itself about 41½ lakhs over the budget. Thus we had lost in 1916-17 the opportunity to consider about the utilization of about 53 lakhs of the revenues of our province.

"The budget for 1917-18 was expected to close with a balance of 153.83 lakhs and the revised estimate now is expected to close with a balance of 193.57 showing an increase of about 40 lakhs. I have no doubt that when the actual figures for 1917-18 are received, we will be adding to our balance by about 10 more lakhs. This again shows that if we had framed our budget for 1917-18 properly, we would have been able to provide very much larger expenditure for Education, Sanitation, Medical relief, etc., during the year which has just now come to a close.

"I have to say, My Lord, that I hold the same opinion about the budget for 1918-19. I have no doubt that we have budgeted for much less than we could receive and that in consequence we are only going to add to our balance in the coming year. In one of my resolutions that I sent up to this Government I requested the Government to budget for an extra receipt of 15 lakhs under the heads 'Land Revenue, Excise, Stamps, Agriculture and Scientific' departments, but the same was disallowed under Rule 13 (d) of the rules for the discussions of the annual financial statement. Under these circumstances I cannot move for the amendment of the receipt of the budget heads, though my proposition did not challenge the accuracy of the figures given in the revised budget. I wanted that we would budget for an extra amount and figures given in the revised budget. I submit that it cannot be said to challenge the accuracy of the figures in the sense of Rule 13 (d). It would be clear that that ought to be the meaning when this rule is read with Rule 6 (2) which permits a recommendation of amendments in the estimate of revenue and expenditure. However I have to this speech added a statement * showing the actuals of the receipts under these heads except Stamps and the total actual receipts of this province from 1911-12 to 1916-17, the revised estimates of 1917-18 and the budget of 1918-19. It will be seen from that table that except where the collection of the land revenue had to be for some reason or other put off and except in the first year of the war the growth of that revenue and the total receipt has been steady and that the budget for 1918-19 does not allow scope for the usual increment of revenue and for the excess expected by the introduction of resettlement rates due in 1918-19. Under Excise except in one year the growth of revenue has been steady and I do not see why we should budget for only a very small increase when especially the Government have added to the rate of taxation by their recent G.O. No. 93, dated 23rd February 1918. Under Agriculture and Scientific and Miscellaneous departments large provision is made for additional expenditure in 1918-19, and these being of the nature of commercial investments the budget

* Vide Appendix on page 706 infra.

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ought to have shown a much larger estimate for revenue. I can similarly show by a detailed examination that the total revenue may be budgeted at a much higher figure than has been done. One item or other such as Forests, Registration, Judicial, etc., Courts of Law and Jails makes up for a loss in the others and after the long investments on Forest and Scientific departments, etc., it is only natural that the revenues of the province must be increasing at least on an average rate of 2½ to 30 lakhs per annum as proved by the figures in the annexed table*. Judged by these tests the revenue may be much more than 845 lakhs for 1918-19. Under the expenditure head, again, provision had been made for amounts which have not been actually expended and we find from the revised estimates of 1917-18 that we budgeted to spend more than 18 lakhs under various heads though by excess expenditure under the heads Civil Works in charge of Civil Officers, Minor works in charge of Public Works Officers, Sanitation and General administration some amounts have been overspent during the year, so that only about 7 lakhs is expected to be added to the closing balance. This gives room for two observations, My Lord, viz.—

“We have placed more money under heads which would not consume them.
“We spent more monies on other heads without the finance committee of this council,

which has the right to consider the statements, having had previous occasion to judge of the nature of the expenditure incurred by the Government under these heads. I have no doubt that this kind of procedure may be very much welcome to the Government as it now works; but it is clearly opposed to the rights of this council. The tendency to avoid a scrutiny by the finance committee of the budget figures will continue to increase if this is allowed. I may here point out that during the period of the quinquennial settlements and before that this province had been peculiarly inclined to restrict its expenditure during the first four years of each quinquennium and tried to expend all the balance in the fifth year, so much so, that when the permanent settlement was arrived at, it was found that this province was on an average expending proportionately much less than almost all the other provinces on the objects of utility we have been fighting for, although we have been contributing much more to the Imperial Government from all sources of revenue than most other provinces. The same tendency to frugality resulting in loss to the province by retarding its progress continues to exist in the present budgets, so that we have to add to our provincial balances to an extent of nearly two crores of rupees. In passing I submit that this Government should continue to fight for a greater share of provincial demands to avoid the inequity our province is labouring under.”

“Your Excellency, I would be failing in my duty if I do not refer to some of the satisfactory features of this year's budget. A special grant of five lakhs has been set apart to help the needy boards. A large extra expenditure has been incurred from provincial funds for Education. Special provision has been made to improve the Scientific and Miscellaneous departments and to realise considerable revenue therefrom besides educating the public in industrial concerns. Larger provision has been made for Minor Works and Navigation under civil officers and public works officers. A comparatively more accurate study of the provision for expenditure under these heads has been thought of and made though under heads like survey and settlement, police, courts of law, and many other minor heads an attempt has been made to provide for excess expenditure where there is no necessity. The provision for minor sanitary works has been very unsatisfactory for a year of plenty like the one we have had. No adequate provision has been made for village roads at all though it was commenced some years back nor is there adequate provision for grant for roads and bridges. These are some of the remarks that I thought I may make in connexion with the budget.

“I cannot close without referring to one unsatisfactory feature and I regret, My Lord, that somehow the Government should have come to a conclusion that the grants of ¼ land-cess which were being made by supplementing the imperial grant should be fixed with reference to the actuals of land-cess in 1916-17. I request the Government may reconsider the matter and decide to give a quarter anna in every rupee of additional land revenue that it gets from the ryots by settlement or extra cultivation, etc., to the locality which contributes that revenue for its local needs. This was a recommendation of the Decentralization Commission and was recognised as a principle after a good fight and I request the Government not to go back upon it. I hope next year the distribution will be proportionate to the actual land-cess collections for the year. The cost that the Government may have to incur will necessarily be insignificant compared with the advantage the money confers on the locality.

“I have to point out one other wrong feature in the budget which has crept in within the last one or two years. The Government spend not only at their sweet will and pleasure monies which have been budgeted unnecessarily as shown above, but they have also thought fit to reserve over ten lakhs of rupees under the head ‘Miscellaneous 32-E,’ for distribution as they please. It might be noted that there is miscellaneous provision made under almost every item of the budget. Yet this further miscellaneous provision was put at five lakhs last year and it is stated in this year's memorandum that there were similar provisions made under head, ‘45. Civil Works’ in previous years. I have carefully sifted the budget for all the years from 1911-12; but I have not been able to find anything of the sort. Prior 1916-17 grants for town extensions, sanitation and drainage works were put under the head ‘Miscellaneous public improvements.’ They are now put under the head ‘Sanitation’. A lump grant of 4 lakhs given by the Government of India and received after the revised edition of the budget for 1916-17, was kept under the

* Printed as Appendix on page 706 infra.

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head and subsequently expended as intimated by that Government. Thus this departure is not only novel but is also opposed to the financial rules as far as I can see (see rule 52, clauses C and D). The further difficulty that is caused in this kind of allotment is that the amount of recurring and non-recurring grant that will be at the disposal of the finance committee under the head ‘Unallotted expenditure’ becomes considerably reduced because this amount being taken as allotted expenditure, the proportion of the total revenue to the unallotted amount becomes doubly reduced by this appropriation. It is under these circumstances painful to notice that there is every attempt made to prevent the non-official members exercising the very small powers conferred on them under the existing rules.

“I have only to make one or two remarks with respect to the expenditure under ‘Judicial.’ I find that under the head ‘Judicial’ an allotment was made of Rs. 1.75 lakhs for the revision of the copyists’ establishments, the nazarats, etc. Your Lordship may remember that in a recent discussion it was promised, on behalf of the Government, that the matter would be referred to the High Court and that the question of doing away with the central nazarats and the central copyists’ establishment will be duly considered. Our mistake has been to have one kind of reorganization and then another reorganization which involve double expenditure. I only request that the whole scheme might be considered together and that the allotment may not be given effect to till the whole thing is considered and a final decision arrived at as promised in the previous discussions of the Council.

“Under ‘Police’ an extra sum of about Rs. 3 lakhs is provided under ‘District Police’ apparently to recruit more officers. I only request that the Police Commission's report may be looked into. We have added considerably to the sanctioned strength of the Presidency. It may be argued that the sanctioned strength, as given by the Commission, does not include the various other establishments, since entertained. I do respectfully submit that no further establishment need be entertained because we have had nearly 140 per cent of the establishment that was proposed to be entertained in the Police Commission's report. One word more and I have done; and that relates to the waters that are being wasted now, without being properly collected in tanks. I understand that the question is now engaging the attention of the Government. Whether the particular repair of a tank pays sufficiently in the shape of added revenue is an item that is taken into consideration in sanctioning the expenditure. I submit, My Lord, that in such cases the parties, wherever they are helped, will be prepared to pay extra revenue if it comes to an additional charge on the land. In these cases I submit that the repairs may be undertaken and these waters that run to waste may be utilized to improve the economic condition of the agricultural communities in the several localities.”

The Hon'ble Mr. A. S. KRISHNA RAO :—“Your Excellency, I do not wish to congratulate the Honourable the Finance Member on the budget which has been presented. I might, however, assure the Hon'ble Sir Alexander Cardew that I quite appreciate the difficult situation that he had to meet on account of the exigencies of the war and the liberal spirit with which he has been able to make additional allotments for objects like education and medical relief.

“This is, I believe, the occasion when we have to take stock of the present financial condition of our province and when we should, as far as possible, suggest means of improving its conditions. It is from that spirit that I wish to approach the question to-day. We have reached a stage of the budget discussion, when we have emerged out of the state of controverted. There is no moving of resolutions and no taking of votes and I hope that we can all see eye to eye as regards the suggestions that can possibly be made for improving the financial resources of this Province.

“Your Excellency's Government had for several years maintained a reputation for economy. That is a reputation which has been acknowledged by all ministers of India and elsewhere. I do not really know whether to congratulate the Government upon their practice of economy or not. One thing at least is certain that whatever our abstract ideas may be as to the desirability of maintaining economy, it is clear that our financial difficulties have been brought about owing to such considerations. Apart from relying on my own statement, I will call the attention of the Council to the remarks made by Mr. Andrew in 1911 when for the first time the changes brought about by the provincial settlement were announced. He then exclaimed as to whether the economy of the Madras Government should be a circumstance to be taken into consideration only to be used against them; and he even stated that the ungenerous treatment which Madras received at the hands of the Government of India might be considered as a premium on extravagance and waste and discount against thrift and economy. Later on Sir Murray Hamrick gave expression when introducing the budget to the same sentiments and pointed out that if this Government were economical, it was because they wanted to have all possible ways of considering schemes of expenditure carefully and scrutinizing them with as much caution as possible, before embarking upon large schemes. Coming to later times, Sir Guy Fleetwood Wilson admitted that Madras had contributed a larger proportion of revenues to the Imperial Exchequer than most other provinces and stated also that it was in some measure due to the economic working of the Madras Government. We find that the policy whereby large balances and surpluses have been allowed to accumulate in framing the budget of the local Government, is largely responsible for this condition of things. It was hoped that this mistake would have been rectified at the earliest opportunity and we would not have a recurrence of such things.”

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"I shall now refer the Council to the surpluses and balances during the last ten years:—
Figures showing surplus and balances.

Year.	Surplus or deficit.	Closing balance.
1908-09	...	...
1909-10	...	...
1910-11	...	...
1911-12	...	...
1912-13	...	...
1913-14	...	...
1914-15	...	...
1915-16	...	...
1916-17	...	...
1917-18 (Budget Estimate)	...	...
1917-18 (Revised Estimate)	...	...
1918-19 (Budget Estimate)	...	...

"It is clear so far as the policy of avoiding surpluses is concerned, Your Excellency's Government recognized the undesirability of the system some time ago and tried to rectify it during the years 1913-14, 1914-15 and 1915-16; but I have not been able to find, though I have examined the budget figures as carefully as possible, sufficient reasons for again going back to the state of surpluses and large balances in the years since 1916-17. The explanation which has been suggested or which is likely to be suggested is to be found at page 5 of the Revised Financial Statement. I shall show presently that, notwithstanding all that has been said, there were not sufficient reasons for taking up that position.

"It is stated 'The opening balance of the year was also considerably higher than was expected, a result which was due partly to the actual yield of land revenue, excise, income-tax and forest in 1916-17 being higher than was anticipated by the Accountant-General who is responsible for the revised estimates of the year, and partly to a lapse in expenditure. The opening balance of 1917-18 was thus 11½ lakhs higher than was expected, which, added to the larger revenues already referred to, and a slight short-fall in expenditure has resulted in our closing balance being raised by 39.74 lakhs. It was explained to the Council in the memorandum accompanying the Revised Financial Statements of previous years that the balances thus accruing are not available for expenditure at present. The Government of India have ruled that during the continuance of the war these balances must not be drawn upon but must remain at their disposal, and they play an important part in the Government of India's financial arrangements. Without the aid of these balances from the various Provincial Governments, it is not hazardous to conclude that the Supreme Government would have found itself compelled to impose additional taxation. The increase in our balances is thus a temporary assistance which this Presidency makes towards the financing of the war and we are of course glad that we are enabled to give this aid, though we may at the same time regret that these large sums are not immediately available for expenditure, for the benefit of the tax-payer in Madras.'

"I quite agree with the Honourable the Finance Member in the statement which he has made, that it is our duty to come to the rescue of the Imperial Government for the financing of this war and that we should do what we reasonably can under the circumstances; but I should suggest that even the limitations imposed by the Government of India do not necessitate our budgeting for surpluses and do not necessitate the increase in the balance to the extent which has taken place. As to the restrictions imposed by the Government of India, I find that Sir William Meyer said as follows from his place in the Imperial Legislative Council:—

"The financial situation has compelled us to keep in force the instructions to Local Governments I have referred to in previous speeches to refrain from new outlay which is not immediately necessary or remunerative, and to maintain their expenditure as far as possible within the limits of their current income. I have once more to acknowledge the loyalty with which the Local Governments are carrying out this policy, and the figures I have just cited show that the restriction has not been incompatible with reasonable increase in Provincial expenditure."

"One thing is clear. They left some discretion to the Local Government and suggested that the expenditure ought, as far as possible, to be maintained within the revenues; they did not suggest that there should be an increase in the closing balance year after year, or that the figures should be framed from that standpoint. That such is the clear intention is seen from the statement made by Sir William Meyer, when he presented the revised budget on the 22nd March of this year. He said:

"In the latter Province (Bombay) however, a large increase of £233,000 is now expected in the excise revenue for next year, against which we have allowed proposals made by the Local Government for additional expenditure mainly on education and sanitation."

"We have also allowed them to draw on their Provincial balances during the current year to the extent of £80,000 for the last mentioned object."

"Having allowed them to utilize this additional revenue of £233,000 for the purpose of education and sanitation, it is further suggested that they might draw on their balances to the extent of Rs. 80,000. So far as we are concerned, where do we stand? We find that under

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excise revenue, we also provided for an increase of revenue. It was only Rs. 378 lakhs in the budget estimate of 1917-18, but when we come to the revised estimate of that year, it comes to Rs. 404 lakhs. That is a rise of Rs. 26 lakhs. In the Budget estimate for 1918-19 there is a further provision of an increase of Rs. 12 lakhs. Therefore, between the Budget estimate of 1917-18 and the Budget estimate of 1918-19, there is a rise of Rs. 38 lakhs. I should like to know from the Hon'ble Sir Alexander Cardew whether, as was done in the case of Bombay, any special representation was made for this additional revenue from excise being utilized by this Government for the purpose of education and sanitation and whether, notwithstanding any special representation made, we did not succeed. Another circumstance is: in view of the fact that our closing balances have been increasing from time to time, whether representations were made for our drawing upon the closing balance, at least to the additional extent and whether our request was refused. These are the two points which would throw sufficient light on the subject.

"There are financial restrictions imposed by the Government of India; but if representations have been made by the Local Government on the subject and if the Government of India have not acceded to them, I have nothing to say in this House.

"The other point which I should like to place before this Council is, that as I remarked on various occasions there is excessive caution in the framing of these budgets. It is not a new charge which is made by me; it is a charge made even in the Council of the Government of India. There is an underestimation of the revenues and an overestimate of the expenditure, when we come to the preparation of the Budget estimate, and these are tried to be set right when we come to the Revised estimate.

"The following figures show you what it means:—

"Figures showing underestimate of receipts and overestimate of expenditure.

Year.	Receipts.		Expenditure.	
	Budget estimate.	Revised estimate.	Budget estimate.	Revised estimate.
1912-13	Rs. 492.51	Rs. 805.88	Rs. 757.52	Rs. 762.12
1913-14	740.37	760.67	830.58	817.06
1914-15	751.91	724.86	833.75	882.14
1915-16	740.74	740.76	780.33	771.92
1916-17	752.70	774.20	773.14	759.49
1917-18	788.36	816.94	794.61	787.76

"Caution is, no doubt, very good in the preparation of estimates. Excessive caution sometimes leads to surplus balances, which, under the present arrangements with the Imperial Government, will land us in difficulty. If we had Provincial autonomy we need not object to this principle of caution and economy. This position of excessive caution when raised in the Imperial Legislative Council was admitted by Sir Edward Baker in years gone by.

"Sir Edward Baker said as follows in 1905-06: 'It is sometimes made a reproach against Government that their estimates of Revenue and Expenditure are wanting in accuracy. . . . Latterly this charge has taken the form of a suggestion that we habitually underestimate our revenue and overestimate our expenditure. . . . I would not, however, be understood to contend that the criticisms to which I have referred are wholly without justification. . . . When this factor was eliminated, traditions of excessive caution remained, and due allowance was not always made in the estimates for the normal expansion of the growing heads of revenue.' That is a circumstance which has to be taken into consideration.

"So far as this Government is concerned, it has not been possible to embark upon large schemes owing to want of funds. That is an admitted fact. It is true that this year sufficient provision has been made under the head of 'Education.' So far as this is concerned, the Government have contributed substantially, and during the last seven or eight years the total expenditure has increased by about Rs. 83 lakhs. But Your Excellency's Government even announced the other day that there was on hand a large scheme of elementary education whereby the principle of compulsion might be introduced. That means that we must be prepared to spend larger sums of money on education, much more than what we have provided in the present budget.

"Apart from the schemes of education, in the field of sanitation and health, the Council will remember that there are several works, water works and drainage works, pending investigation and execution. According to the report of the Sanitary Commissioner for 1916, I find that there are twenty municipalities in which water works have been opened; and in thirty other towns the schemes are under execution; and in twenty-six other municipalities the schemes are under investigation. In seventeen other municipalities, schemes have yet to be considered and executed. Coming to rural areas, there is only one place in which the works have been opened, two places in which the schemes are under execution; and there are 33 cases in which the schemes are under investigation; and there are several places, which have not been considered at all. So far as the drainage schemes are considered they are in a still more unsatisfactory condition. As for medical relief there is a wide scope for expansion. You have only 709 hospitals or medical institutions covering a wide extent of territory; that is, one hospital for every 200 square miles or 60,000 people. It was only the other day the Hon'ble Sir Alexander Cardew was pleased to accept a resolution moved by the Hon'ble Mr. Yakub Hasan when he

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asked for a Medical College for Women, which, he said, would be established at as early a date as possible. The Government have also promised to help the indigenous systems of medicine by giving grants for the publication of translations of ancient works; and Your Excellency's Government have also promised to undertake the examination of drugs. If this proves successful, Your Excellency's Government will no doubt take up the establishment of dispensaries on a large scale. For all these things we must have funds. This now brings me to the question as to the means that can be suggested for the expansion of our resources. I shall, with your Excellency's permission, make a few suggestions before I conclude and I shall be as brief as possible."

His Excellency the PRESIDENT:—"The Hon'ble Gentleman has already exceeded his time."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I shall finish my remarks before 2 p.m. Your Excellency will be pleased to notice that our main items of revenue are Land Revenue and Excise. Let us first consider whether there is much scope for the normal expansion of the revenues, so as to enable us to carry out large schemes of expenditure. A careful examination of our position will show that our normal revenues, however carefully developed, cannot meet our wants and we must look for relief to some other quarters. The Land Revenue has increased during the period 1908-09 to 1917-18 from Rs. 637.01 lakhs to Rs. 708.17 lakhs. That is an increase of Rs. 71.16 lakhs which works out to about 11 per cent. In this connexion, we must not forget the very well-known principle—whatever way it might be argued in theory—that the land revenue that is realized is a tax and not a rent. Not that I wish to raise that controversy, but I take it as a statement admitted by several ministers from time to time, from so early a period as 1875,—Sir Louis Mallet, Under Secretary of and Lord Salisbury, Secretary of State, and finally the discussion was set at rest in the book written by Baden Powell on Land System of British India. The view which they took and the conclusion they arrived at was, that it was more a tax than a rent. So early as 1875 Lord Salisbury said: 'So far as it was possible to change the Indian fiscal system, the cultivator should pay a smaller proportion of the whole national charge'. If that was the feeling in 1875 when the land revenue realized was much less than what it is now, what must be the feeling at present when there has been a steady increase of revenue. This question is important because if it is viewed as a tax the incidence of taxation is higher than any other tax. I mention this to suggest that it would not be reasonable to expect that there would be any large expansion of land revenue so as to enable us to embark upon large schemes of expenditure."

"Now coming to excise revenue, I may say the increase has been from Rs. 254.43 lakhs in 1908-09 to Rs. 404.21 lakhs in 1917-18 or an increase of about 59 per cent. We recognize that it has been brought about by increase in rates and duties year after year. After all, this is a thing which affects mostly the poorer classes and it is not reasonable to expect that there can be an indefinite expansion of this revenue. There must come a time when we must reach the breaking point. Therefore, the normal expansion of revenue cannot give us a large amount to cover all the expenditure which has to be incurred. The next possible question to be considered is this, if there is not much scope for expansion, can we effect retrenchment of expenditure. I raised this question by means of a resolution and I could not then satisfy this Council that there was much scope for retrenchment. I do not therefore propose to raise the discussion on that point at present. I know that retrenchment is possible in various directions; and even the retrenchment that may be effected in the immediate future may not be sufficient to cover large schemes of expenditure. Retrenchment, if it be gradual and if carefully effected, will bring in additional revenues; but it cannot bring in a large amount. Having exhausted these two possible items of consideration, I come to the question that the only solution is a better adjustment of the relations between the Local Government and the Imperial Government. That is the only solution of the problem. May I point out that even according to the Budget estimate for 1918-19 the Madras Government contributes to the Imperial Government more than any other province. I shall refer to these figures and then conclude. These are the figures showing the contribution made by each of the provinces for 1918-19—

Madras	...	Rs. 683.75 lakhs out of Rs. 1,529.19 lakhs, i.e. 44.6.
Bombay	...	594.66 " " 1,537.74 " 38.6.
Bengal	...	258.50 " " 954.84 " 27.0.
United Provinces	...	512.39 " " 1,240.28 " 41.3.
Punjab	...	428.25 " " 978.66 " 43.7.

"According to this calculation, it is clear that this province which is said to have been economical all these years and which on account of its economy has not been placed in a favourable condition, is still contributing much more than any other province in India. May not, therefore, this Government without any difference of opinion approach the Government of India and ask for a reconsideration of the financial relations and for additional relief in this direction. The only solution with which we can be satisfied is that, as far as possible, all the divided heads are provincialized and that a fixed contribution is made by the Provincial Government to the Imperial Government. That is the solution of the problem we must aim at. In this respect, I believe that not only the non-official members of this Council who generally make criticisms but also official members might very legitimately and reasonably co-operate and ask for this much-needed reform. We can make a very legitimate representation at present to that effect. Seeing that we have made all possible attempts to secure economy we must ask for our position being improved. We might ask for the provincialization

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of land revenue and excise revenue. I may add that so far as the excise revenue of Bengal is concerned their share was fixed at three-fourths in 1911-12, but in 1912-13 it was increased to the whole. In Bombay they were given the whole share in 1911-12. I know that so far as the question of share is concerned, there is the statement made on behalf of the Government of India that as far as possible the share of this revenue must be the same in all the provinces. This is the note made by the Financial Secretary to the Government of India, Sir James Meston:—"The same share shall be given to each province to ensure equity of treatment." We may, therefore, start with excise being wholly provincialized and take up one question after another. If we cannot ask at once for all items being provincialized, there is no reason whatever for our not making an immediate demand for this item at least being provincialized; and there should be no difficulty in this request of ours being complied with."

I may remind this Council that on the 16th February 1917 there was a discussion in the Imperial Council about the provincialization of excise revenue; and Sir William Meyer then said that the Madras Government had never thought of asking for the provincialization of excise revenue. That is what has induced me to lay some stress on this point. The resolution was moved by my Honourable Friend Mr. Sarma in the Imperial Council and in reply to it he said:—"You are asking us to surrender such a large amount but the Madras Government has never even thought of asking for it." One year has since elapsed; and if the Madras Government have not so far thought of asking for it, I hope that they will now at least come to the conclusion that they should ask for the provincialization not only of this revenue but also of other heads of revenue. With these I conclude my remarks."

At this stage the Council adjourned for a short interval.

The Council re-assembled at 3 p.m. when the budget discussion was resumed.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I join my Honourable Friends in expressing the general satisfaction on this side of the House as regards the allotments under Education, Sanitation and Medical relief. I am glad that the Government have come to the conclusion that a departure is necessary in the matter of expansion of secondary education. I am also glad that for the purpose of securing this expansion, Your Excellency's Government have come to the conclusion that the local bodies should also be utilized, and I trust that this policy would be steadily pursued. My Lord, some of my Honourable Friends have already referred with great satisfaction to the increase in the provision for medical education and medical relief, and I sincerely trust that Your Excellency's Government will also be able to maintain a progressive scale of expenditure in this branch of administration in the years to come."

"With regard to secondary education it was stated in the budget that several schools are to be opened in localities which are under the jurisdiction of local bodies and I would invite the Hon'ble Mr. Stone to make a statement to the Council, as that was not furnished in the Financial Statement, as regards the localities where these schools are proposed to be started. I wrote to Your Excellency's Government asking for this information, and I was told that this information was not available in the Secretariat."

"With regard to technical and industrial education, the Hon'ble Sir William Meyer announced in presenting the budget in the Imperial Council last month that a sum of Rs. 30 lakhs has been set apart for distribution among the Provinces and I am sure Honourable Members will be glad to know what portion of this grant has been allotted to this Province. I have more than once urged upon the Finance Member the absolute necessity of each of the five groups of districts in the Presidency being provided with a medical school and an engineering school and I trust that a portion of this new grant for technical and industrial education will be utilized for the establishment of engineering schools. There is such a large demand in the country at present for men trained both in the civil and mechanical branches of the profession. The Honourable the Finance Member speaking at another place, I believe it was at Tanjore, specially drew attention to the fact that there is in this country a great tendency for overcrowding the legal profession and for every ten or fifteen lawyers in this country there is only one doctor. I trust that he will be able to turn the tide in favour of the medical and engineering and industrial education by a suitable expansion of educational institutions. Another inquiry that I should like to make is in regard to the Irrigation budget of the Imperial Government for the current year so far as it affects this Presidency. There are many projects of Major Irrigation works which are now awaiting sanction, of great urgency and importance to this Presidency and it would be a matter of interest to this Council if the Hon'ble Mr. Gillman would tell us what proportion of the provision for irrigation in the Imperial budget for the current year has reached this Presidency. In answering one of the resolutions brought forward in this session of the Council, the Honourable the Finance Member referred to the statement made by Sir William Meyer in the Indian Legislative Council about the coming constitutional changes. I fully share with him the hope that as a result of the present examination of the constitutional position of the Provinces, we shall have a new system of Provincial finance and an entirely different system of local finance. My Hon'ble Friend Mr. Krishna Rao has already referred at great length to the points that have been urged in this Council as regards the inadequacy of the Provincial settlement for this Presidency and I trust that what ever may be the results of constitutional reforms in this country, Your Excellency's Government would be able to press the claims of this Province for a better treatment in regard to revenues. Our case has been recently stated in a resolution that the excise revenue should be provincialized and later on, only last month, there was another resolution that land revenue should

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be provincialized. Both resolutions were opposed by the Imperial Government and, as has been pointed out by the Hon'ble Mr. Krishna Rao, the answer given by Sir William Meyer showed that Your Excellency's Government had never pressed for the provincialization of excise revenue.

"My Lord, I shall not be in a position to congratulate the Honourable Member unless he and the other members of Your Excellency's Government will do their level best to throw away the present shackles and restrictions by which Your Excellency's Government are now bound in matters financial. We trust that the present budget restrictions will all be taken away and that Your Excellency's Government will be at liberty to spend the entire revenues of this Province in the best manner desirable without the control of the Government of India or of the Secretary of State, but, subject, as far as possible, to the control of this Council. In a memorable speech that Your Excellency delivered last year at Ootacamund which formed the subject of acute controversy throughout India, Your Excellency laid special emphasis on the fact that Self-Government forms the greatness, the strength and the glory of the British Empire. Your Excellency went on to observe that 'Self-Government is the salt and strength of the British Empire. It stands or falls on Self-Government and you know well how it is standing now for justice and freedom all the world over, and that all parts of it will at all times welcome any signs of growth in the willingness and capacity of Indians to undertake in increasing measure a share in the administration of India. It has been said that prosperity makes friends and adversity tries them and it is some compensation for the common sufferings and anxieties of the past three years that they already seem to have increased mutual good-will and understanding between all parts of the British Empire. Those of us too who have the opportunity and privilege of acquainting ourselves here more or less closely with the conditions of Indian life and feeling rejoice as I do heartily to be able to testify to an awakening sense of responsibility and a gradual but steadily increasing fitness of Indians to take part in the administration of Indian affairs.'

"Before we meet next year for the discussion of the budget Your Lordship and the Members of your Government will, I take it, have before you the great scheme of constitutional reform which is to carry into effect the momentous declaration of His Majesty's Government in regard to the development of responsible Government in this country, and I ask you to make good your words by enlarging our sphere of political and administrative responsibility for the affairs of this country, and to consider the whole question in a broad and statesmanlike spirit. In this connexion I should like to say a word to the members of the Indian Civil Service, not in any spirit of disparagement or reproach but with the utmost good-will to them and that is, I would ask them to cultivate a sound political spirit and also some amount of political imagination. The old maxims of Indian administration are no longer tenable. Dr. Fisher, the present Educational Minister of England, whose views as a member of the Public Services Commission are entitled to great weight said very recently:—'It may be indeed questioned whether a life spent in the Indian Civil Service is calculated, except in rare cases, to stimulate that part of political talent which consists in the study and guidance of political opinion or in the framing of large legislative proposals which are from time to time needed in actively thinking political communities. Until quite recently there was little need for such forms of talent in India, for if there was active thought among the Indians, it certainly did not revolve round the theme of politics. But the immemorial tranquillity of the East has now been disturbed, perhaps only for a time, perhaps never to be resumed, and we make our account to meet an age of political discussion and criticism among men educated on the western model and using the western Philosophy to obtain their eastern ends.' I commend these observations to them and I ask the Members of this Council who belong to that service to recognize these facts and instead of declaiming against the politician and the lawyer, to apply themselves seriously to the political questions of the day and guide public affairs, and to place themselves at the head of the best national forces in the country. We shall welcome it.

"I recognize that the distrust of the lawyer is not confined to this country. Lord Morley in his recent book has stated that the great executive officers have a great distrust of the lawyers. It is because His Lordship observed 'they do not like or trust law, they believe in their hearts before all else the virtues of will and arbitrary power.' Old times are gone and the new times breathe a new spirit. There is another point in which I venture to sound a note of warning just at this juncture.

"My Hon'ble Friend Mr. Ahmad Tambi Marakkayar has referred to the question of the separate representation of his community on local boards and municipalities.

"In speaking of the first scheme of the Madras Government for the expansion of the Legislative Councils in 1908 the Board of Revenue stated that 'it was viewed with intense and universal suspicion as a Machiavellian device intended to widen existing lines of cleavage, to check the supposed growing sense of nationality, and to secure the position of the British Government by the application of the maxim "Divide and Rule"; and they went on to warn caste against caste and foster for selfish motives differences which they have always professed to obliterate.' This wise warning is, I venture to think, very apposite at this juncture even independently of the coming constitutional changes, and I appeal to you to bear this in mind. We, the non-official Members of this Council, feel as much anxiety as the members of your Excellency's Government for the maintenance of the correct standpoint and attitude in this matter and for a smooth and well organized administration; and I therefore venture to place these views before you. There has been of late a great upheaval of class tension which is

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detrimental to the best interests of this country and I trust in dealing with the various problems of administration, and with the scheme of reforms the weighty words of the Board of Revenue will be borne in mind.

"My Lord, I have only one small matter in conclusion, and that is with reference to an interpellation which has often been placed on the agenda of this Council with regard to political detenus, under Act III of 1818. Most of these, as Honourable Members will see, are men who have been deported from Malabar for fanatical and religious offences for religious fanaticism for which unfortunately the Mappilla is notorious. My Lord, if Honourable Members would look at the statement furnished to me some time ago by Government, some of them have been placed under surveillance, some deported in 1873, one man was sent away in 1884, another in 1894 and at each outbreak, some of these men have been sent away and it seems to me that, after 25 or 30 years of this kind of detention and surveillance, it is absolutely impossible to believe that this religious fanaticism still subsists in these unfortunate men. I ask Your Excellency's Government to consider their case.

"My Lord, in closing these observations, I have only to assure Your Excellency's Government, along with my Honourable Friend, the anxiety that we have felt for the misfortunes of India, have been as far off from the theatre of war as we can, we share along with all classes of His Majesty's subjects in this country and elsewhere the great sympathy that we have for all those who have suffered in this war. I trust before we meet next year at this time this unfortunate war will have come to an end and we shall be able to resume normal conditions.

"My Lord, I wish to make a passing reference and that is in connexion with the exodus. I do not wish to bring the matter under discussion, but I merely make a passing reference to the subject. I believe it was Sir Henry Maine who made the remark that British rule will be much better if India was not so hot. Nobody could change the climate of this country, but, he went on to say that he had been informed that the Anglo-Indian sensitiveness to attack and their tendency to long winded notes was due to the climate of this country. Some Honourable Members are already thinking of the cool breezes of Ootacamund for which I do not blame them; but I cannot say whether these long winded notes would be shorter in Ootacamund and longer in Madras or vice versa. Perhaps my Honourable Friends in this Council who write these notes will be in a better position than myself to speak on this matter. But there is no doubt that the general feeling is that the Government are much more impervious to public criticism in Ootacamund than in Madras. With that expression I hope, I will not pursue the matter further, as I hope to bring the matter under discussion some other time. I only wish Your Excellency's Government to consider the present scheme of the exodus to see in what respects it may be modified independently of any motion in this Council. I make this suggestion with considerable diffidence, but I trust that the present basis of the scheme of the exodus to the hills will be examined and examined with a view to see how far it could be out short. I am not now urging my own views on the present occasion, but I am only making this suggestion for an examination of the whole question and I should not be understood as saying that I approve of it or disapprove of it on the present occasion; but, I am only making this suggestion in view of the feeling in this country."

The Hon'ble Mr. SADASIVA BHAT:—"I beg to offer on this occasion a few general observations on matters relating to the two districts I represent. The only legislative enactment in which the West Coast districts were particularly interested and passed this year is the Mappilla Succession Bill which has given general satisfaction to the important community affected thereby. One or two other smaller communities similarly situated have been watching the progress of the Bill with considerable interest, and I have no doubt that we shall be called upon at an early date to legislate on similar lines for those communities whose social and religious life is modelled on the Hindu law but on whom custom has imposed the Aliyasantana law for devolution of the property alone. The Jains in South Kanara, for example, unlike the Jains in the rest of India are held to be governed for purposes of inheritance to property by the Aliyasantana rules—a circumstance which has stood in the way of their fusion with the great Jain community outside South Kanara and gradually tending to a deplorable deterioration in the South Kanara Jain community.

"Coming to other matters, last year on this occasion I expressed my gratitude to the Government for the decisions to establish a Government Girls' school in Mangalore and to take over the Tellicherry Brennen College. I am sorry however that there has been so much delay in giving effect to these decisions. I regret the delay in the matter of the Brennen College as it appears to have held up the question of various improvements in the college insisted on by the University.

"I also referred last year to the question of linking up Mangalore with the Mysore Railway system. I have no doubt the Madras Government is watching the interests of the trade of this Presidency, the South Kanara district and the planters in particular to all of whom the subject is a matter of vital concern. I wish only to bring it to the notice of Your Excellency's Government that according to a press telegram the Mysore Durbar is believed to be completing the detailed survey of the Shimoga-Bhatkal line in this year and that it will be under construction in the next year. We on the West Coast will feel encouraged if the Government can give an assurance that this project will not come in the way of the early attainment of the Hassan-Mangalore project.

"I referred last year also to the hardships created by the practice in vogue in South Kanara of collecting land revenue by coercive process from poor tenants—even where the

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defaulter pattadar is a well-to-do man and the revenue can well be collected from him. I expected local officers would be instructed to see to this matter. My reason for referring to it again today is that the kist collections are going on now in the district and I have some complaints of well-to-do pattadars and revenue subordinates colluding and executing the coercive process against the poor ultimate tenant on the land. I beg that immediate instructions should be issued directing local officers to proceed against the pattadar only—especially where there is an intermediate interest intervening between the pattadar and the cultivating tenant. This is the only course consistent with the declaration of the law by the High Court.

"I am grateful to the Government for non-officialising all the local boards of the South Kanara district. The presidents of all the boards including the district board are non-officials and all the vice-presidents are elected. I believe I am right in claiming that the South Kanara district is the first of the districts of this Presidency to attain this proud position. In this connexion may I point out that in Malabar the Wynad Taluk Board has not its full proportion granted of elective seats? I trust that the Government will see its way to effect this small improvement in the course of the coming year. It is gratifying also to note that the Government have started in South Kanara as an experiment a panchayat of a model slightly different from the ordinary informal panchayat."

"I am also thankful to the Government for its decision to take over the Headquarter hospitals. I trust that the Tellicherry hospital will be included in the category. Tellicherry is the headquarters of the North Malabar district. The municipality is unable to maintain it properly with its limited resources and the measures to combat plague in the town have put another burden on it. The large majority of patients treated at the hospital come from outside the municipal limits. I am told that the municipal council has applied for special aid and I trust that besides granting the application early and generous consideration, the Government may include the Tellicherry hospital among the headquarter hospitals to be taken over."

"In this connexion I feel I must also refer to the poor resources of our local boards and their claim for more generous treatment. I beg to assure Your Excellency's Government and this Council that our need is real and great on account of the peculiar configuration of the country and other conditions. I am constrained to mention this fact because I feel alarmed when some of my Honourable Friends seem to suggest that we are receiving any preferential treatment. I need only point out on this occasion that we are unable to attend to several primary needs of the two districts for lack of funds. Your Excellency, there is an impression on the West Coast that the educational needs of our corner of the Presidency do not receive that amount of attention at the hands of the Government as they deserve. I trust that the Government will keep in view the claims and needs of the West Coast districts in the expenditure of the special grant from the Government of India for technical and agricultural education. In general education we ask for a First grade college on the West Coast. We have very few complete secondary schools. The local boards appear to have submitted proposals regarding their needs on this head. The Coondapur Taluk Board, I know, for example, desire to raise their incomplete secondary school at Karkal to be a complete secondary school. The Karkal public appear to recognise the need by contributing a reasonable portion of the initial cost of doing so. I hope that at least in such cases, the department will meet the wishes of the local board and the public by opening the higher secondary classes as soon as possible. The prevalence of plague in Mangalore, the overcrowding in the Mangalore Colleges and consequent difficulty in obtaining admission by outside students, and the difficult communications in Karkal taluk will show that a high school there is necessary. There appear to be also other proposals and I request that with the increased allotment for education in the budget most of these proposals will be carried out."

"In the matter of elementary education I believe that if facilities are allowed to managers of private schools for obtaining suitable sites of waste land and conditional offers of building grants can be made, more schools will probably come into existence at a less cost to public funds than board schools. It is reported that the Basel Mission is closing its schools. In some places people are willing to form local committees to take over these schools or open new schools and form important aided educational agencies on the West Coast. I hope the Government have all the necessary details of information and the department will see that all these schools are taken over by the local boards or local committees and the education of village children will not suffer."

"I shall conclude by a brief reference to one or two other points. The Government are said to be undertaking settlement operations in the Wynad and the people of the locality are looking forward to it with some anxiety. The tenures and conditions in Wynad are peculiar and I hope that the settlement of the Wynad will be fair and equitable—that the people and their representatives will be taken into the fullest confidence by the Government and the settlement officer in these operations, and that there will be no just cause for complaint."

"I wish also to request Government to consider if something cannot be done to reduce the high mortality and the destruction of crops by wild animals in the jungly parts of Malabar and South Kanara which are the worst sufferers in this respect. Some measures must be devised towards this end especially in view of the fact that in most of the affected villages in the South Kanara district the Government Forest reserves which harbour these wild animals extend up to the cultivated area of the villages."

"I cannot close my remarks without pointing out that prices have generally risen in these two districts also to a very high level and that in many cases there is great disparity between the prices current at places within the same district. Transport by native craft is not available and the railway authorities are not booking goods for short distances. Considerable hardship

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especially to the poor has been the result. I am glad that Government has made a full statement as to the action to be taken by Government in this matter and to learn that the Government will constantly watch the situation. The coming monsoon months will be the most anxious time for the poor and I throw it as a mere suggestion for the consideration of Government to see whether it may not be necessary in some places to make a cheaper and more abundant grain than rice available to the poor."

I wish also to join my Hon'ble Friend Mr. Muppil Nayar and appeal to Your Excellency's Government to use its influence with the South Indian Railway and if necessary the Railway Board to redress the grievances and remedy the inconveniences of railway passengers from our two districts to Madras. Both my Honourable Friend and myself referred to these in our speeches on this occasion last year and I trust that something may be done to make a through journey from Mangalore to Madras more certain and less inconvenient."

Regarding the budget itself, I am glad that in spite of war conditions, Sir Alexander Cardew has been able to present a very satisfactory budget and I join with my other colleagues in congratulating him on the very good reception it has had both here and in the press."

The Hon'ble Mr. Yaqub Hasan:—"Receipts and balances have exceeded all expectations this year." That would have been a matter for congratulation if we had the power to utilize these large sums for many a pressing need of the Presidency. War is lengthening its course and to put off all legitimate schemes of expenditure indefinitely is rather hard. It is, however, some consolation that the large Provincial balances and their non-utilization for local purposes have enabled the Supreme Government to abstain from extra additional taxation."

Excise.—"Of all the sources of revenue the largest increase has been in excise. Revised estimates for 1917-18 exceed the actuals of the previous year by 16.09 lakhs. If I could feel convinced that this excess of revenue did not mean corresponding increase in consumption I would welcome it indeed. But the figures placed before us show that there has been a decrease only in the consumption of country spirits and toddy."

	Spirits.	Toddy.
1912-13	1,773,673	111,787,131 gallons
1913-14	1,782,032	112,845,489
1916-17	1,644,466	105,936,414
1917-18	1,662,800	106,712,000 estimated.

1917-18 On the other hand the consumption of foreign spirits rose from 87,492 gallons in 1912-13 to 173,781 in 1915-16 and then there was a comparatively small fall in 1916-17 to 145,083. Figures are not available for 1917-18. The consumption of wines increased from 29,520 gallons in 1913-14 to 49,354 in the following year; then it dropped to 24,924 in 1915-16 and it recovered in 1916-17 to 28,340. In the case of beer the increase is more striking, the consumption having risen from 581,465 and 662,784 in the year 1912-13 and 1913-14 to 792,413 in 1916-17. Thus whereas, comparing the figures for 1913-14 and 1916-17, there was a decrease of 6 per cent in the consumption of toddy and 7½ per cent in that of country spirits, there was an increase of 13 per cent in that of foreign liquor."

"In this period (1913-14 and 1916-17) the excise revenue increased from Rs. 3,65,11,075 to Rs. 3,72,02,608, i.e., only 1.8 per cent. But it suddenly jumped up to Rs. 4,04,21,000 in 1917-18 which means an increase of 8.6 per cent on the figures of the preceding year. As we have no figures of consumption for the last year we can only conjecture the reason for the increase in revenue. Some of this excess may be due to the increase in the tariff rates of duty which came into force on 1st March 1916, when they were raised from Rs. 9-6-0 to Rs. 11-4-0 per gallon on spirits and from 3 annas to 4 annas 6 pies on beer. This source of revenue has been increasing by leaps and bounds as the following figures for five decades will show:—

	LAKHS.
1877-78	60.47
1887-88	88.00
1897-98	1,53.00
1907-08	2,80.01
1917-18	4,04.21

"It is interesting to note from the Abkari report for 1916 that "the increase in local manufacture of beer more than covered the deficiency in imports." The total issues from local breweries amounted to 926,326 gallons against 587,484 of the previous year. Military consumed all this output of which 216,775 gallons were exported for troops and 709,551 gallons were issued locally."

"It is some satisfaction that there was no import of Colombo or Italian arrack in 1916. I wish this stoppage would become permanent. While on this subject I may express my satisfaction that the duty of 7½ per cent ad valorem on the local manufacture of denatured spirits was removed from 19th January 1917, the tariff rate continuing on the imported article, but it is a matter for concern, which requires immediate investigation, that some of the denatured spirits is reported to be used for drinking. There is much yet to be done in the matter of the location of toddy shop. Whereas there is one shop to every 20.5 square miles and 8,353 persons in Madura, 1,771 persons in 2.8 square miles in Tanjore enjoy that privilege."

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"I hope the Board will find some way for stopping the use of toddy in the baking of bread. Although licences to bakers for toddy were reduced from 283 in 1906-07 to 46 in 1916-17, this fact may not mean that there has been increased use of yeast, for the limit of private possession of toddy has been raised to one gallon and many a small bakery need not now have a licence for toddy.

"*Income-tax.*—Next to excise there has been large increase of revenue under the head of Income-tax. The total yield last year from additional taxation was estimated at 12.50 lakhs but even this high figure has doubled itself. In normal times this Presidency would have had half share of this, i.e., 6 lakhs, but we have transferred it to the Imperial revenue for the benefit of which of course this additional taxation was levied.

"*Elementary education.*—We have budgeted an excess of expenditure of Rs. 54.34 lakhs for the current year and it is a matter of much satisfaction and congratulation that by far the largest figure under the excess expenditure is that of 20.66 lakhs provided for education. Of this 15.32 lakhs is recurring expenditure including 5.50 lakhs contributed by the Government of India for the improvement and expansion of elementary education. The local Government have also raised their contribution towards elementary education from the promised sum of 2 lakhs to 5.20 lakhs. The Government are at last realizing their responsibilities towards the education of the masses. His Excellency's announcement the other day that schemes for further diffusion of education are under preparation and consideration, is indeed very welcome and I feel convinced that we are coming nearer the day when not a single child will be suffered to remain without the rudimentary knowledge of the three R's. I wish the local bodies will also realize their duty in this respect. The Corporation of Madras has taken this matter earnestly in hand and hopeful developments may be looked for in that quarter.

"I hope that the elementary education of my community will also receive a fair share of this increased attention and expenditure. The present number of schools is not at all sufficient to cope with the requirements of the community. There are 66 Government, 846 Board and Municipal, 608 aided and 88 unaided elementary schools for Mussalmans. I see very few Muhammadan schools in the list of those on the improvement of which it is proposed to spend 2 lakhs in the current year. I do not particularly approve of the proposal to add higher standards to some of the Muhammadan schools as it will tend to retain in the elementary school many a boy who would otherwise have perhaps proceeded to a secondary school.

"*Secondary education.*—In the matter of secondary education, I am glad to find provision made this year for the Islamia Secondary School of Trichinopoly which I had been urging the Government for some years to take under Government control. It is also proposed, to establish two more incomplete secondary schools for Muhammadans at suitable centres. (I am glad the Government is consulting the Muhammadan Educational Association of Southern India about their location). In reply to a question of mine the Government were pleased to observe that 'they considered the multiplication of Muhammadan secondary schools a separate question from that of the extension of secondary education in general from which the Muhammadan community benefits in common with others.' Although we are very grateful to the Government for having established and for proposing to establish some secondary schools for Mussalmans I may be permitted to observe that these schools will not meet with the entire needs of the community. The laudable efforts of the Government must be supplemented by local bodies and the community. So when it is proposed to convert some of the Board schools into incomplete secondary schools I do not see why some of the Board Muhammadan schools should not also be similarly raised at the same time. If, for example, a mixed school in a certain locality becomes an incomplete secondary school but the Muhammadan Board school in the same locality retains its elementary character and only higher standards are added to it as is proposed to be done at Nellore, the Mussalman boys will continue to remain in the same elementary school and be cut away from secondary education. They will not join the other secondary schools on account of the language and other difficulties—the difficulties that have necessitated the creation of special middle secondary schools for Mussalmans. There are certain Mussalman centres where it is necessary that the Board Muhammadan schools should be turned into incomplete secondary schools. At one of these centres, Melvisharam, the generosity of a local resident, C. Abdul Hakim Sahib who offered to provide a suitable building, has induced the District Board to decide to raise the local board Muhammadan school to a secondary status. I understand that Bangi Hyath Badsha Sahib of Ambur has undertaken to create a trust and endowment that will enable his school to be made a secondary one. At the last budget meeting I had expressed a hope that through the efforts of my Honourable Friend Khan Bahadur Ahmad Tambi Marakkayar a secondary school will come into existence at Nagore. I hope that Board school there will proceed to the higher elementary standards which it is proposed in the new scheme to add to those schools; they will in this way be deprived of the chance of getting secondary education.

"*Usmania College.*—As for the collegiate education, the number of Muhammadan scholars in Arts colleges rose in the last quinquennium from 96 to 182. In the Press Communiqué dated the 7th January 1918 the Government were pleased to express their sympathy with the demand for a Muhammadan college which 'the growing appreciation by the community of the importance of secondary education' has stimulated. They have also observed that 'with a view to meet the special circumstances and needs of the Muhammadan community throughout the Presidency the first Muhammadan college should be located in the Presidency town itself.' They have therefore decided that any financial aid which they are able to promise to the

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advancement of this branch of Muhammadan education shall be given towards the establishment of a college in Madras.' After giving this indication of their views as to the location of the college and the condition precedent for the financial aid that they were disposed to give towards this object, the Government should have left it to the community to take further steps in this direction. But they took it upon themselves to communicate with His Exalted Highness the Nizam with a view to advise him to agree to the location of the Usmania College at Madras instead of at Vaniyambadi as was originally sanctioned by His Exalted Highness. We have yet to learn the result of these negotiations. In the meantime the Government appeal to the wealthy Muhammadans in this Presidency with an earnest hope that 'they will by their generosity enable the first step towards the establishment of such a college to be taken before the Usmania College Board has appointed a committee to select a site in Madras or its immediate neighbourhood and at the last annual general meeting of the Muhammadan Educational Association of Southern India held last month, donations for the Usmania College to the extent of half a lakh of rupees were announced. It is not therefore unreasonable to expect that the Usmania College will be an accomplished fact by the beginning of the next college term and nothing untoward will happen to upset the arrangements so far proceeded with. I see in the budget for this year that Rs. 75,000 are allotted for the improvement of Muhammadan education, a portion of which is earmarked as 'grant to a Muhammadan College.'

"*Medical School for Women.*—Proceeding to the next head of expenditure—Medical, while I am glad that provision has been made for opening the fifth medical school at Bellary no funds were allotted for the medical school for women. I am, however, thankful to the Government for accepting my proposition yesterday on this behalf, and I trust that the 'early date' which they asked me to alter the period to will eventually resolve itself into the year 1919-20 in which I would particularly desire the school to be launched into being.

"*Industries.*—At a time when owing to war there is scarcity of tonnage and imports of foreign manufactured goods are consequently reduced to the lowest possible limits and exports of raw materials that were used in foreign countries for manufacturing purposes are also considerably curtailed, a rare opportunity of reviving drooping industries, developing and extending existing industries and creating and stimulating new industries presented itself, and if India was as wide-awake and its Government as mindful of its industrial interests as, for example, our ally—Japan—this vast land would be teeming to-day with factories and its vast labouring populations earning wages that would have tided over even the distress due to the rise of prices. But instead of this cheerful vista of prosperity we are only faced with the prospects of even losing some of the industries that thrived here for several generations. I will give one instance—the tanning of goat and sheep skins. In order that the output of tanned buffalo and cow hides be increased to the highest possible extent and that all the available tanning materials be used for that purpose only, the tanning of skins was prohibited about this time last year. Once an industry is dislocated and disorganized and the persons engaged therein betake themselves to other occupations, it runs the risk of becoming altogether extinct. Besides the United Kingdom, which was the principal centre of distribution for the whole of Europe in respect of Indian tanned skins, America and Japan were the largest buyers of this article. Now these countries are buying large quantities of raw skins. Japan has now started several large tanneries for tanning skins and an American Company with a capital of five million dollars is reported to be starting a tannery in China to tan Indian skins for America. The deputation of the South Indian Skin and Hide Merchants Association, of which I was also a member, explained the gravity of the situation to the Indian Munitions Board at Delhi in January last, and this question was also mooted in the Conference of that Board with the representatives of the two Chambers of Commerce and the Skin and Hide Association held in Madras in February last. It was pointed out that without detriment to the output of tanned hides, it was possible to simultaneously work the skin tanneries, in fact we even suggested a method by which the output of hides could be increased by allowing the skins to be tanned at the same time, but our representations were not heeded. Now we are in the sad predicament of losing this industry altogether. For by the time the war is over the tanning of skins according to the Indian process will have become firmly established in countries to which we were supplying tanned skins and these countries will no longer look to India for the supply of this article. The Preferred Nation treatment that Great Britain is sure to afford to all her allies in the matter of raw materials will insure free and unrestricted carriage of raw materials from this country to those countries and raw skins will take the place of the manufactured tanned skins.

"I will not take up the time of the Council or harrow their feelings by narrating the doleful tale of other industries which are suffering similar fate, but, in concluding my speech, I cannot refrain from making a remark that the Indian Companies Restriction Act that was recently passed by the Imperial Council will add one more to the numerous factors that are already at work to retard and even to imperil the industries of this country."

The Hon'ble Mr. M. E. COUCHMAN:—"Your Excellency, the Hon'ble Mr. Gordon Fraser has asked some questions about tanning bark. The control of the tanning bark has nothing to do with this Government, it is under the control of the Munitions Board. I have made some inquiries but I must premise my remarks by saying that there is no one in this Council or perhaps in this city who knows so much about tanning as the Hon'ble Mr. Gordon Fraser himself. I will give him a few facts that I have ascertained. He asked if there is any likelihood of the supply of tanning bark coming to an end. I understand there is no such danger. In most of the districts, this is the season when bark is cut and collected—March, April and May,—and Captain Guthrie informs me that the supply is coming in better and he does not think

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that there is any likelihood of our supply coming to an end. In the Settlement department Government have sanctioned rules for giving out lands for cultivation of avaram bark on very easy terms and it is hoped that tanners and people who are interested in the bark will, in future, take to avaram cultivation instead of relying solely on the wild-grown bark. My own opinion is that if the tanning industry is to develop or even maintain its own as an industry, tanners will have more and more to depend upon artificially cultivated bark. At present, they depend upon the wild-grown bark, cut during their spare time by coolies and in that way the bark is cheap, but if the demand increases I am afraid we shall no longer get sufficient supplies from that source. They will have to cultivate it. In order to make that possible, Government have made every possible concession to persons who wish to take up large plots of land for the cultivation of bark.

"For any other information he wants he must refer to Mr. R. B. Wood who is now working under the Munitions Board."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR :—"Your Excellency, I am glad to find the Honourable the Finance Member and the Government have been able to present such a normal budget at this abnormal period in the country's history. I would particularly draw attention to a few points which more or less immediately concern us in the financial position of this country as well as its administration. Last year, as regards the budget, I drew attention to one item under Land Revenue, Miscellaneous, under which an amount of Rs. 2,40,000 was given without any further detail. I drew attention to that particularly and suggested to Government that it would be better to give some more details with regard to such a large amount rather than give it as a lump sum; and in this year's budget as a result of that suggestion I find that where eight clear items and one miscellaneous were found under the last budget, I now find the whole thing is reduced to three items. I find that is the result of the representations made to Government. Certainly, I must seriously complain against that attitude as I feel the Honourable Members of this Council and the public ought to be taken a little more into confidence and given more details with regard to the way in which the receipts and expenditure of Government are being entered rather than when a suggestion is made even out short whatever details were given previously. That, I would particularly invite the serious attention of Government to, in the preparation of the budget of this province. Passing next to certain general aspects, I would particularly draw the attention of Your Excellency's Government to the very deep and widespread anxiety as to the result of the appeal regarding the Kannambadi reservoir to the Secretary of State, which is in the minds of the entire body of Cauvery landholders. The public are no doubt aware of the very great care which Your Excellency's Government have taken in that matter and I wish to express through this Council the trust and confidence both in this Government as well as in the Secretary of State that they would do everything in the matter to undo the great injustice that has been done in the past.

"At this stage, at this anxious stage in the history of a district under the Cauvery particularly like Tanjore, the Settlement officer has come in and has begun his operations and investigations. As I observed when we were discussing the question of economic inquiry the other day in this Council, I sincerely hope that this economic inquiry will in future be a more real and more substantial inquiry than it has been in the past so far as these districts which come under resettlement are concerned and every attention possible will be bestowed not to make the class of landholders feel, what they are already feeling keenly, that they are groaning under the weight of taxation which certainly they cannot afford to pay.

"I would also invite the attention of the Council to another important question, the cultivation of backyards which the Hon'ble Sir Alexander Cardew has told this Council is being examined by the Collectors of the several districts. I hope and trust that as regards this additional burden that is being imposed on landholders, the Government will think twice before they decide the matter and will see that all legitimate grounds of complaint are redressed before coming to a decision on this important question.

"As regards the peculiar step, that the Government have taken with regard to the provision of house-sites for labouring classes, I would only say that the Government would do well to pause and consider whether we should not have the foundations firm before we can have the superstructure set right. I do believe that better elementary education and a saner excise policy are the real and true remedies which are expected to be furnished by Government and not such unsettling of the industry which is fairly getting on in spite of so many difficulties at the present juncture.

"Your Excellency, the transport difficulty has been a frequent cause of complaint since the beginning of the war in this province and that has been referred to practically by every speaker on behalf of the non-official public as also on behalf of the Government. It is getting more and more serious every day and as such any amount of investment upon roads, bridges and canals would go a great way not only to meet the existing abnormal conditions, but also to improve normal conditions as soon as they come back which certainly were sorely needed. I am glad that a special officer has been deputed to investigate into these transport difficulties throughout the province, and it is our earnest hope that the officer's report and the subsequent action of Government on that report may not come in too late—perhaps after the war is finished and these abnormal conditions have subsided. I hope that Government will agree that the sooner relief is given, the more grateful will people be and the more advantageous will it be for the State.

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"As regards canal traffic I need not say much, but I wish to say a few words. I am glad that the Hon'ble Mr. Gordon Fraser also drew pointed attention to the improvement of canals. I was emphasising the other day in moving my resolution about the Buckingham canal, the importance of these navigable canals in a province like Madras, where means of communication are not particularly over-much, and I pointed out that they would certainly be of great service in such abnormal times; but I venture to think they will be of immense service also in normal times. Ships might be constructed and the sea might be utilized for the purpose. But looking to the poverty of the country in general and the very meagre facilities for the construction of ships and the real necessity for much more facilities for greater and heavier traffic, I feel convinced, and I believe I am not there alone, that this canal will certainly be of real and substantial service not only in abnormal times like this, but also under normal conditions. "With these few words, I congratulate once again the Government upon the very normal budget which the Government have been able to present to this Council even in the midst of such abnormal times."

The Hon'ble Mr. J. H. STONE :—"Your Excellency, I have not found very much on which I should comment in the speeches of the Honourable Members. I think the Hon'ble Mr. Venkata pati Raju mentioned a speech delivered by Lord Ronaldshay in which he took exception to our English course, and I only allude to it because His Lordship seemed to be under the impression that in some Indian Universities, including the Madras University, Chaucer is a compulsory subject of study. It is not so. It is not the case that in Madras, students cannot take their degree without studying Chaucer. It is just as well to give publicity to that fact.

"The same Honourable Member spoke of the intentions of the Government of Madras to open more schools of commerce. I do not think Government have stated such an intention. What I venture to call the proposed institution is a commercial institute and it is intended from the first that higher study of a commercial kind shall be pursued in this institute. The Hon'ble Mr. Ahmad Tambi Marakkayar spoke about religious instruction. I am not concerned to discuss the question as to what is or what is not religious neutrality on the part of the Government. But I think, if he would consider the suggestion that religious instruction in all religions should be given in schools at the expense of the State, whether he thinks that it would be any violation on the part of the Government of any neutrality or not, I think he would find that the practical difficulty in the way is extremely great and possibly insuperable.

"The Hon'ble Mr. Ramachandra Rao, I understand, wishes to know where the secondary schools which the Government propose to aid local bodies to establish are to be situated. I am not able to give him that information. In the first place I have not yet concluded the consideration of the subject and then when it is concluded I must send it to Government and Government will allot sums to the boards concerned for the establishment of schools at certain definite places. I am merely consulting local authorities as far as I can for their opinion.

"The Hon'ble Mr. Sadasiva Bhat thinks that the West Coast is neglected in education; I really do not know why. There is nothing in the statistics to indicate that the West Coast is neglected. He said that it has not got a first-grade college, but it has a first-grade college in South Kanara which I presume, the Honourable Member includes in the West Coast and no one who knows the colleges in the Presidency will withhold admiration from the College at Mangalore. Those two districts also have, I think, a rather unusual number of second-grade colleges.

"The Hon'ble Mr. Yaqub Hasan told us many things which he presumed Government were intending to do. But I am afraid I cannot enter into those matters. "That I think, Sir, is all that I have to say."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Your Excellency, I have only to say a few words in regard to the administration of the Income-tax Act to which reference has been made by the Hon'ble Mr. Annamalai Chettiyar and by the Hon'ble Mr. Gordon Fraser. The Hon'ble Mr. Annamalai Chettiyar appealed to us rightly that we should work the Act as sympathetically as we can, and it is an appeal with which we must heartily sympathise; but I would also appeal to the members of his community that they should make it a point to maintain full and complete accounts in regard to their transactions. One of the difficulties in regard to income-tax administration met with not only by assessing officers but even in cases coming before the Government is that in a large number of cases, the accounts are not complete and are not maintained as systematically as they should be for the purpose of assessing income-tax. When the assessee gives a statement, we are not sure what his income is and I think the Government assessing officer may be excused for feeling some doubt about the income. I mention that particularly because the Council may remember that it passed a resolution in May last to the effect—

"That this Council recommends to His Excellency the Governor in Council that every encouragement be given to income-tax assesses to file profit and loss statements prepared by approved chartered or certified accountants and that where such statements are filed separate scrutiny of the assessee's books by the Collector's opinion render such scrutiny desirable." "Orders on this resolution have been deferred for the passing of the Income-tax Act, which having been now done, we issued orders yesterday bringing that resolution into operation, so that it will be open to the assessee to get his accounts examined by a private or a chartered certified accountant, and file a profit and loss statement. Therefore it is absolutely necessary,

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if this thing is to work all right, that particular trouble should be taken by assesses to maintain full and complete accounts which could bear scrutiny and satisfy chartered accountants as well as officers of Government entrusted with this task. I trust that this appeal of mine will be favourably viewed by assesses all over the Province.

"The next thing referred to is in regard to the rules under the Income-tax Act. Both the Hon'ble Mr. Annamalai Chettiyar and the Hon'ble Mr. Gordon Fraser rightly asked that they should have an opportunity of seeing the rules before they are finally issued by Government. I accept the reasonableness of that request. In next Tuesday's Gazette the rules that we propose to issue are being published and it is open to Honourable Members when they get the Gazette to offer any remarks thereon which they might wish to make. We cannot hold over the new rules for an indefinite period. The official year has begun and the new Income-tax Act is coming into operation and so we cannot hold over the final issue of the rules for any length of time; so that all persons interested in the matter should look sharp, read the rules that we propose to issue and any remarks that they wish to offer should be sent up to Government as expeditiously as possible."

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, the departments under my charge have come in for somewhat unusual comment in the course of this debate, and so I fear that the answers which I shall give at such very short notice may not be either complete or satisfactory and I hope that under the circumstances Honourable Members will excuse me. They may rest assured that all the points which have been raised and which I do not now offer any remarks upon will be very carefully considered afterwards."

"First of all, with regard to the police, the Hon'ble Mr. Venkatapati Raju proposes to reduce the strength of the police by one-third remarking that no other country spends such a large proportion of its expenditure upon police. I have not been able to look up and compare India generally with other countries, but I have ascertained the expenditure in England and I find that whereas in the Madras Presidency the proportion of police expenditure to the total revenue is 6.5, in England it is 5.1. Having regard to the very much larger area that we have to manage, it seems to me that that is not at all an unduly large proportion. But I would submit that that is not the proper criterion to judge of the police. The real test is mainly one of population and one of area and in these respects Madras makes a very fair show. Again, I will compare with England which is only a small country. The area of Madras is 142,000 square miles and the population 41 millions and the expenditure is Rs. 120 lakhs or £800,000. In England, with a population of 37 millions, and with less than half the area, 58,000 square miles, the expenditure by the local authorities on police is 7½ million pounds, as compared with our £800,000. The Hon'ble the Raja of Ramnad made a remark on much the same topic and said that the cost of police was going up and that although the cost was going up, crime was also going up. I do not think we can draw any comparison between the two, because the increase of crime may depend upon the strength of the police to a certain extent, but it depends very much more on other factors, particularly increase in prices and so on."

"The Hon'ble Mr. Ranga Achariyar has expressed some doubts on the utility of criminal settlements and said that the Government were rather fighting shy of them. I would remind him that this departure has really scarcely passed the stage of experiment, and we have been engaged at it for about five years more or less, and of course there is no doubt about it that in an entirely new proposition like this, before the policy and the principles could be settled, we rather worked in the dark and no doubt made mistakes. The most serious mistake that we made was that we wanted to do too much at the start. We have now fairly settled that a combination of the industrial and agricultural settlement offers the best prospects of success inasmuch as criminals can first learn habits of obedience and discipline in industrial settlements and may have the reward of being settled on the lands held out to them afterwards as an inducement for good behaviour. Some of our settlements like Kalichedu which did not satisfy these conditions are being closed."

"The Hon'ble Mr. Ahmad Tambi Marakkayar has raised the very vexed question of Hindu-Moslem disturbances and he has put forward the proposition that this too can be finally settled by an order proposed by the Government of Madras passing through the Viceroy and sanctioned by the Secretary of State, which should be issued throughout the whole of India that an ultra-Muhammadan way of looking at it. I do not think that the Hindu community would quite relish it. As a matter of fact, this is a thing in which custom must prevail and custom differs in every town in the Presidency. The great obligation on the officers of Government is to determine what the custom is with regard to each place. In some places, there is a custom that there should be no music and in some cases Hindus are permitted to have music. There was an instance the other day of a long-standing dispute in Triplicane being settled by our friend the Hon'ble Mr. Aziz-ud-din by way of compromise. Where there is any long-standing dispute, it is for the leaders of the people to intervene and help the authorities to try and come to an amicable settlement. You cannot settle it by a general rule. It is quite impossible. In the trouble was mainly caused by the Mappillas themselves. Here was a Hindu festival known to take place on a certain day in the year and which could take place on no other day and yet the Mappillas took it upon themselves on that particular day to start a religious ceremony in their own mosque and hence the riot. That is our information; we have not got the final facts yet, but that is what it seems to be."

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"The re-organisation of the Judicial department has been raised by the Hon'ble the Raja of Ramnad and the Hon'ble Mr. Ranga Achariyar and they complain that the delay in the re-organization of the Judicial department is as bad as the law's delay. I must say that there is a good deal to be said for this view; we have taken a very long time, much longer than we ought to have taken over this matter. One of the reasons is that litigation is increasing so rapidly that the report made by Mr. Phillips became obsolete before we could give effect to it. When I took in hand the reorganisation of the judicial establishment, Government had to reconsider Mr. Phillips' recommendations *ab initio* and hence there was a great deal of delay for which I am sorry. I can tell the Honourable Gentlemen that the proposals are now complete and they will probably go to the Government of India and the Secretary of State in the next month, I should think. I hope it will be next month, but I do not like to give such a promise and see it broken, but I hope it will be possible to send it up next month."

"In regard to irrigation, the Hon'ble Mr. Venkatapati Raju has referred to the Kollair lake and the need for repairs to its outlets as he calls the Uppateru and the Thammaleru. He wants repairs to the Uppateru and the Thammaleru. About that I would like to inform him that there is a special staff engaged in preparing detailed plans and estimates for drainage improvement in the Kistna delta and investigation is being made about the flood moderating reservoir on the Upper Thammaleru above Ellore. Observations are being made on the Uppateru to see whether any improvement can be made in the upper reaches at a reasonable cost. These estimates are under preparation and they will amount to several lakhs of rupees and when they have been passed by the Chief Engineer they will be forwarded to the Government of India for sanction. Honourable Members are aware from the reply given that the note by the Chief Engineer will be placed on the table."

"The Hon'ble Mr. Ramachandra Rao asked what provision was made for major protective works. That is not a matter which really concerns the Council at the present time. I should like to say the amount provided is Rs. 2.28 lakhs consisting chiefly of Rs. 1.89 lakhs for the Mopad project."

"The remarks of the Hon'ble Mr. Suryanarayana Murthi Nayudu about canals in the Gōdāvari delta will receive the attention of Government. It seems to be news to the Chief Engineer that they have silted up, but he will make due inquiries into it."

"In regard to railways, the Hon'ble the Raja of Ramnad has drawn attention to the refusal of Government to hand over to an Indian company the working of the Vēdārauniyam-Tirutturaiippāndi line and he made an observation that the general feeling was that the Government was not supporting indigenous enterprise. I called for the papers on the subject and I find really that the refusal of the Government to entertain the proposal was made in the interests of the company itself. It could not possibly be a paying proposition for the company, because they had no workshops, they had only second-hand rolling stock and they had no means of obtaining fuel and other things and finally there is a great likelihood of this line being dismantled at an early date. We are quite prepared to hand over to-day the Arantangi-Karaikkudi line; that shows that we are doing our best to place Indian enterprise in railway matters exactly on the same footing as English."

"The Hon'ble Mr. Muppil Nayar referred to the inconvenience of West Coast passengers and so also did the Hon'ble Mr. Sadasiva Bhat; and the Hon'ble Mr. Ahmad Tambi Marakkayar referred to Muhammadan refreshment rooms. These are merely details with which the railway authorities are concerned. We have made inquiries of the inconvenience caused to West Coast passengers and the Agent of the South Indian Railway has told us—I believe the answer has been placed on the table—that it cannot be avoided. I do not think Government can do anything more in the matter. I would ask the Honourable Member himself to see if he can do anything more to him and place the exact facts before him. There appears to be a real difficulty in making arrangements for a through train between Madras and Mangalore. In regard to refreshment rooms, the answer from the railway authorities is that they are quite prepared to establish them wherever they find they are likely to be taken advantage of."

"The Hon'ble Mr. Couchman has answered the main question about forests as regards tanning. I may only refer to two points, one of which was raised by the Hon'ble Mr. Ranga Achariyar about sandalwood oil. I can assure the Honourable Member that that is a matter which is engaging the attention of Government very closely for six months and more and we hope very shortly to be able to make a definite answer as to the policy we intend to pursue."

"The other is a minor matter raised by the Hon'ble Mr. Sadasiva Bhat about the damage done by wild animals in the West Coast. He asked that Government assistance might be given. There are standing orders to every District Forest Officer to help villagers as much as he can in organizing beats. Beats have been tried in South Kanara under these orders and they proved a fiasco; mainly because the jungle is so large that it is impossible for a beat to produce any panther or any other wild animal and secondly because the villagers do not confine themselves only to killing predatory animals but also kill deer and other animals in the forest which is not permissible. If villagers ask the District Forest Officer to help them to arrange a beat, they will get every assistance in his power. They must tell the District Forest Officer 'we are ready for a beat, you give us a forest subordinate to accompany us.'"

"In conclusion, with Your Excellency's permission I would refer to a point not connected with the budget but raised by the Hon'ble Mr. Muppil Nayar about a West Coast regiment and I can inform him that that matter is now made the subject of recommendation to the army headquarters and we hope ere long that a proposal to sanction a West Coast regiment will be favourably entertained by them. I am glad to be able to inform the Council that no less than 21

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1,600 men of the West Coast are now serving in the army; that is the best record of any part of this Presidency and I am sure that it would form a very good nucleus for any West Coast regiment that might be formed."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, I may perhaps begin by saying just a word upon the Financial Member's position in this matter. Unlike the Financial Member to the Government of India, he does not possess any of those powers of compelling money out of people's pockets, which Sir William Meyer has wielded with such effect. Also he cannot determine the yield even from the sources that he does command. Therefore the fact of a good budget is no merit of his and a bad one is equally no fault of his. All that he can do is to distribute the funds that come to his lot to deal with. The last few years have shown generally favourable budgets because nature has been kind and the Presidency has had a succession of good seasons and the people are reaping the benefit, and I do think that Honourable Members of this Council have shown a rather unduly pessimistic attitude towards the bounties which nature has bestowed upon them. So far we have been saved from the sufferings of the war and good crops have given us a normal budget. On the whole I think that the attitude of Honourable Members has been marked with too much shade, although I quite admit that, with a few exceptions, Honourable Members' criticisms have been friendly enough."

"One of the exceptions is the Hon'ble Mr. Venkatapati Raju. He read a lengthy speech which contained a number, a larger number of misstatements than I should have thought it is easy to collect. One of the remarks with which he began was that he was handicapped by want of detailed information under the various heads of expenditure. When he put a question showing that he wanted further information on this subject, the answer given to him was that Government had no idea what he referred to and I am still exactly in the same position; I do not know what he refers to. I only know that we put before this Council the whole information that we have got, and if any one will take the trouble to examine it, he will find that it is so detailed that it gives you even the number of peons, coolies, clerks, sweepers, etc., in any office. I do not know what more the Honourable Member wants, which is at present hidden from him. Does however the Honourable Member utilize the information supplied to him? I can only infer from what he says. He made a speech in which he told us that the Local Government spent Rs. 127½ lakhs in collecting a land revenue of Rs. 306 lakhs and he said that that was a percentage of 45, and he added, that even if we add the Imperial share (as if you could possibly avoid doing so!) the percentage still is 25. If the Honourable Member had glanced at the figures in the budget which he says are so inadequate, he would have found that the Rs. 127½ lakhs which he refers to includes Rs. 14 lakhs for survey and settlement, Rs. 30 lakhs for land records, Rs. 35 lakhs for village officers and that the actual cost of district administration is only Rs. 48 lakhs for the collection of Rs. 611 lakhs so that it is much less than 10 per cent which the Honourable Member said would be a very reasonable figure. I am unable to state whether the Honourable Member's statement was a deliberate misstatement or whether it is due to his neglecting the information to be found in the book put before him."

"A few more instances before I leave this Honourable Member. He quoted Lord Ronaldshay and he stated that Lord Ronaldshay said that he had a very poor opinion of the Madras University and that the Madras University did not even include in their curricula Indian philosophy. If the Honourable Member had taken the trouble to look for five minutes into the Madras University calendar, he would have found that in the B.A. degree, among the subjects for examination is mentioned 'Outlines of Indian philosophy'; that all the schools of Indian philosophy, the Nyaya, the Sankya, the Mimamsa, etc., are included and that the statement which he attributes to Lord Ronaldshay, if made by His Lordship at all, may be due to his being a stranger to this University and is mistaken. In any case the Honourable Member, who is himself, I presume, a graduate of this University, should have refrained from repeating it."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I said Indian Universities and not Madras University."

The Hon'ble Sir ALEXANDER CARDEW:—"I will read what you said: 'Lord Ronaldshay rightly condemned the present system of education and University examinations. He ridiculed Madras question papers. He bitterly complained of the system which compelled all and sundry to study a literature which is not their own and which has no relation whatsoever to the daily experience of their own lives. He was surprised that Indian philosophy finds no place in the curricula.'"

"What does that mean except what I have said? If the Honourable Member did not mean that, he has laid himself open to grave misapprehension. Perhaps it is not necessary to deal with all these points. He says that there were no police in Ancient India. What is his authority? I do not know if the Honourable Member has ever read the great work which recently came before the public, the Arthashastra; in every page of that he will find espionage mentioned as one of the main engines both in peace and war. The Honourable Member says that under the Vijayanagar kings property was secure. If he will look at the inscriptions which have been published year after year—I shall be happy to give him references—he will find that so great was the oppression under the Vijayanagar kings that the country side was deserted and that the people left the country side and that subsequent rulers had to reduce the assessment in order to enable the cultivator to carry on his business. These however are small items, and I pass on to something more important."

"Your Excellency, I would like to refer next to some remarks made by the Hon'ble Mr. Rama Ayyangar. The Hon'ble Mr. Rama Ayyangar's point—he had the same point last

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contained in the present letter. I hope therefore the Honourable Member will acquit us on that charge; we plead not guilty. Why they treat other provinces differently from us I cannot tell him. It seems to me that we have not been given fair play by the Government of India. We have been told to spend nothing except on what is imperative and urgent and Sir William Meyer has spoken of the loyal way in which Local Governments have carried out his wishes. We certainly have been trying to be loyal and we budgeted for a small surplus. But he has allowed Bengal to budget for a deficit of Rs. 40 lakhs and Bihar and Orissa for a deficit of Rs. 19 lakhs. There may be special causes; it may be that the police wants to be strengthened in Bengal, it may be other causes in Bihar and Orissa, so that all I can say is that it is a great surprise to me and I wish to ask him personally what the explanation is."

"Honourable Members have asked several other things. They complained about reduced expenditure on sanitary works. As regards that, it is well known to Honourable Members that one reason for the reduced expenditure is the reduction of the Imperial non-recurring grants. Another reason is that we cannot get pipes, and if we do get pipes they cost five times as much as under normal conditions. A third reason is that local bodies really cannot spend what we give them. The unspent balances of local bodies at the end of 1914-15 were Rs. 42 lakhs, at the end of 1915-16 Rs. 38 lakhs, in 1916-17 Rs. 25 lakhs and in 1917-18 Rs. 25½ lakhs; so that local bodies do not seem able to spend the money that we give them."

"Honourable Members ask for further medical relief. I am entirely with them and I am most anxious to do all that we can, but you cannot have medical relief without medical men and unfortunately it takes four years to make the simplest medical man and five years to make a full-blown medical man. Under these conditions, you cannot, by just a wave of the hand, turn out doctors and start hospitals; steps have been taken to increase the number of students in our medical schools—they have actually been doubled—and we hope to start some more medical schools, but it cannot be for two or three years that the first results of these steps will be visible."

"Even in regard to education, there is a limit beyond which increased expenditure must be gradual. We have largely increased the expenditure on education. Next year we have provided for Rs. 20 lakhs extra, and last year we provided a very considerable increase on education, but even education wants teachers and training schools are a necessary preliminary. We cannot throw away money and say that so much money is spent for education. It would be a thousand pities to do that. I do not think the Director of Public Instruction can tell this Council that we have refused him money for any single object that he can name and his complaint has rather been that we have been forcing it down his throat."

"Those are the chief points. I do not pretend to deal with every point mentioned. There are many others and it is hardly possible to deal with them all."

"The general position up to now has been very satisfactory but how much longer it is going to be satisfactory it is quite impossible for any one here to tell. I think it was the Hon'ble Mr. Gordon Fraser who stated a year ago that every year this war lasts the position must become more and more grave and I want Honourable Members to realize that we are becoming more and more affected by the war and that while we are spending our time on schemes of more expenditure in this direction or in that, the logic of facts is telling in the opposite direction so that we may not be able to spend more. Our means are becoming more and more imperilled by the continuance of the war, and as transport facilities are becoming less and less, all progress will become more and more difficult. I would really ask Honourable Members to reflect upon that point of view and not to think that India is going to remain always immune from the consequences of the tremendous war that is going on. We have been immune so far, but each year we are likely to suffer more and this aspect ought not to be forgotten. I do not think it has been very present to those who have taken part in this debate. One opportunity however is coming to do something in that direction and that is the War Loan about which there is going to be a meeting on Tuesday. I hope this Presidency will do its very best to occupy a good position, a better position than it did last time. The loan is not a request for assistance; it is an extremely good investment in which excellent terms are obtained; the best security that can be got and the money will be spent in the country. As the Viceroy pointed out, every one who takes stock in that loan is helping himself as well as helping the Empire in its crisis and particularly he is helping India which has got to pay the interest on the loan. Therefore I trust that all Honourable Members of this Council will attend the War Loan meeting and that those who may not be present at the War Loan meeting will do all that they can to help the loan on when they get back to their districts and work so that we may not have Sir William Meyer's successor telling us, like last time, that he was disappointed with Madras."

"Your Excellency, these are the only remarks I wish to make on this occasion. I should like before sitting to express publicly our great obligations to the Hon'ble the Chief Secretary, the Assistant Secretary and all their staff for the immense amount of careful and accurate work which has contributed to the production of the budget."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, just a word of personal explanation. Both during the Finance Committee meeting and subsequently I asked for information as to the Rs. 5 lakhs and Rs. 10 lakhs. In the memorandum it is put down that these entries were made in previous years under the head 45, CIVIL WORKS. Now the explanation given is different and shows the Government have acted without authority. That is all I wanted to say."

His Excellency the PRESIDENT:—"I am sure the Council is very much indebted to the Hon'ble Sir Alexander Cardew for his clear exposition of the Financial Statement and I hope he has satisfied Honourable Members in regard to the information which they have invited from him."

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year and his view is somewhat shared by the Hon'ble Mr. A. S. Krishna Rao—is that excessive caution has been exercised in framing the budget. I think the Hon'ble Mr. Krishna Rao quoted from Sir Edward Baker who admitted that this was a point to be considered. I would really put it to the Council whether in a country like India the people who are responsible for finance are not wise in exercising a very large amount of caution. Perhaps Honourable Members remember the witticism of the late Finance Member, Sir Guy Fleetwood Wilson, who said that the Financial Member's occupation is gambling in rain. It is really a rather well-put expression; it is a pure toss-up whether the rains will come or whether they will not come. As regards our friend the Hon'ble Mr. Rama Ayyangar's assurance that we shall certainly find ourselves much under-estimated this year, all I can say is that, if the rains do not come, we shall find ourselves very much over-estimated. We are obliged to proceed with caution on that ground. If the rain came regularly, and if the revenue did not depend upon the seasons, it would not be so essential to be cautious, but I really doubt whether any one will be wise who frames the finances in a large country like India without keeping in view that risk.

“Then as regards the expenditure side, here you have two different points of view. The Hon'ble Mr. Venkatapati Raju speaks of an all-round ruinous growth of State expenditure year after year, of the exhausting of the resources of the country and crippling them, so that the Hon'ble Mr. Venkatapati Raju thinks that we are spending far too much and ruining the country by this excessive expenditure. Again the Hon'ble Mr. Ranga Achariyar wants to create a special officer who is to see that we do not spend too much and that we are not quite so extravagant. On the other hand, there is another school of thought, that of the Hon'ble Mr. A. S. Krishna Rao who talks of an undue tendency to frugality. I believe, though I am not sure, that other Members have expressed similar views, namely that we are too frugal, and too economical, so that our balances go on mounting up and are never spent and that we behave like Scotchmen who will not part with anything in our revenues if we can help it and that we are very much to blame in that way. These contradictory views are a little consolatory to me for they can't both be right. The Hon'ble Mr. Rama Ayyangar, I think, particularly attacked the provision of Rs. 5 lakhs or more for reserve which has been put under 32. MISCELLANEOUS. This provision he pointed out—he is quite correct in that—used not to appear in the budget, although it appeared in another portion of the budget under another head. I think I explained this point in the memorandum; the reason why it appears now is that the Government of India have withdrawn our power to draw upon our balances in framing the budget. We should thus be technically in a state of bankruptcy as soon as we come to the end of our money. To meet that, a small reserve is provided and it is rather unkind and ungenerous on the part of the Hon'ble Mr. Rama Ayyangar to tell us that it has been done in order to prevent non-official Members from exercising the small powers that they are given. I really think on reflection that the Honourable Member will feel that that is hardly fair and that we are putting this money in order to meet emergencies. Then again he said it would certainly lapse. I am sure it will not, I am almost certain it will not. I personally was guilty of raising the reserve from Rs. 5 to 10 lakhs. When in the month of March we found the revised estimates going up, I sent a telegram to the Government of India to raise our reserve from Rs. 5 to 10 lakhs, on the 9th of March. The object was to enable me to have some little money to meet the wishes of Honourable Members of this Council. I told the Government of India that reason, and it weighed with the Government of India and they very graciously granted this Rs. 5 lakhs extra and it enabled me at the last meeting to accept some motions already moved and some money has already been spent in that way. Moreover in consequence of the great rise in prices, the rise in rents, and the cost of living generally, we shall want every penny that we can get to help some of our poorer servants. We have already seen that in the case of servants in the Madras City, the extra expenditure is Rs. 21 lakh and we hope to deal with a wider sphere. Coming back to the question of balances, it is really not at all such a bad thing to have such a balance at our bankers. I really like to have a balance with my bankers and here we have this position coming. We are getting railways breaking down and showing signs of wearing out. We have got roads needing repair and I have got some information to show how much more traffic is going by road as is shown by the tolls. We ought to be able to find more money for roads. We shall be able to go to the Government of India and tell them. ‘Look at the balance we have given you; we have spent the funds you have given us up to the hilt.’ We can then ask for some Imperial money. It is really our money, and we shall be able to use it; that is a great advantage. As Sir William Meyer said—I do not know if Honourable Members have read his remarks in the Imperial Council—after all, the best thing is, if your finances do come out better than you expect, to thank God, and not be critical about it. That is a sound view, I submit.

“Then it has been suggested that we should revise our financial relations with the Government of India. As regards that, I attempted to explain to the Council a day or two ago, that in view of the total uncertainty of the future financial relations between the Provincial and Imperial Governments, this is not the time for such revision and it would be quite useless to go and ask them to revise our contract.

“As regards the question whether we have asked the Government of India for money, I am able to tell the Hon'ble Mr. A. S. Krishna Rao that we have asked them for money, not exactly on the lines he has mentioned, but we asked them to give us Rs. 15 lakhs to enable us to take over some main roads and the Government of India so recently as 5th of February told us that it would be obviously impossible while war conditions last to consider the grant of such an assignment. Then they went on to say that the reform schemes, as I have told the Council, would involve the reconsideration of the relations between Imperial and Provincial Governments and that it would be quite impossible to give isolated consideration to proposals such as that

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(The President.)

“The conclusion of the Budget meeting is generally regarded as marking a definite stage each of the three years of life which the Legislative Council enjoys between two elections. We are able to sum up how far the past financial year has realized the anticipations with which it opened. The Government too upon this occasion have the privilege of hearing plain speaking to their shortcomings during the past twelve months, and, what is perhaps still more valuable, useful advice and suggestions as to how their energies may best be directed during the coming year. I think on the whole that in spite of shortcomings and difficulties we part with the year which has now expired with some measure of thankfulness. The sons have again been kind and our agricultural prosperity has been maintained. We have been free too from any serious convulsions of nature, and although the public health has times given us anxiety—partly as a result I believe of climatic abnormalities—at the present moment signs are on the whole favourable, and in respect of plague, a recent cause of anxiety, Government have under consideration measures which it is hoped will anticipate any serious recrudescence of the disease next cold weather. In spite too of an occasional regrettable incident arising out of religious disputes, the public peace has been preserved, and although the past year has been characterized by unusually keen and protracted political controversy the Government gladly recognize that for the most part it has been conducted with that regard for order, and aversion to violence of language and conduct which are congenial to the good temper and commonsense of the people of this Presidency. It is also something for which we may be grateful that although we are now in the fourth year of the war we have been able to carry on the general administration of the province without any serious setbacks, and indeed to show progress in not a few respects; and even to initiate new and valuable lines of advance. And I here gladly take this opportunity of expressing on behalf of the Government our sense of the assistance and co-operation which this Council has given us in these matters during the past year. But if we are able to look back with some degree of satisfaction on the year that has gone and to look forward with confidence to the year on which we have now entered, I feel sure that no one in this chamber forgets for one moment to whom that is due. During the last few days our hearts have all been thrilled by the tales of the heroism and of the dauntless courage and self-sacrifice of those brave men to whom under God we owe the fact that we here in Madras are able to continue the usual activities of times of peace and to form plans for the morrow in the confident hope that they will come to fruition. In that confidence I share, but I trust that such feelings will not obscure the perception of our debt, and that in the Madras Presidency we shall not incur the reproach that we have been lacking in gratitude, or in comprehension of the immense and inexpressible debt which we owe to His Majesty's Navy and Army. That debt we cannot hope to repay but there is much which even in Madras we can do to help the Empire to sustain the conflict in which it has been involved. The call for men is more insistent, Mr. Gillman has given us the recent figures for Malabar recruiting; and although it has not been heard in vain it cannot be said that this Presidency has yet put forth its maximum effort. The demand for munitions and provisions of war also becomes daily more urgent; and must impose upon all classes various restrictions, discomforts, and perhaps irksome though no doubt minor deprivations; but if the people of this Presidency only realize how urgent the call is and how serious the issues, I feel sure that the generosity, the cheerfulness, the patience and the active desire to help which they have demonstrated since the war began will be evinced in double measure; and that every section of the community will vie in making good the claim that the Madras Presidency also has taken its full share in defending the common cause. I appeal, and I am sure not in vain, to the members and more especially to the non-official Members of this Council to help us in making clear the issue and all that depends upon it, and to enforce by their influence and advocacy those claims and responsibilities which loyalty, gratitude and their own highest interests must commend to the people of this country.

“In regard to the next meeting of this Council some of the members of the Council have represented to me the inconvenience to them of a meeting in May of this year in Ootacamund. I am glad to be able to assure them that such a meeting will not be necessary: in fact, it would hardly, I think, be possible, owing to the lack of ripe legislative business. Due notice will be given of the next meeting of Council which will, so far as I can see, be held in Madras, some time later on, probably at the end of July or during the first half of August.”

The Council then adjourned *sine die*.

R. A. GRAHAM,
Acting Secretary to Government, L & M. (Legislative) Dept.

APPENDIX.

(Vide pages 685, 686 supra.)

Heads of revenue.	Budget, 1918-19.	Revised.	Actuals.	1913-14.	1914-15.	1915-16.	1916-17.	1917-18.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Land revenue	305.69	302.34	299.04	295.48	287.44	285.54	290.47	28
Excise	208.14	202.10	185.01	175.59	183.00	182.55	165.93	15
Agriculture	1.99	1.79	1.98	1.71	1.20	1.01	5.69	
Scientific	17.21	15.60	13.85	11.14	8.68	5.72		
Total receipts excluding adjustments.	824.33	816.94	778.28	745.05	727.39	728.19	707.03	672.66

ANNEXURE

MEMORANDUM

With reference to rule 29 (1) of the rules for the discussion of the annual Financial Statement, Honourable Members of Council are informed that, as a result of the discussions at the meeting of the 13th and 14th March last, the following alterations have been made in the figures of the Revised Financial Statement which was presented to them on the 13th March:—

Head of Account.	Item.	Amount. LAKHS.
3. LAND REVENUE and 19-A. COURTS OF LAW ..	Revision of the pay of shroffs (15 lakh) and taluk peons (45 lakh)—Resolutions moved by the Hon'ble Mr. K. R. V. Krishna Rao Pantulu. [A sum of 18 lakh representing 30 per cent of this additional provision of 60 lakh has been transferred to 19-A. Courts of Law—Criminal Courts.]	60
12. REGISTRATION ..	Opening a Registrar's office in the North Arcot district—Resolution moved by the Hon'ble Diwan Bahadur A. Subbarayalu Reddiyar Avargal.	05
19-A. COURTS OF LAW.	Creation of a District and Sessions Court at Anantapur—Resolution moved by the Hon'ble Mr. P. Siva Rao.	40
22. EDUCATION	Opening night schools—Resolution moved by the Hon'ble Mr. T. Ranga Achariyar.	06
24-B. SANITATION ..	Grant for water-works extensions in the Negapatam municipality—Resolution moved by the Hon'ble Khan Bahadur A. T. G. M. Ahmad Tambi Marakkayar Sahib Bahadur.	09
26-A. AGRICULTURE ..	Additional establishments under the Registrar of Co-operative Societies—Resolution moved by the Hon'ble Mr. K. Sadasiva Bhat.	10
45. CIVIL WORKS—PUBLIC WORKS DEPARTMENT.	Improvements to the hostel attached to the Rajahmundry College—Resolution moved by the Hon'ble Rao Bahadur M. Ramachandra Rao Pantulu Garu.	25
		1.55

Against the total additional provision of 1.55 lakhs, a corresponding reduction has been made under the head "32-E. MISCELLANEOUS—Miscellaneous and Unforeseen charges—Reserve provision at the disposal of Government" with a view to keep the total Provincial expenditure unaltered.

2. As above amended, the Revised Financial Statement may be taken as the final Financial Statement for 1918-1919.

3rd April 1918.

A. G. CARDEW.

